



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 16th December 2022 at the Council Chambers, Northampton commencing at 1.00pm.

- Audit Committee Meeting to be held at 10.30am.
- 11.00am – DBCA and Nanda Traditional Owners – Reserve 12996, Kalbarri. (River Foreshore)

A handwritten signature in black ink, appearing to read 'M. Battilana', is written over a circular stamp or seal.

MAURICE BATTILANA
ACTING CHIEF EXECUTIVE OFFICER
9th December 2022



~ Agenda ~

16th December 2022

NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Northampton Shire

Council will be held on Friday 16th December 2022, at

The Council Chambers, Northampton commencing at 1.00pm.

MAURICE BATTILANA
ACTING CHIEF EXECUTIVE OFFICER

9th December 2022

SHIRE OF NORTHAMPTON

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Signed _____



MAURICE BATTILANA
ACTING CHIEF EXECUTIVE OFFICER

Date 9th December 2022

AGENDA
ORDINARY MEETING OF COUNCIL
16th December 2022

1. OPENING

2. PRESENT

- 2.1 Leave of Absence
- 2.2 Apologies

3. QUESTION TIME

4. DISCLOSURE OF INTEREST

Councillors are to advise the Presiding Member or Chief Executive Officer prior to the meeting commencing of items they have a financial interest in or alternatively declare their interest immediately before the item that is to be discussed.

5. CONFIRMATION OF MINUTES

- 5.1 Ordinary Meeting of Council – 18th November 2022
- 5.2 Special Meeting of Council – 2nd December 2022

6. RECEIVAL OF MINUTES

7. REPORTS

- 7.1 Works & Technical Services
- 7.2 Health & Building
- 7.3 Town Planning
- 7.4 Finance
- 7.5 Administration & Corporate

8. COUNCILLORS & DELEGATES REPORTS

- 8.1 Presidents Report
- 8.2 Deputy Presidents Report
- 8.3 Councillors' Reports

9. NEW ITEMS OF BUSINESS FOR DECISION

10. NEXT MEETING

11. CLOSURE

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

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SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022**

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SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.1 OPENING

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

11.2 ACKNOWLEDGEMENT OF COUNTRY
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We would like to respectfully acknowledge the Yamatji People who are the Traditional Owners and First People of the land on which we meet. We would like to pay our respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Yamatji People.

11.3 PRESENT

Cr L Sudlow	President	Northampton Ward
Cr R Horstman	Deputy President	Northampton Ward
Cr R Suckling		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr T Gibb		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Mr Maurice Battilana	Acting Chief Executive Officer	
Mrs Michelle Allen	Planning Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Ms Wendy Dallywater	Environmental Health Officer	joined the meeting at 1.48pm.

11.3.1 PREVIOUSLY APPROVED LEAVE OF ABSENCE (by Resolution of Council October 2022 meeting)
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Cr T Hay	Northampton Ward
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11.3.2 APOLOGIES

Cr R Burges	Kalbarri Ward
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SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.4 QUESTION TIME

Nil

11.5 DISCLOSURE OF INTEREST

Cr GIBB declared a proximity interest in Item 7.3.1 Proposed Removal of Management Order over Reserve 25447 – Lot 514 Wood Street, Kalbarri as Reserve 25447 is adjacent to his land.

Cr SUCKLING declared an impartiality interest in Items 7.5.5 and 7.5.6 as she is related to the Chief Executive Officer, Garry Keefe.

Acting Chief Executive Officer, Maurice Battilana, declared an impartiality interest as he is related to the Chief Executive Officer, Garry Keefe.

Acting Chief Executive Officer, Maurice Battilana, declared a financial interest in Item 7.5.7 Extension of Acting CEO Appointment as he may incur a gain or loss from the decision of Council.

11.6 CONFIRMATION OF MINUTES

11.6.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING FRIDAY 21st OCTOBER 2022 (ITEM 7.5.1)

Moved Cr GIBB seconded Cr SUCKLING

That the minutes of the Ordinary Meeting of Council held on the 21st October 2022 be confirmed as a true and correct record.

CARRIED 6/0

11.6.2 BUSINESS ARISING FROM MINUTES

Moved Cr SUCKLING seconded Cr GIBB

That Council deal with confidential items 7.2.2, 7.5.5, 7.5.6 and 7.5.7 at completion of Administration and Corporate Report.

CARRIED 6/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.7 RECEIVAL OF MINUTES

11.7.1 RECEIVAL OF MINUTES – AUDIT COMMITTEE MEETING FRIDAY 18 th NOVEMBER 2022
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Moved Cr SUCKLING seconded Cr STEWART

That the minutes of the Audit Committee Meeting held on the 18th November 2022 be received.

CARRIED 6/0

11.7.2 BUSINESS ARISING FROM MINUTES

Nil

11.7.3 AUDIT COMMITTEE MEETING OF COUNCIL – 18 NOVEMBER 2022
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Moved Cr GIBB seconded Cr STEWART

That Council receive:

1. The Review of Financial Management, Risk Management, Legislative Compliance and internal Controls Report as presented; and
2. The Risk Management Compliance Calendar, as presented.

CARRIED 6/0

11.8 WORKS & ENGINEERING REPORT
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11.8.1 INFORMATION ITEMS MAINTENANCE /CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)

Noted.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.9 HEALTH & BUILDING REPORT

11.9.1 BUILDING STATISTICS FOR THE MONTH OF OCTOBER 2022 (ITEM 7.2.1)

Noted.

11.10 TOWN PLANNING REPORT

11.10.1 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.1)

Noted.

Cr GIBB declared a proximity interest in Item 7.3.1 Proposed Removal of Management Order over Reserve 25447 – Lot 514 Wood Street, Kalbarri as Reserve 25447 is adjacent to his land.

Cr GIBB departed the meeting at 1.15pm

Moved Cr PIKE seconded Cr STEWART

That Council agrees that Item 7.3.2 be dealt with and Cr GIBB be permitted to attend the meeting for the duration of discussion.

CARRIED 5/0

Cr GIBB returned to the meeting at 1.16pm.

11.10.2 PROPOSED REMOVAL OF MANAGEMENT ORDER OVER RESERVE – LOT 514 WOOD STREET, KALBARRI (ITEM 7.3.2)

Cr GIBB departed the meeting at 1.20pm.

Moved Cr STEWART seconded Cr HORSTMAN

That Council agree to relinquish a portion of Reserve 25447m being Lot 514 on Deposited Plan 424035.

CARRIED 5/0

Cr GIBB returned to the meeting at 1.23pm.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.11 FINANCE REPORT

11.11.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr HORSTMAN seconded Cr GIBB

That Municipal Fund Cheques 22276 to 22300 inclusive totalling \$79,834.87, Municipal EFT payments numbered EFT24068 to EFT24228 inclusive totalling \$952,113.00, Direct Debit payments numbered GJ0403 to GJ0410 inclusive totalling \$268,399.11 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

11.11.2 MONTHLY FINANCIAL STATEMENTS – SEPTEMBER 2022 (ITEM 7.4.2)
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Moved Cr STEWART seconded Cr SUCKLING

That Council adopts the Monthly Financial Report for the period ending 31 October 2022.

CARRIED 6/0

11.12 ADMINISTRATION & CORPORATE REPORT
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11.12.1 ELECTION OF DELEGATES AND COMMITTEE MEMBERS (ITEM 7.5.1)
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Moved Cr HORSTMAN seconded Cr STEWART

That Council appoints members to the following Committees:

- Cr GIBB – Disability Services Committee
- Cr HORSTMAN – Audit Committee
- Cr HAY – Senior Staff Employment Performance Review Committee

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

That Council appoints the following Delegates:

- Cr PIKE – Kalbarri Visitor Centre
- Cr HAY – Local Emergency Management Committee
- Cr SUDLOW and Cr HORSTMAN – Northern Country Zone of WALGA.
- Chief Executive Officer – Proxy in the absence of either Elected Member of the Northern Country Zone of WALGA.

CARRIED 6/0

11.12.2 SHIRE OF NORTHAMPTON – LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS 2022 AND LOCAL RECOVERY PLAN 2022 (ITEM 7.5.2)

Moved Cr HORSTMAN seconded Cr SUCKLING

1. That Council acknowledge the formation of the Shire of Northampton Local Emergency Management Committee.
2. That the minutes of the Shire of Northampton Local Emergency Management Committee meeting held on the 19th October 2022 be received.
3. That Council endorse the Shire of Northampton Local Emergency Management Arrangements 2022 and the Shire of Northampton Local Recovery Plan 2022, as presented.

CARRIED 6/0

11.12.3 CR PETER STEWART - RESIGNATION (ITEM 7.5.3)

1. Moved Cr PIKE seconded Cr SUCKLING

That Council request approval from the Western Australian Electoral Commission, under section 4.17(2) of the Local Government Act, 1995, to defer filling the Kalbarri Ward Elected Member vacancy created by the resignation of Cr Peter Stewart until the October 2023 Local Government Ordinary Elections.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

2.
 - a) That Council conducts an extraordinary election to fill the Kalbarri Ward Elected Member vacancy in accordance with the Local Government Act, 1995, and a date for the election to be set by the Shire President in accordance with section 4.9 of the Act.
 - b) The extraordinary election to fill the Kalbarri Ward Elected Member vacancy be conducted as a postal election undertaken by the WA Electoral Commission in accordance with section 4.61(2) of the Local Government Act, 1995, and authorise the Chief Executive Officer to amend the 2022/2023 Budget accordingly to cover the cost of this contract service.
 - c) That Council seeks approval of the Electoral Commissioner, in accordance with section 4.20(4) of the Local Government Act, 1995, to appoint a person other than the CEO to be the returning officer of the local government for the WA Electoral Commission to conduct a postal election to fill the Kalbarri Ward Elected Member Vacancy.
3. To ensure the continued functionality of the Council, request approval from the Minister for Local Government under section 5.7 of the Local Government Act, 1995, to:
 - a) reduce the number of offices of members required for a quorum at a Council meeting from the current situation of five (5) to four (4) to accommodate the reduction in Elected Member numbers from nine (9) to seven (7).
 - b) reduce the number of offices of member required at a Council meeting to make a decision required for an Absolutely Majority from the current situation of five (5) to four (4) to accommodate the reduction in Elected Member numbers from nine (9) to seven (7).

CARRIED BY ABSOLUTE MAJORITY 6/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.12.4 CR SUDLOW – REQUEST TO ATTEND DECEMBER 2022 COUNCIL
MEETING BY INSTANTANEOUS COMMUNICATION (ITEM 7.5.4)

Moved Cr STEWART seconded Cr GIBB

That Council:

1. Approve Cr SUDLOW's attendance at the December 2022 Ordinary Council Meeting by instantaneous communication in accordance with section 5.25 of the Local Government Act, 1995, and the Local Government (Administration) Regulation, 1996.
2. Authorise the Deputy President (Cr HORSTMAN) to preside over the December 2022 Council meeting.

CARRIED 6/0

The President adjourned the meeting at 1.48pm.

Shire's Environmental Health Officer, Wendy Dallywater, joined the meeting at 1.48pm.

The President reconvened at 1.52pm with the following in attendance:

Cr SUDLOW, Cr HORSTMAN, Cr STEWART, Cr PIKE, Cr SUCKLING and Cr GIBB, M BATTILANA, G MIDDLETON, M ALLEN & W DALLYWATER.

CONFIDENTIAL ITEMS

Moved Cr HORSTMAN seconded Cr GIBB

Council closed the meeting to the public in accordance with the Local Government Act, 1995 for the following Agenda Items:

- 7.2.2 – Section 5.23(c) – matter deals with a contract entered into, or which may be entered into by the local government; and
- 7.5.5, 7.5.6 & 7.5.7 – Section 5.23(a) - matters affecting an employee or employees.

CARRIED 6/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.12.5	MIDWEST REGIONAL WASTE CONTRACT – NEW CONTRACT (ITEM 7.2.2)
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Moved Cr GIBB seconded Cr STEWART

That Council agrees to accept the revised pricing as stated on the submitted spreadsheet from Cleanaway for the waste collection services only, and that Council agrees to a new 10-year contract period with the term being for 8 years plus 2 years (extension on mutual agreement basis).

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Shire's Environmental Health Officer, Wendy Dallywater, left the meeting at 2.01pm

11.12.6	CEO RECRUITMENT (ITEM 7.5.5)
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Moved Cr HORSTMAN seconded Cr SUCKLING

Council:

1. Endorse the appointment of Lydia Highfield as the Recruitment Consultant to assist the Shire with the recruitment process for a replacement Chief Executive Officer.
2. Endorse the following variation to the 2022/2023 Budget to accommodate the services of the Recruitment Constancy service and a contingency amount:

COA/Job No.	COA/Job Description	Adopted Budget	Proposed Revised Budget	Budget Variance	Comments
104080.08	Consultancy Services	\$45,000	\$53,000	+\$8,000	No provision in the 22/23 budget for CEO recruitment
138120.08	Refuse Collection	\$400,000	\$392,000	-\$8,000	Budget based on \$3.70 per lift, new contract rate = \$1.97 per lift, Savings approx. \$150K

CARRIED 6/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

Moved Cr STEWART seconded Cr GIBB

RECOMMENDATION 2 (SIMPLE MAJORITY) - CEO RECRUITMENT PANEL–TERMS OF REFERENCE 2022

Council endorse the “*CEO Recruitment Panel–Terms of Reference 2022*” as per Attachment 3 to comply with the Standards and relevant Regulations and appoint the following as Panel Members:

- President
- Deputy President
- Cr Pike
- Cr Suckling
- Independent Member – Hellene McTaggart.
- Recruitment Consultant – Lydia Highfield.

CARRIED 6/0

Moved Cr SUCKLING seconded Cr GIBB

Council endorse the “*Confidentiality Agreement 2022*” as per Attachment 4 to comply with the Standards and relevant regulations.

CARRIED 6/0

11.12.7 RETIRING CEO - ELIGIBLE TERMINATION PAYMENTS (ETP) APPLICATION (ITEM 7.5.6)
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Cr Suckling declared an impartiality interest in the matter and remained at the meeting.

Maurice Battilana declared an impartiality interest in this item and departed the meeting at 2.14pm.

Grant Middleton and Michelle Allen departed the meeting at 2.14pm.

Maurice Battilana was invited back to the meeting at 3.00pm by Council.

Moved Cr HORSTMAN seconded Cr SUCKLING

Council seek legal advice on this matter before further consideration.

CARRIED 6/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

11.12.6 EXTENSION OF ACTING CEO APPOINTMENT (ITEM 7.5.7)

Maurice Battilana declared a financial interest in the matter and departed the meeting at 3.05pm.

Maurice Battilana was invited back to the meeting at 3.10pm by Council

Moved Cr STEWART seconded Cr GIBB

That Council:

1. Extend Mr Maurice Battilana's appointment as Acting Chief Executive Officer until the 31st March 2023 (excluding the period 24/12/22 to 31/1/2023 inclusive) with the understanding this appointment period may be terminated earlier by either Council or Mr Battilana.
2. Council authorise the Acting CEO to vary the budget accordingly to accommodate the additional expenditure to fund the costs associated with the appointment extension.

REOPEN MEETING TO PUBLIC

Moved Cr HORSTMAN seconded Cr GIBB

That Council reopen the meeting to the public at 3.12pm.

CARRIED 6/0

Grant Middleton and Michelle Allen returned to the meeting at 3.12pm.

11.13 PRESIDENT'S REPORT

Since the last Council meeting Cr SUDLOW reported on her attendance at:

- | | |
|--|---|
| <ul style="list-style-type: none">• 24/10/2022• 27/10/2022• 27/10/2022• 27/10/2022• 27/10/2022 | <ul style="list-style-type: none">Jon Haines, Teams meeting Leadership sessions KalbarriFred Porter, Networking Opportunities Kalbarri & NorthamptonRex Smith, Big River Ranch – KalbarriNorthampton District Agricultural Society – Airing of Quilts in NorthamptonKalbarri Branch of Geraldton Chamber of Commerce and Industry |
|--|---|

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

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- 27/10/2022 Business Networking Dinner, Kalbarri Skywalk
 - 02/11/2022 John Schliescher, Kalbarri War Memorial
 - 3/11/2022 Rural Development Australia, leadership/Community Building Reference Group Teams meeting
 - 7/11/2022 Local Recovery Coordination Group meeting, Northampton Council Chambers

11.14 DEPUTY PRESIDENT'S REPORT
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Since the last Council meeting Cr HORSTMAN reported on his attendance at:

- 24/10/2022 Jon Haines, Teams meeting Leadership Sessions Kalbarri (Teams meeting)
- 26/10/2022 Karen Godfrey, Rotary funding (Phone meeting)
- 7/11/2022 Local Recovery Coordination Group Meeting (Teams Meeting)
- 16/11/2022 Samantha Edwards, Cyclone Recovery Officer

11.15 COUNCILLORS' REPORTS

11.15.1 CR SUCKLING

Since the last Council meeting Cr SUCKLING reported on her attendance at:

12/11/2022 RSL Dinner, Northampton

11.16 NEW ITEMS OF BUSINESS

Acting Chief Executive Officer, Maurice Battilana, discussed the advice provided by Ben Will (Principal of St Mary's School). St Mary's School recently hired the community bus to take children on camp to Perth with several mechanical and electrical problems being encountered on the excursion interrupting the experience for 27 children and staff.

Moved Cr SUCKLING seconded Cr HORSTMAN

That Council agrees this late item of business can be dealt with.

CARRIED 6/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre Kalbarri on
Friday 18th November 2022

Moved Cr SUDLOW seconded Cr SUCKLING

That Council waiver the fee in its entirety for hire of the community bus to St Mary's School.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

11.17 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 16th December 2022 commencing at 1.00pm at the Northampton Council Chambers.

11.18 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.23pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 15 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 16 th DECEMBER 2022.

PRESIDING MEMBER: _____

DATE: _____

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

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6. CLOSURE	

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

1.1 OPENING

The President thanked all Councillors, guest and staff present for their attendance and declared the meeting open at 11.10am

Acknowledgement of Country

We would like to respectfully acknowledge the Yamatji People who are the Traditional Owners and First People of the land on which we meet. We would like to pay our respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Yamatji People.

2. PRESENT

Cr L Sudlow	President	Northampton Ward
Cr R Horstman	Deputy President	Northampton Ward
Cr R Suckling		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr R Burges		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Maurice Battilana	Acting Chief Executive Officer	
Lydia Highfield	Recruitment Consultant (11:10am to 11:16am)	
Nils Hay	CEO Recruitment Panel - Independent Member (11:13am to 11:16am)	

PREVIOUSLY APPROVED LEAVE OF ABSENCE (by Resolution of Council October 2022 meeting)

Cr T Hay	Northampton Ward
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APOLOGIES

Cr T Gibbs	Kalbarri Ward
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MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

11.4 QUESTION TIME

Nil

11.5 DISCLOSURE OF INTEREST

Cr Suckling declared an impartiality interest in Item 5.1.3 as she is related to the Chief Executive Officer, Garry Keeffe.

Acting Chief Executive Officer, Maurice Battilana, declared an impartiality interest in Item 5.1.3 as he is related to the Chief Executive Officer, Garry Keeffe.

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

5.1.1 CEO RECRUITMENT PROCESS – INDEPENDENT PANEL MEMBER

FILE REFERENCE:	17.1.12
DATE OF REPORT:	11 November 2022
REPORTING OFFICER:	Maurice Battilana, Acting CEO
APPENDICES:	1 Revocation Process – Flow Chart

SUMMARY:

Council is required to revoke the appointment of Cr Hellene McTaggart as the Independent Member on the CEO Recruitment Panel due to a ruling made by the Department of Local Government on the legislation associated with the appointment of this Panel Member.

BACKGROUND:

Council resolved the Following at the November 2022 Ordinary Council Meeting:

Moved Cr STEWART seconded Cr GIBB

Council endorse the “CEO Recruitment Panel–Terms of Reference 2022” as per Attachment 3 to comply with the Standards and relevant Regulations and appoint the following as Panel Members:

- *President*
- *Deputy President*
- *Cr Pike*
- *Cr Suckling*
- *Independent Member – Hellene McTaggart.*
- *Recruitment Consultant – Lydia Highfield.*

CARRIED 6/0

COMMENT:

Since this resolution it has been pointed out by the Department of Local Government (and confirmed by the Western Australian Local Government Association) the Independent Member of the Panel cannot be a Councillor in any local government authority in the State (and maybe even in the nation).

The Acting CEO disputed this interpretation; however, as it has been pointed out by the Department, if the process is not followed strictly in accordance with

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

legislation (or their interpretation of the legislation) the Shire may be legally required to run the whole process again.

Under the *Local Government (Administration) Amendment Regulations, 2021*, the Guidelines for the Local Government CEO Recruitment and Selection, Performance Review and Termination were amended February 2021. Local Government Councils are required to develop or update policies, procedures and/or terms and reference relating to the management and implementation of future CEO recruitment, selection, performance and termination processes.

On this basis the Council, having already adopted “*Standards for the CEO Recruitment, Performance and Termination Policy*” to comply with the above regulations and is required to consider and endorse:

- the CEO Recruitment Panel – Terms of Reference
- **establish a CEO Recruitment Panel**
- establish a Confidentiality Agreement for the CEO Recruitment Panel
- determine the selection criteria for the position of CEO
- approve a Job/Position Description form for the position of CEO
- endorse a Draft CEO Employment Contract

STATUTORY ENVIRONMENT

Local Government Act, 1995

Local Government(Administration) Regulations – Schedule 2, Clause 8(1)(a)

The legislation in dispute is *Local Government(Administration) Regulations - Schedule 2, Clause 8(1)(a)* which states:

8. Establishment of selection panel for employment of CEO

(1) *In this clause —*

independent person means a person other than any of the following —

- (a) **a council member**;
- (b) an employee of the local government;
- (c) a human resources consultant engaged by the local government

(2) *The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.*

(3) *The selection panel must comprise —*

- (a) council members (the number of which must be determined by the local government); and
- (b) at least 1 independent person.

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

POLICY/PROCEDURE IMPLICATIONS

Standards for the CEO Recruitment, Performance and Termination Policy

FINANCIAL & BUDGET IMPLICATIONS:

No implications.

STRATEGIC IMPLICATIONS:

5.	Our Leadership			
5.1	To be accountable for good governance, strong stewardship and leadership with proactive communication and consultation			
	Key Outcomes	Objectives	Success Measures	Timelines
5.1.1	To maintain and expand capacity and capability in the Shire workforce as required for ongoing good governance, accountability,	A retained and developed workforce and effective recruitment in staff turnover	Stable workforce and successful recruitment	Ongoing

VOTING REQUIREMENT:

Varies depending on specific motion.

There is a process Council is required to follow when revoking or substantially changing a Council decision (see **Attachment 1**).

COUNCIL RESOLUTION/STAFF RECOMMENDATION 1 (ONE THIRD MAJORITY) –	
Moved Cr Suckling	Seconded Cr Horstman
Council agree to deal with the revocation Motion as presented.	
CARRIED UNANIMOUSLY 6/0	

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

COUNCIL RESOLUTION/RECOMMENDATION 2 (ABSOLUTE MAJORITY)

Moved Cr Stewart

Seconded Cr Suckling

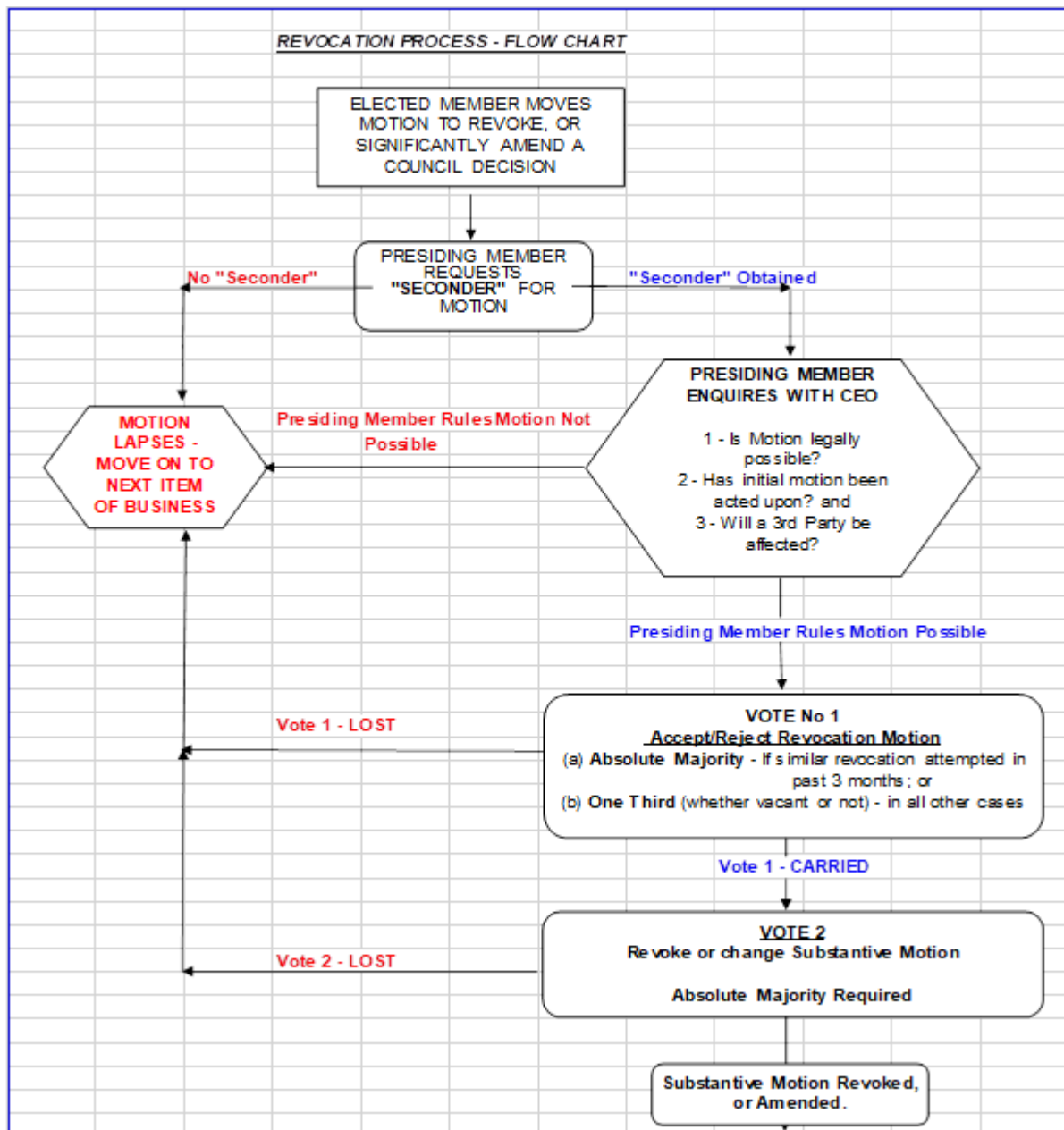
Council:

- 1. Revoke the appointment of Hellene McTaggart as the Independent Member of the CEO Recruitment & Selection Panel.**
- 2. Council appoint Mr Nils Hay as the Independent Member of the CEO Recruitment & Selection Panel.**

CARRIED UNANIMOUSLY 6/0

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

ATTACHMENT 1





MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

11:13am - Mr. Nils Hay joined the meeting by teleconference link.

CONFIDENTIAL AGENDA REPORTS

COUNCIL RESOLUTION

Moved Cr Horstman

Seconded Cr Stewart

Council close the meeting to the public in accordance with section 5.23(a) of the Local Government Act, 1995, to deal with Agenda Item 5.1.2 & 5.1.3 as both items relate to matters affecting an employee and the personal affairs of a person.

CARRIED UNANIMOUSLY 6/0

MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

5.1.2 CEO RECRUITMENT PROCESS – POSITION DESCRIPTION & SELECTION CRITERIA

FILE REFERENCE:	17.1.12
DATE OF REPORT:	2 December 2022
REPORTING OFFICER:	Maurice Battilana, Acting CEO
APPENDICES:	1. Draft Position Description & Selection Criteria

COUNCIL RESOLUTION/STAFF RECOMMENDATION – ITEM 5.1.2

Moved Cr Stewart

Seconded Cr Burges

Council endorse the “*CEO Position Description*” as presented to comply with the Shire’s “*Standards for the CEO Recruitment, Performance and Termination Policy*” and associated legislation to commence advertising of the position.

CARRIED UNANIMOUSLY 6/0

11:16am – Lydia Highfield, Nils Hay, disconnected and left meeting

11:16am – Maurice Battilana left the meeting.

5.1.3 RETIRING CEO – CONTRACT DISCUSSIONS

FILE REFERENCE:	17.1.2
DATE OF REPORT:	2 December 2022
REPORTING OFFICER:	Maurice Battilana, Acting CEO
APPENDICES:	1. G Keefe’s - Eligible Termination Payments (ETP) Application
	2. G Keefe’s - Employment Contract

11:47am – Maurice Battilana returned to the meeting.

COUNCIL RESOLUTION

Moved Cr Stewart

Seconded Cr Burges

Council endorse Option3 of the Confidential Schedule and if this is accepted by the Chief Executive Officer the President be authorised to finalise a Deed of Settlement with the Chief Executive Officer and a budget variation be implemented to accommodate this arrangement.”

CARRIED UNANIMOUSLY 6/0



MINUTES – SPECIAL COUNCIL MEETING - 2 DECEMBER 2022
(Teleconference Meeting)

6. CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 11:51am.

WORKS & ENGINEERING REPORT CONTENTS

7.1.1	INFORMATION ITEMS MAINTENANCE /CONSTRUCTION WORKS PROGRAM	2
7.1.2	REQUEST FOR QUOTE (RFQ - 01/2023) SUPPLY OF FLEET VEHICLES – 2022/2023 ONE (1) x MOTOR GRADER	4
7.1.3	REQUEST FOR QUOTE (RFQ - 02/2023) SUPPLY OF FLEET VEHICLES – 2022/2023 ONE (1) x ALL WHEEL STEER/EQUAL SIZED TYRE BACKHOE	6

7.1.1	INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM				
	<table> <tr> <td data-bbox="367 405 845 481">REPORTING OFFICER:</td><td data-bbox="845 405 1417 481">Neil Broadhurst - MWTS</td></tr> <tr> <td data-bbox="367 481 845 481">DATE OF REPORT:</td><td data-bbox="845 481 1417 481">8th December 2022</td></tr> </table>	REPORTING OFFICER:	Neil Broadhurst - MWTS	DATE OF REPORT:	8th December 2022
REPORTING OFFICER:	Neil Broadhurst - MWTS				
DATE OF REPORT:	8th December 2022				

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 Halfway, Frosty Gully, James, Normans Well, Yarra, Chilimony, Starling, Jackson, Balline, Von Bibra, Ogilvie West, Wundi, Parker, Balla Whellarra, Ogilvie East, Nolba Stock and Blue Well Road/s.
- Gravel Patching/Sheeting/Verge works carried out on Halfway access, Ogilvie East, Chilimony, Frosty Gully, Balline and Blue Well Road/s.

Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and Edges various locations.
- General – Firebreak regrades and installations.
- Northampton – Verge chemical spraying.
- Northampton – NCC water leak investigations continuing.
- Kalbarri – Eco Flora reticulation including new manifold inlet and outlet works.
- Kalbarri – Malaluca dual use pathway maintenance works.
- Kalbarri – Road verge, Dual Use Pathway and selected fire mitigation mulching works.
- Kalbarri – Airport maintenance works in preparation for reseal works.
- Kalbarri – Western Power identified vegetation pruning works.
- Kalbarri – Wittecarra culvert maintenance works and road reinstatement.
- Kalbarri – Grey Street pothole/preliminary asphalt resurfacing works.
- Binu Toilets – Toilet maintenance waterline works.
- Firebreaks – Regrade of annual firebreak requirements.
- Binu and Port Gregory tip maintenance works/push ups undertaken.

Other Items (Budget)

- Northampton – Gwalla Street / Second Avenue works sealed with concrete kerb installed. Backfilling and site tidy up works progressing.
- Northampton Oval - Install at oval tanks water filtration and mineralization treatment process.
- Parker Road/Wundi Road – Construction works continuing. Preliminary verge and earthworks complete. Drainage/Culvert installation works. Gravel import works commenced.
- Kalbarri – Eco Flora Pump maintenance and manifold replacement works
- Kalbarri – 5 x Shower installation works commenced.

Plant Items

- Motor Grader - 'Request for Quote' specifications advertise. See items 7.1.2
- Backhoe – 'Request for Quote' specifications advertise. See items 7.1.3.

Staff Items

- Three (3) x Vacant positions advertised (Northampton outside staff).
- Training – Fire Warden training

OFFICERS RECOMMENDATION

For Council information.

**7.1.2 REQUEST FOR QUOTE – (RFQ – 01/2023).
SUPPLY OF FLEET VEHICLES – 2022/2023
ONE (1) x MOTOR GRADER**

REPORTING OFFICER:	Neil Broadhurst - MWTS
DATE OF REPORT:	8th December 2022
APPENDICES:	1. Nil.

SUMMARY:

Council to determine quotes for the supply of One (1) New Motor Grader and/or sale of Councils Motor Grader as a trade or outright sale only basis.

BACKGROUND:

Replacement of Motor Grader was listed within Council's approved 2022/2023 financial budget and advertised within 'Request for Quote' documentation.

Trade vehicle – 2011 Caterpillar Motor Grader (P238 – NR9884 – November 2022 – 12,200 hours).

Management utilized the West Australian Local Government (WALGA) Preferred Supply Panel – Contract Number RFQ 023_11 Documentation and Specifications to advertise the quote.

Documentation was prepared in requesting a Motor Grader (as per existing Motor Grader fleet specifications). A similar sized/powered plant item was requested. The new Motor Grader would be placed into the construction fleet. Existing construction motor grader into maintenance grading fleet and existing maintenance machine to be traded.

Local advertising for trade machine for 'Outright Purchase' was advertised in the 'Geraldton Guardian' Tuesday, 22nd November 2022 and the 'Northampton News' December 2022 edition.

Quotes (Request for Quote) for the supply of one new Motor Grader and /or sale of Councils Motor Grader as a trade or outright sale only basis closed 4:00pm Tuesday 6th December 2022.

FINANCIAL & BUDGET IMPLICATIONS:

The 2022/2023 Budget made the following provisions for the purchase of new and trade vehicles. (All figure excluding GST)

Purchase of New. (Schedule 12 – Expenditure - 4214 – Machinery)

Motor Grader. (Vehicle 1)	\$ 440,000
Total	\$ 440,000 (exc GST)

Proceeds from Sale (Trades) (Schedule 12 – Revenue - 4315 – Machinery)

Motor Grader (Trade 1)	\$ 140,000
Total	\$ 140,000 (exc GST)

Available funds as per within 2022/2023 budget \$300,000 (exc GST)

The transfer and fitting of communication devices and flashing lights etc. are all included in the above quote.

SUMMARY OF TENDERS:

Due to the confidentiality matter included in this item a separate report is provided

OFFICER RECOMMENDATION – ITEM 7.1.2.**For Council Determination.**

7.1.3	REQUEST FOR QUOTE – (RFQ – 02/2023). SUPPLY OF FLEET VEHICLES – 2022/2023 ONE (1) x ALL WHEEL STEER/EQUAL SIZED TYRE BACKHOE
--------------	---

REPORTING OFFICER:	Neil Broadhurst - MWTS
DATE OF REPORT:	8th December 2022
APPENDICES:	1. Nil.

SUMMARY:

Council to determine quotes for the supply of One (1) New All Wheel Steer/Equal Sized Tyre Backhoe, No Trade.

BACKGROUND:

Purchase of an All Wheel Steer/Equal Sized Tyre Backhoe was listed within Council's approved 2022/2023 financial budget and advertised within 'Request for Quote' documentation.

Management utilized the West Australian Local Government (WALGA) Preferred Supply Panel – Contract Number RFQ 023_11 Documentation and Specifications to advertise the quote.

Documentation was prepared in requesting an All-Wheel Steer/Equal Sized Tyre Backhoe. An upgraded sized/powered plant item was requested with larger capacity and options available. The new All Wheel Steer/Equal Sized Tyre Backhoe would be placed into the construction area. Existing Backhoe into Northampton depot area for town and maintenance requirements. Subsequently no trade would be offered.

Quotes (Request for Quote) for the supply of one new All Wheel Steer/Equal Sized Tyre Backhoe closed 4:00pm Tuesday 6th December 2022.

FINANCIAL & BUDGET IMPLICATIONS:

The 2022/2023 Budget made the following provisions for the purchase of new vehicles. (All figure excluding GST)

Purchase of New. (Schedule 12 – Expenditure - 4214 – Machinery)

All Wheel Steer/Equal Sized Tyre Backhoe. (Vehicle 1)	\$ 230,000
Total	\$ 230,000 (exc GST)

Proceeds from Sale (Trades) (Schedule 12 – Revenue - 4315 – Machinery)

No Trade

Available funds as per within 2022/2023 budget \$230,000 (exc GST)

The transfer and fitting of communication devices and flashing lights etc. are all included in the above quote.

SUMMARY OF TENDERS:

Due to the confidentiality matter included in this item a separate report is provided

OFFICER RECOMMENDATION – ITEM 7.1.3.**For Council Determination.**

SHIRE OF NORTHAMPTON

WORKS CREW 12 MONTHLY PROGRAM AND PROGRESS REPORT (2021/2022)

(December 2022)

2022/2023 Budget Works	Job No	Status	Comments
<u>REGIONAL ROAD GROUP PROJECTS - 150300</u>			
Kalbarri Road Reseal works 42.00 - 48.00 slk	RR16		
<u>ROADS TO RECOVERY - 152100</u>			
Parker - Wundi Road/s Construction to Bitumen Seal - 3.20 km	RT40	Commenced	Works in progress
Kalbarri - Grey Street Asphalt Reseal	RT41		
<u>MUNICIPAL FUND CONSTRUCTION - 150600</u> Carried Over from 2021/2022			
<u>Kalbarri</u>			
Karina Mews Reseal and replace concrete kerbing	R982		
Smith Street Asphalt reseal and replace concrete kerbing 0.40 - 0.66 slk	R990		
Glance Street Reseal	R223		
Gwalla and Brook Street Install drainage, carry over works from 2021/2022	R326		
Kalbarri - Grey Street Asphalt Reseal	R330		
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<u>MUNICIPAL FUND CONSTRUCTION - 150600</u>			
New Projects			
<u>Northampton</u>			
Parker - Wundi Road/s (Part Funded RTR) Construction to Bitumen Seal - 3.20 km	R336	Commenced	Works in progress
Mary Street Surface Correction - 2 sections	R337		Contractor inspected for works estimation.
Robinson Street Surface Correction - 2 sections and kerbing	R338		Contractor inspected for works estimation.
Essex Street Reseal	R340		
Mary Street Install Bollards west of NWCH	R342		Materials ordered.
<u>Kalbarri</u>			
Smith Street Asphalt reseal and kerb replacement	R339		
<u>Rural</u>			
Binnu East Road Pavement Repair 12.6 to 13.6 slk	R341		
Kalbarri Road (Council Contribution) Reseal works 42.00 - 48.00 slk	R343		
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<u>MUNICIPAL FOOTPATHS - 150900</u> Carried Over from 2021/2022 Northampton - Stephen Street Replace DUP from NWCH to West Street Kalbarri - Grey Street Replace DUP at front of Allen Centre <u>MUNICIPAL FOOTPATHS - 150900</u> New Projects Kalbarri - Malaluca Pathway Maintenance of existing Kalbarri - Red Bluff Road Red Bluff Road to Eco Flora	 F702 F707 08 T379 F716		
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<u>OTHER WORKS - Depots/Ovals/Parks/Gardens etc</u>			
Northampton - Oval - New Toilet Block New Toilet Block - Demolish and Remove old	F003		Materials have arrived. Contractor/Builder to commence January 2023
Northampton - Oval renovation Undertake Verti mowing	F016	COMPLETE	
Northampton - Oval tanks Install material filtration system		COMPLETE	
Northampton - Oval tanks Install water treatment/softner system		COMPLETE	
Northampton - Lions Park Clean and repaint pergola			
Northampton - Lions Park Repaint picnic shelter			
Northampton - Kings Park Fabricate and install pump/retic cover		COMPLETE	
Northampton - Northampton Community Centre Install disabled ramp south end			
Northampton - Northampton Community Centre Reinstate pavement and southern end		COMPLETE	
Northampton - Northampton Community Centre Treatment for rising damp - stadium wall			
Northampton - Northampton Community Centre Brick pave commentery box south to prevent moisture			
Kalbarri - Oval Renovation Undertake Verti Drain	F003	COMPLETE	
Kalbarri - Foreshore area Grass removal along DUP edges	F001		
Kalbarri - Blue Holes Toilet area Install Solar pump to improve pressure	08 B015	COMPLETE	
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
Kalbarri - Foreshore grass removal Cut down grass height along DUP area/s Horrocks - Southern Stairway Remove old and install new Horrocks - Foreshore grass removal Cut down grass height along DUP area/s Horrocks - Foreshore water supply holding tank Remove existing and place new Port Gregory - Carpark Construction/Renovations Foreshore carpark area Port Gregory - New Community Storage Shed New shed Port Gregory - Pipeline works Conduit and new line under George Grey Drive Port Gregory - Non Potable water supply holding tank Install new water supply holding tank Binnu Tip Site Install new fence	08 3664 3714 99 5414 99 5414		Materials ordered
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<u>PLANT ITEMS - Major</u>			
Northampton - New Grader (Construction) Purchase new - trade/sell existing P238 Grader	4214/99		Council report - December 2022
Northampton - New Backhoe Purchase New - No trade	4214/99		Council report - December 2022
Northampton - New utility - WHS Compliance Officer Purchase new - trade/sell existing P242 utility	4214/99		
Kalbarri - New utility - Kalbarri Leading Hand Purchase new - No trade	4214/99		
<u>PLANT ITEMS - Minor/Other/Sundry tools</u>			
Northampton - Fire fighting unit	7362/02		
Northampton - 2 way radios	7362/02		
Northampton - 3 x blowers - 2 at workshop, 1 x gardeners	7362/02	COMPLETE	
Northampton - 1 x 4 inch water pump	7362/02	COMPLETE	
Northampton - Workshop - 1 x Rechargeable air compressor	7362/02	COMPLETE	
Northampton - 1 x Chainsaw	7362/02		
Northampton Gardeners- 1 x lawn edger	7362/02	COMPLETE	
Northampton Gardeners- 1 x whipper snipper	7362/02	COMPLETE	
Northampton Gardeners- 1 x Stihl battery pack	7362/02	COMPLETE	
Northampton Gardeners- 1 x Chainsaw	7362/02		
WHS - Ipads for OHS requirements	7362/02		

HEALTH AND BUILDING REPORT CONTENTS

7.2.1	BUILDING STATISTICS FOR THE MONTH OF NOVEMBER 2022	2
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7.2.1	INFORMATION ITEM: BUILDING STATISTICS
	DATE OF REPORT: 9 th December 2022
	RESPONSIBLE OFFICER: Michaela Simpson – Manager of Building Services

1. BUILDING STATISTICS

Attached for Councils' information are the Building Statistics for November 2022.

OFFICER RECOMMENDATION – ITEM 7.2.1
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For Council information.

SHIRE OF NORTHAMPTON

HEALTH AND BUILDING REPORT – 16th DECEMBER 2022

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - NOVEMBER 2022						
Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Value
19/08/2022	22054	Ricky Clarke	Simple Life Projects	40 (Lot 666) Gantheaume Crescent, Kalbarri	Construct two bedroom, timber framed, weatherboa	\$ 90,000.00
15/11/2022	22070	Shire of Northampton	Daz Fab Engineering	255 (Lot 39) Hampton Road, Northampton	Construct shade shelters	\$ 29,200.00
26/10/2022	22074	Elaine Mitchell	MT & HM Barnden	46 (Lot 79) Glance Street, Horrocks	Construct concrete block retaining wall	\$ 5,000.00
14/11/2022	22079	Paceview Pty Ltd	Frank Rystenber	22 (Lot 13) Ajana-Kalbarri Road, Kalbarri	Construct timber framed deck	\$ 18,500.00
31/10/2022	22080	Timothy and Lisa Reimann	Aussie Sheds Group	13 (Lot 161) Smith Street, Kalbarri	Construct steel framed shed	\$ 47,320.00
4/11/2022	22081	Amber Craig	William Dawson	9 (Lot 27) Phelps Loop, Kalbarri	Construct timber framed, truss roof shed	\$ 12,000.00
14/11/2022	22082	Peter Finney and Krissy Bush	Owner Builder	36 (Lot 763) Glass Street, Kalbarri	Construct timber framed patio	\$ 12,000.00
11/11/2022	22083	Gemma and Steven Fenn	Owner Builder	12 (Lot 6) Grey Street, Kalbarri	Install fibreglass spa	\$ 18,000.00
28/11/2022	22087	Sanpoint Enterprises Pty Ltd	Central Systems Pty Ltd	60 (Lot 188) Jeffrey Brown Wy, Kalbarri	Convert temporary transportable to a laundry/kitchen and construct boundary retaining wall and fence	\$ 12,000.00
15/11/2022	22CS454	Sah Family Trust	TriDev Builders Pty Ltd	181 (Lot 44) Hampton Road, Northampton	Remediation repairs to roof frame and covering	\$ 250,000.00
31/10/2022	22CS456	Laurie Sutton	Barclays Building Services	4 (Lot 255) Hasleby Street, Kalbarri	Remediation repairs to roof covering	\$ 100,000.00
10/11/2022	22CS460	Gregory, Lindsay and Harley Williams	Puresteel Shed Construction	864 (Lot 166) Wundi Road, Alma	Construct steel framed shed	\$ 139,838.60
14/11/2022	22CS461	Gregory, Lindsay and Harley Williams	Puresteel Shed Construction	2296 Ogilvie West Road, Ogilvie	Construct steel framed shed	\$ 139,838.60
4/11/2022	22CS462	Harley and Michaela Simpson	Poynton Building Company	278 (Lot 4) Isachar Back Road, Bowes	Construct timber framed, five-bedroom new dwelling	\$ 664,506.00
4/11/2022	22CS463	Geoffrey and Elizabeth Moody	OCS Building Maintenance	149 (Lot 281) Stiles Road, Kalbarri	Reconstruct damaged patio to side of dwelling	\$ 23,750.00
8/11/2022	22CS466	Squarewell Farming Co	Carimor Sheds Pty Ltd	176 Teakle Road, Bowes	Construct steel framed shearing shed	\$ 370,000.00

SHIRE OF NORTHAMPTON

HEALTH AND BUILDING REPORT – 16th DECEMBER 2022

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - NOVEMBER 2022						
Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Value
11/11/2022	22CS467	Grantley Butcher, Natasha Heasman, Malcolm Heas	Owner Builder	1512 (Lot 24) Horrocks Road, Sandy Gully	Repair roof covering and guttering on shearing shed	\$ 19,000.00
11/11/2022	22CS468	Grantley Butcher, Natasha Heasman, Malcolm Heas	Owner Builder	1512 (Lot 24) Horrocks Road, Sandy Gully	Remediation repairs to walls and roof covering on Blacksmith Shop, Smokehouse and Stables	\$ 17,000.00
18/11/2022	22CS469	Jamie-Lee Loffler	Fox Transportables	11 (Lot 180) Glass Street, Kalbarri	Construct new modular three-bedroom steel framed dwelling	\$ 376,955.00
23/11/2022	22CS470	Bradley and Melissa Smith	Bradley Smith Builders	10 (Lot 867) Sequita Way, Kalbarri	Remediation repairs to roof frame and covering	\$ 210,000.00
28/11/2022	22CS471	Sasha and Shelby Lee-Steere	Major LB Pty Ltd T/A Major Loss Builders	2170 Nabawa-Northampton Rd, East Bowes	Remediation repairs to roof, construct replacement detached garage and install pool barrier fence	\$ 595,603.12

TOWN PLANNING CONTENTS

DECEMBER 2022

7.3.1	APPLICATION FOR DEVELOPMENT APPROVAL AND LICENSE AGREEMENT – SIGHTSEEING PINK LAKE AND COASTAL TOURS	2
7.3.2	PROPOSED EXTENSION OF NON-CONFORMING USE – OUTBUILDING FOR WAREHOUSE/STORAGE – LOT 52 (NO. 53) MARY STREET, NORTHAMPTON.....	20
7.3.3	PROPOSED AGROFORESTRY (HARDWOOD EUCALYPTUS) TREE FARM - 'BALLAMORE' LOTS 5072, 5079, 5083 & 5087 (NO. 4472) BALLA-WHELARRA RD, BINNU	43
7.3.4	SUMMARY OF PLANNING INFORMATION ITEMS	69

7.3.1 APPLICATION FOR DEVELOPMENT APPROVAL AND LICENSE AGREEMENT – SIGHTSEEING PINK LAKE AND COASTAL TOURS

LOCATION:	UCL land parcels – Port Gregory Townsite and beach areas between Hutt River mouth and Lucky Bay
APPLICANT:	TS Hay Pty Ltd/Port Gregory Caravan Park WA
OWNER:	State of Western Australia
FILE REFERENCE:	10.7.1.3 / 9.2.3/ A663
DATE OF REPORT:	9 November 2022
REPORTING OFFICER:	Michelle Allen – Planning Officer
RESPONSIBLE OFFICER:	Maurice Battilana – Acting Chief Executive Officer
APPENDICES:	
1.	Application Letter
2.	Schedule of Submissions

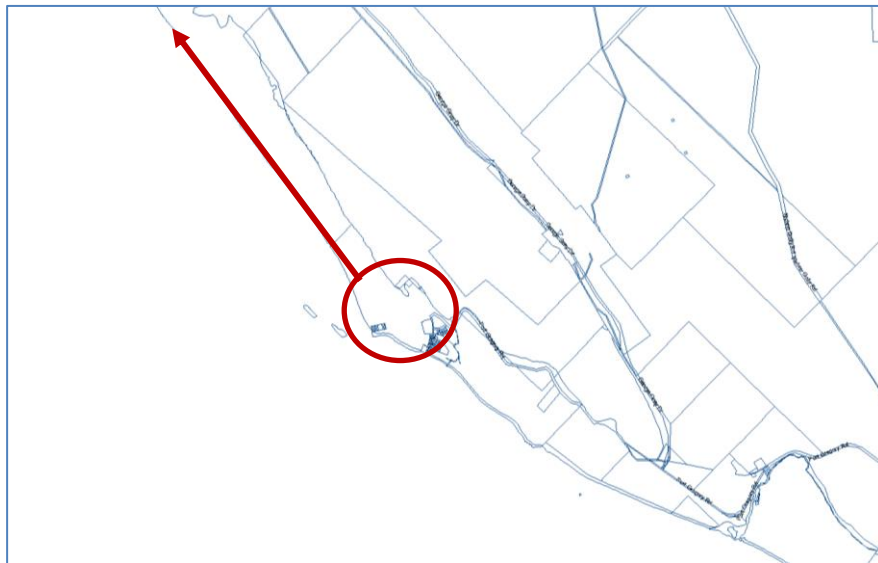
AUTHORITY / DISCRETION:

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 Development Approval has been received for the proposed use of Unallocated Crown Land to conduct sight-seeing tours of the Port Gregory Coastline, including the sand dunes and the unique Pink Lake viewing stops. The Applicant has received advice for the proposed renewal of a license from the Department of Planning Lands and Heritage that only a one (1) year license is being offered currently due to the transitional governance structure in place and as transfer of land ownership occurs and capacity is developed of the Yamatji Trustee as part of the Yamatji Nation Land Use Agreement. Council's approval will formalise consent from a Local Government perspective and allow the use of the land for this purpose, subject to a license being issued by the Department of Planning, Lands and Heritage.

The proposal was advertised for a period of 21 days, with the advertising deadline being 17 November 2022, with three (3) submissions received.

LOCATION PLAN:**BACKGROUND:**

A new Application for Development Approval was received on 19 October 2022 with the Applicant applying to conduct tours of the Port Gregory Coastline, including sand dunes and the Pink Lake area. The land being used is predominantly Unallocated Crown Land that is owned by the State of Western Australia. An approval from Council will formalise the required processes and requirements of the Local Government and assess the Application against the objectives of the Shire of Northampton's statutory documents, as well as institute conditions that are deemed appropriate from a Local Government perspective.

The Applicant that due to the transitional arrangements associated with the Yamatji Nation Indigenous Land Use Agreement a License Agreement to utilise the subject land for the purposes requested will currently only be issued on a yearly basis.

This current License Agreement expired 30 November 2022.

The proposal:

The Applicant conducts guided sight-seeing tours of the Pink Lake and Port Gregory coastline in a 6-seater side-by-side buggy (as described in Application information attached as **Appendix 1**). It is noted that the applicants have operated the tours since September 2018 with tours departing the Port Gregory Caravan Park (owned by the Applicants). A variety of tours are on offer for durations of 15 minutes, 45 minutes and the larger tour including the coastal areas takes 4 hours, with morning tea provided. Tour times are 9am, 11am and 2pm

with approximately four full tours operating a week subject to demand and bookings. The tours will utilise existing tracks and beach, as highlighted in **Appendix 1**. The 6-seater Can Am SSV Defender buggy is road licensed and able to utilise gazetted roads to access the tour areas and is fitted with suitable safety equipment. Tour participants are required to wear helmets throughout the duration of the tour (whilst on the vehicle) and first aid equipment, drinking water, rubbish bags and a mobile phone are carried at all times on all tours. Public liability insurance is held by the Applicant for the purpose of providing this tour service. The buggy is stored within an existing shed upon the grounds of the Port Gregory Caravan Park when not in use.

COMMUNITY & GOVERNMENT CONSULTATION:

The application was advertised for a period of 21 days (from 27 October to 17 November 2022) in accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* with a notice placed in the Geraldton Guardian, on the Shire website and available at both the Northampton and Kalbarri Shire offices. The application was also forwarded to the following governmental agencies and key stakeholders for consideration:

- Department of Water and Environmental Regulation;
- Department of Biodiversity, Conservation and Attractions;
- Department of Mines, Industry Regulation and Safety;
- Department of Transport;
- Department of Planning, Lands and Heritage;
- Department of Jobs, Tourism, Science and Innovation;
- Department of Primary Industries and Regional Development;
- Nanda Aboriginal Corporation; and
- Yamatji Marlpa Aboriginal Corporation.

A total of three submissions were received with no objections forthcoming in relation to the proposed application. A schedule of submissions is provided at **Appendix 2**.

FINANCIAL IMPLICATIONS:

The Applicant has paid a development application fee of \$447.00. In addition to this, should Council determine to refuse this application and the Applicant proceeds 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 areas of Unallocated Crown Land are zoned “General Rural” under *Local Planning Scheme No. 10*, with the purpose of this zone being:

“To provide for the sustainable use of land for the agricultural industry and other uses complimentary to sustainable agricultural practices, which are compatible with the capability of the land and retain the rural character and amenity of the locality.”

The land subject to this application also falls within Special Control Area 1 (SCA1), Coastal Planning and Management, with the purpose and provision of the SCA1 being as follows:

“6.2.1 Purpose and Intent

(a) To protect and enhance the environmental, cultural, recreational and/or scenic values of the area; and

(b) Give priority to coastal dependent land uses and development that by their very nature require coastal sites.

6.2.2 Relevant Considerations

6.2.2.1 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.

6.2.2.2 All use and development of land requires application for planning approval. In considering any application for planning approval, local government shall:

(a) 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;

(b) 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;

(c) 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;

(d) 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

(e) 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.

6.2.2.3 In considering any application for planning approval, the local government may impose conditions which require:

(a) Services along a beachfront to be underground;

(b) 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

(c) Reconstruction and stabilisation works as part of the implementation of an adopted management or strategy plan; and

(d) Preparation and implementation of a foreshore and reserve management strategy.

6.2.3 Referral of Applications

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."

POLICY IMPLICATIONS:

Local: *Shire of Northampton Coastal Management Strategy*
Shire of Northampton Local Planning Policy – Commercial Recreational Tourism Activity

Shire of Northampton Coastal Management Strategy

The Strategy identifies several key issues, with the relevant issues outlined below:

Environmental management - Appropriate management of recreational land uses to reduce and mitigate environmental degradation.

Access - Provision and maintenance of coastal access, including consideration of vehicles and pedestrians. It is important that access to the coast is provided (where appropriate) for professional and recreational pursuits. However this needs to be balanced with environmental protection of dunes and vegetation. Having more than one access track leading to and from the same site can lead to unnecessary disturbance to dunes, which can eventually lead to erosion and dune blowouts. This can be a particular issue during peak/busy times.

4WDs and Off-road Vehicles - ORV use (including unlicensed vehicles and road registered vehicles) along the study area is becoming increasingly popular and requires management to help prevent land use conflict and environmental degradation. Vehicles driving through dunes can lead to vegetation damage and erosion and can also have a detrimental impact on migratory birds and their habitats. While it is important to retain this recreational land use it should be controlled by encouraging drivers to keep to existing tracks. ORV use along the beach can also be an issue where the sand is soft (and causes vehicles to become bogged) and where the tide is high (and causes vehicles to become submerged).

High Recreational Value - The community highly value the coastal area as a recreational resource for its aesthetic and environmental values, the sense of isolation and the broad range of recreational choices. As a result, the community have expressed that the Shire's coastal area requires sensitive management to preserve the current values and opportunities which are generally regarded by the community to be fairly well balanced at present.

Heritage - Coastal management will need to have regard for Aboriginal cultural heritage sites and historic heritage places identified

by the Department of Planning, Lands and Heritage. Registered Aboriginal Heritage Sites have been identified at Wagoe, Lucky Bay, Hutt River Mouth, and Woolawar Gully with the potential that additional Aboriginal Heritage sites might be identified in the future.”

The coastal areas that are proposed to be traversed by the sight-seeing tour fall within Sections 1 and 2 of the study areas of the Coastal Management Strategy. The Strategy describes Sandalwood Bay, located south of Halfway Bay, as the following:

“Sandalwood Bay is a low-key day use site located just south of Halfway Bay. No facilities are recommended at this site to encourage its continued low-key use and wilderness experience and to discourage anything more than day use of this area. Sandalwood Bay is backed by dunes supporting a stabilising cover of vegetation. It is accessed via the beach or by a track entering from the east through a difficult passage in the high frontal dune. 4WD tracks are already well defined and in order to protect coastal vegetation and landforms further vehicle encroachment should be minimised. As is mentioned earlier, sand is accumulating within Sandalwood Bay which makes access difficult at certain times, especially if the tide is in and the beach is narrow. The dunes are also soft and difficult to drive across. There may be a need to erect signage at the Halfway Bay camp site to inform visitors of the risks and issues with access to Sandalwood Bay.”

The subject land also falls within Sector 2 of the Coastal Management Strategy, with the Strategy stating the following in relation to the area:

“Vehicles can travel north along the beach from Port Gregory towards Halfway Bay and Lucky Bay. They can also travel south to a small swimming beach at Nobby’s Hole and further south to the Hutt River mouth.

The remnants of an old whaling station are located in the dunes immediately north of Port Gregory. It was known as Pakington Whaling Station and was located at the site of the proposed Pakington townsite, behind the sand dunes of Hillock Point. Some narrow lots of UCL are reminders of the proposed townsite location. The following information is from the document Pakington Whaling Station (Rodrigues and Anderson, 2006). The whaling station operated from the mid-1800’s right up to possibly the 1920’s. It is also possible that the whaling parties in the 1800’s lived on the lots identified as the townsite. A number of features were exposed after some strong winds in 2006 including remnants of a stone jetty, a pile of brick rubble and a stone

floor of a built structure. Also found were ferrous metals, whalebone, glass, ceramics and oyster shells. The site is covered by coastal shrubs so the archaeological features are not immediately visible. However a 4WD track runs through the area which makes it possible that some disturbance could occur without knowing."

Local Planning Policy - Commercial Recreational Tourism Activity 2019

The application has been lodged under Council's 'Commercial Recreational Tourism Activity 2019 Local Planning Policy'.

The objectives of the Policy are as follows:

- 2.1 *"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;*
- 2.2 *To ensure ecologically sustainable use and protection of reserves for the benefit and enjoyment of future generations;*
- 2.3 *To retain reserves (where appropriate) as places for passive and/or active recreation for residents and visitors;*
- 2.4 *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;*
- 2.5 *To enable appropriate (limited) opportunities for commercial tourism operators to provide services and facilities to the public to enhance their visit to the Shire;*
- 2.6 *To provide criteria for assessing and determining applications."*

Section 3.3.2 provides specific provisions in relation to the use of Reserves for land-based activities as per the following:

- 3.3.2.1 *If Council's roads, carparks or dual use paths are to be used, then the activity will be assessed in terms of whether it will create a danger to other users of the accessway/areas or will create an obstruction to traffic movement or will result in a major loss of carparking spaces.*
- 3.3.2.2 *Where appropriate, activities should be located adjacent to constructed public car parking areas and public conveniences (within 100 metres). The applicant may be required to contribute towards the construction of the public facilities. Approved applications may be required to contribute towards the upkeep of the local public infrastructure and facilities if considered necessary as a consequence of that activity.*
- 3.3.2.3 *If the beach is to be used then the activity must be determined as compatible with the beach environment.*

- 3.3.2.4 *Hire sites adjacent to foreshore areas must be related to the hire of beach-related equipment. A range of complementary operations may be permitted in the same vicinity if there are sufficient facilities and impacts are minor.*
- 3.3.2.5 *Beach site activities are not to damage, or lead to degradation of, coastal or other natural environment. All applications for beach sites are to be assessed to ensure that community demands outweigh commercial demands. Passive and informal recreation use of the beach will be the dominant use.*
- 3.3.2.6 *All activities are to demonstrate that they will not create a public nuisance to adjacent residential areas in context of noise, traffic, etc. and not create a conflict with the main beachgoers.*

COMMENT

The proposed Sightseeing Pink Lake and Coastal tours are considered to be consistent with the objectives of *Lown Planning Scheme No. 10 – Northampton*, the *Local Planning Policy – Commercial Recreational Tourism*, and the *Shire of Northampton's Coastal Planning Strategy*.

The Applicant's proposed tour activities are day-use only and utilise existing tracks and the beach for vehicle access and tour routes, and therefore the tours are considered likely to have a minimal impact upon the natural environment. The Department of Biodiversity, Conservation and Attractions have identified the presence of migratory birds in some areas of the proposed tour routes, and this correspondence will be provided to the Applicant as further advice and information. It is considered that the proposed tours may also help to somewhat alleviate and reduce vehicular traffic stopping in dangerous locations near the Pink Lake and within road reserve areas by providing an alternative means of viewing the lake.

VOTING REQUIREMENT:

Simple Majority Required.

CONCLUSION:

Having taken into consideration the requirements of the Shire's *Local Planning Scheme No. 10 – Northampton*, *Coastal Management Strategy*, *Local Planning Policy Commercial Recreational Tourism Activity* and submission responses, it is recommended that Council approve the Application for Development Approval subject to conditions outlined below.

OFFICER RECOMMENDATION – ITEM 7.3.1

That Council grant Development Approval for an experiential use (sightseeing tours) over the land areas of Unallocated Crown Land as identified, subject to the following conditions:

- 1. This Development Approval is an approval for the proposed use for the purposes of the Shire of Northampton's *Local Planning Scheme No. 10 – Northampton* and the *Planning and Development Act (2005)* only;**
- 2. The Applicant obtaining the signature of the Department of Planning, Lands and Heritage on the Application for Development Approval Form, relating to this application and approval;**
- 3. This Development Approval is subject to the continuing Approval of the Minister of Lands by means of a valid License Agreement with the Department of Planning, Lands and Heritage (or relevant state lands authority) in accordance with the provisions of the *Land Administration Act (1997)*;**
- 4. This Development Approval shall remain valid whilst the License Agreement referred to above remains current and valid, and on the expiration or in the termination of such License Agreement, this Development Approval shall cease to be valid;**
- 5. The proposed tour, to traverse the areas of Unallocated Crown Land as identified in the attached approved plans dated 16 December 2022, shall be limited to the provision of one (1) six-seater side-by-side buggy;**
- 6. The Applicant shall provide an Emergency Management Plan to the Shire of Northampton, and be to the approval of the local government, prior to the commencement of the proposed use;**
- 7. The Applicant shall contact the Shire of Northampton's Environmental Health Officer to ensure compliance with the Food Act (2008) prior to commencement of the proposed use;**
- 8. Tour times shall be limited to the hours of 8am and 5pm, Sunday to Saturday inclusive;**
- 9. The Applicant shall comply with the requirements as set out by the Department of Biodiversity, Conservation and Attractions, to the satisfaction of the Local Government, for the protection of migratory**

bird species, and tours and tour participants shall not in any way interfere with those bird species;

10. The Applicant shall conduct the tours **ONLY** using existing pathways, roads and tracks as identified in the attached approved plans dated 16 December 2022, and shall not negatively impact, degrade or damage the natural amenity or cultural heritage sites within the approved land locations in any way; and
11. The Applicant shall obtain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton, to comply with the provisions of the Shire of Northampton's Local Planning Policy – Commercial Recreational Tourism Activity.

Advice Notes:

- Note 1:** *If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect;*
- Note 2.** *Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.*
- Note 3.** *The Applicant is advised that they should undertake due diligence and take into consideration the State's Aboriginal Heritage when planning specific developments associated with the proposal so as to mitigate any risks where heritage sites may be present. More information is available at <https://www.wa.gov.au/organisation/departments-and-agencies/planning-lands-and-heritage/aboriginal-heritage>.*
- Note 4.** *With regard to Condition 9, the Applicant will be provided with advice from the Department of Biodiversity, Conservation and Attractions (Parks and Wildlife) relating to the environmental significance of the Hutt Lagoon system and migratory shorebirds and waders located there.*
- Note 5:** *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*

APPENDIX 1 – APPLICATION LETTER**APPLICATION FOR RENEWAL
PINK LAKE AND COASTAL SIGHTSEEING TOUR**

We, Tim and Sam Hay of the Port Gregory Caravan Park WA, are submitting this application of a proposal to renew our Pink Lake Buggy Tour in Port Gregory. We have operated now since 2018 with a brief hiatus whilst the Yamatji Nation Land was determined.

Please find below the criteria required as per the application form.

(a) Previous relevant experience of the applicant(s):

For 8 ½ years we have owned and operated the Port Gregory Caravan Park and have been able to bring it up to very good standard. We have managed to bring old and new visitors to Port Gregory and have increased the number of families staying with us. Pre Covid we saw a big spike in Chinese and Asian tourists staying to take in the Pink Lake – the Hutt Lagoon, and are confident that the international market will continue to increase as travellers once again visit WA.

We are accredited with the Caravan Industry of Australia and the Tourism Council. We are proud members of the Tourism Council, Australia's Coral Coast and our local visitor centres, we are committed to providing an excellent tourism experience and stay for our guests whilst impacting minimally on the environment, community and other sight seers - beach goers.

Both Tim and Sam grew up in the surrounding regions and believe they have a great knowledge of the local area and history.

We have operated the Pink Lake Buggy Tour since September 2018 as mentioned before. It has become a popular tour with all ages and abilities and the guests we take love it! The Pink Lake Buggy Tour is accredited with the Tourism Council and is a member of Visitor Centres, Australia's Coral Coast and listed with several major online tourism marketplaces including The Big Red Balloon Group, Viator (Trip Advisor), Rezdy, Perth Sightseeing pass and Adrenaline to name a few.

(b) Full details of type of service to be operated;

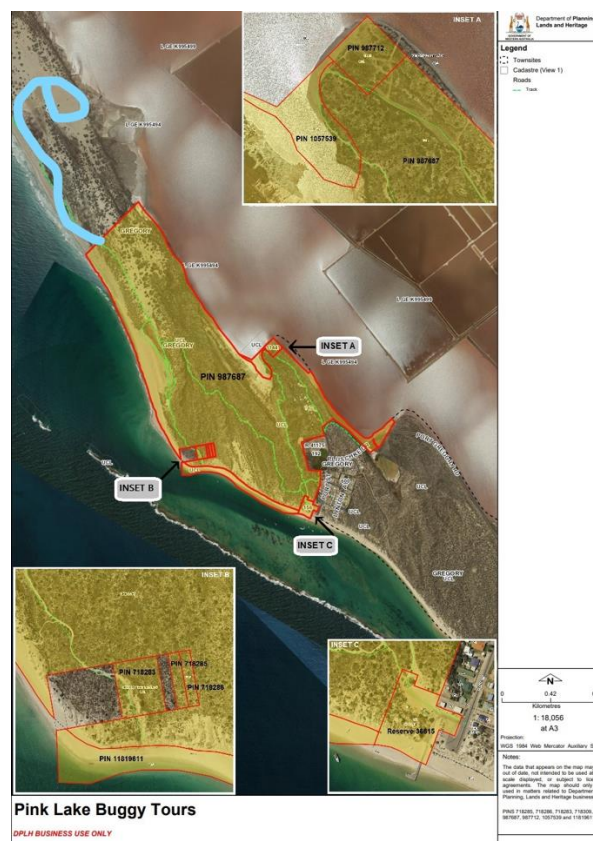
The service operated is a sight-seeing tour of the Port Gregory Coastline, including the sand dunes and unique pink lake viewing stops, in a 6-seater side by side buggy. Pink Lake Tours will run for an hour. The service will be targeted at our visitors who are stopping to see the wonder of the 'pink lake' on their way through to or from Kalbarri. It will be an adventure type 'experience the coast' tour, with the guide (us) giving guests information about the pink lake, the history of Port Gregory and showing them what we have to offer in the way of flora and fauna.

(c) Location of operation;

Please see the enclosed map with existing tracks and coastline that we intend to use highlighted. We depart from the Port Gregory Caravan Park, down to the beach, and south for about 8kms. We have highlighted some existing tracks in the sand dunes which are used to get to a section of the pink lake that is not near the road, and inaccessible without the use of a buggy, quad bike or 4WD, then to come around the pink lake and back to the Caravan Park on the gravel road past the hall and along Port St.

I believe the parcels of land that we operate on are as follows (from DLPH email)

- UCL Lot 11441 on Deposited Plan 184559 (Polygon Number 987712)
- Unsurveyed UCL Polygon Number 987687
- Unsurveyed UCL Polygon Number 1057539
- Unsurveyed UCL Polygon Number 11818062
- UCL Polygon number 11819611



See larger map at the end of the letter.

(d) Diagram of layout of service when in operation showing location of equipment, trailers, signs, operators table etc;

The only equipment used will be the buggy and safety equipment (helmets) which will be being worn at the time of operation. The reception office and patio of the Caravan Park will be the

point of arrival and where the tour will begin and end. The Buggy and helmets are stored in our workshop when not in use.

(e) Hours and dates of operation;

We offer tours 3 times a day 9am, 11am and 2pm. Depending on the time of year the morning tours are more popular. We run approximately 4 full tours a week.

(f) Method of operation, eg. Hourly hire, 15-minute rides, day trips, and proposed charges to clients;

The tour is guided with the guests travelling as passengers. The tour takes an hour to complete.

(g) Type and numbers of equipment to be hired/used including details of make, age, special features etc.

The tour will be operated by ourselves, Tim or Sam, in a 6-seater side by side vehicle – Can Am SSV Defender which is licensed and road worthy. At this stage we only own and run 1 vehicle, however if the demand for higher passenger numbers (to tour at the same time) becomes apparent we would like to be able to run a second buggy.

(h) All of the intended safety measures -i.e. Marker buoys, rescue boats, sign etc;

This vehicle is fitted out with all safety requirements including but not limited to seatbelts, indicators, mirrors, rollbar, roof, fire extinguisher and side safety nets. We have also had the vehicle road registered through the Department of Transport. Helmets will be provided and required to be worn by participants. A mobile phone with Emergency App will be on board and accessible to all guests during the tour. We will have on board an adequate first aid kit, and plenty of drinking water for all guests kept in an iced esky or car fridge.

Helmets are worn by passengers at all times. Clients will be given a safety briefing at the Caravan Park (point of departure) before leaving, which will include how to use the Emergency App (this has the 000 number ready to go and advises your latitude and longitude which will be able to be given to the operator).

Tim and Sam both have current first aid certificates and have a PTD License.

We are aware of the WA Activity Standards for Four Wheel Driving, which is not a legislated license per se, but will be a great guideline for basing our business and procedures on. Taking great care with our Risk Management, Emergency Response Plans and minimal environmental impact plans

(i) A cover note of similar statement from an insurance company indicating a willingness to promote insurance coverage (minimum \$20 million public liability).

We have a current Certificate of Currency.

(j) Any on-site storage requirements (if permitted)

None required. The buggy and helmets will be stored in the shed that is already on the grounds of the Caravan Park.

(k) Intended signage (may require Council's additional separate approval);

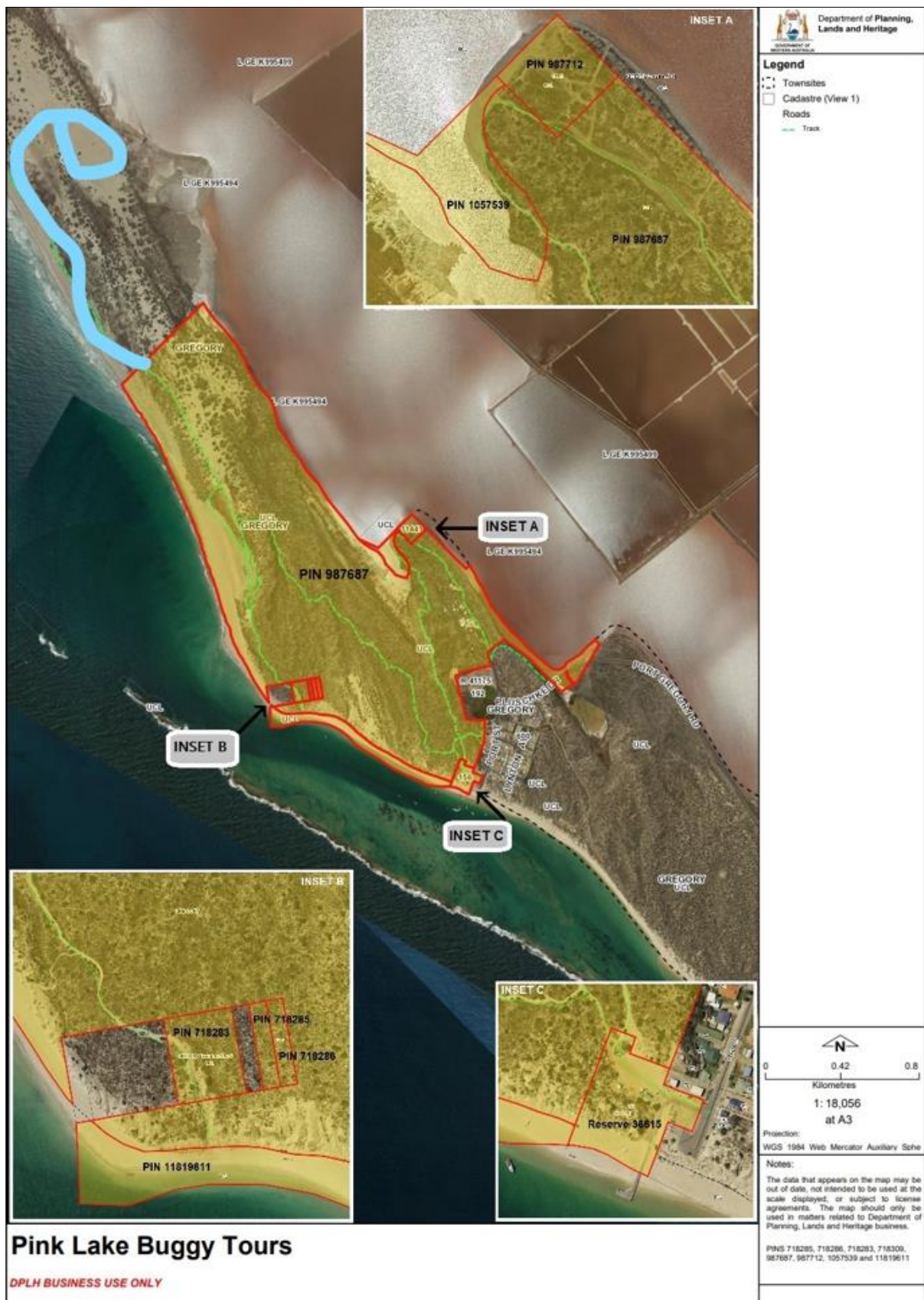
We have had Councils approval to put a sign on the boundary fence of the Caravan Park. We do not require any further signage.

(l) any additional information specific to the individual service to be provided.

The tour should not affect any other beach goers or users of the dune tracks. The times we are proposing to run the tours are an acceptable time (no early mornings or late nights) and the noise will be limited (we don't have generators to run or big trucks etc). We will be using tracks that are already present as to keep to our minimal environmental impact policy. The buggy will have a rubbish bag for any garbage along the way, and we will enforce a strictly no smoking policy. The clients will be made aware of how important it is to conserve the natural environment and keep our impact to an absolute minimum.

Thanks for your time and we look forward to working with you in the future.

Tim and Sam Hay
Owner/Managers
Port Gregory Caravan Park WA.



APPENDIX 2. - SCHEDULE OF SUBMISSIONS

No. and Date Received	Submitter	Submission Detail	Comment/Recommendation
1. 8/11/2022	Dept of Primary Industries and Regional Development	<p>NO OBJECTION</p> <p>DPIRD does not object to the proposal, subject to the following comments;</p> <ul style="list-style-type: none"> - The map provided does not clearly identify the route that the tours will take, therefore it is not possible to assess potential environmental impact of the proposal. - Advice should be sought from DBCA and DWER to assess potential environmental impacts of proposal. 	<p>Noted.</p> <p>As with all referrals of this nature, DBCA and DWER are always consulted.</p> <p>The map provided is more detailed than in previous years when DPIRD raised concerns regarding susceptibility of deep coastal sands to be traversed being extremely susceptible to wind erosion.</p> <p>On that premise, Shire Officers have applied Condition 10 has been applied to address vehicular access and use.</p>
2. 15/11/2022	Dept. Mines, Industry Regulation and Safety	<p>NO OBJECTION</p> <p>DMIRS has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy and basic raw materials.</p>	<p>Noted.</p>
3. 16/11/2022	Dept of Biodiversity, Conservation & Attractions	<p>NO OBJECTION</p> <p>DBCA considers level of activity will not negatively impact vegetation or fauna habitats in the area. Nonetheless it recommends that the applicant be advised of the importance of keeping vehicles to existing tracks and bare sand areas (beaches & mobile dunes) in order to prevent impacts to vegetation and fauna habitat.</p> <p>Pink Lake is an Environmentally Sensitive Area and is listed in the Directory of Important Wetlands of Australia. Areas proposed for sightseeing tours provide important habitat for many bird</p>	<p>Noted. Condition No. 9 and Advice Note 4 has been applied so as to address the bird concerns raised, and Condition No. 10 has been applied to address vehicular access and use.</p>

		species, including shorebirds and migratory waders that are protected under international agreements. A list of bird species recorded near the area of the proposed coastal tours was provided.	
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7.3.2 PROPOSED EXTENSION OF NON-CONFORMING USE – OUTBUILDING FOR WAREHOUSE/STORAGE – LOT 52 (NO. 53) MARY STREET, NORTHAMPTON

LOCATION:	Lot 52 (No. 53) Mary Street, Northampton
FILE REFERENCE:	10.8.1.3 / A5130
APPLICANT:	Tilka Pty Ltd
OWNER:	Tilka Pty Ltd
DATE OF REPORT:	8 December 2022
REPORTING OFFICERS:	Hayley Williams – Consultant Planner Michelle Allen- Planning Officer
RESPONSIBLE OFFICER:	Maurice Battilana – Acting Chief Executive Officer

APPENDIX:

1. **Application Information**
2. **Site Plan**
3. **Plans Outbuilding**
4. **Schedule of Submissions**

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:

Following demolition of an existing outbuilding due to the impact of Cyclone Seroja upon Lot 52 (No. 53) Mary Street, Northampton, an application has been received from the abovementioned Applicant to reconstruct an outbuilding the subject site.

This site is a vacant lot where previously an outbuilding existed under non-conforming use rights and was used to store supplies in relation to the Applicant's hardware store on Hampton Road. The Applicant has recently sold the hardware store with settlement of the sale due in 2023. This site is considered to be a non-conforming use site under the Shire of Northampton's *Local Planning Scheme No. 10*, therefore any extension or modification to the approved 'use' requires development approval.

This report recommends conditional approval of the use subject to conditions that will address streetscape amenity, the level of noise and activity originating from the site and risks associated with the non-conforming use activity.

LOCALITY PLAN:

Figure 1. Locality plan of Lot 52 (No. 53) Mary Street, Northampton

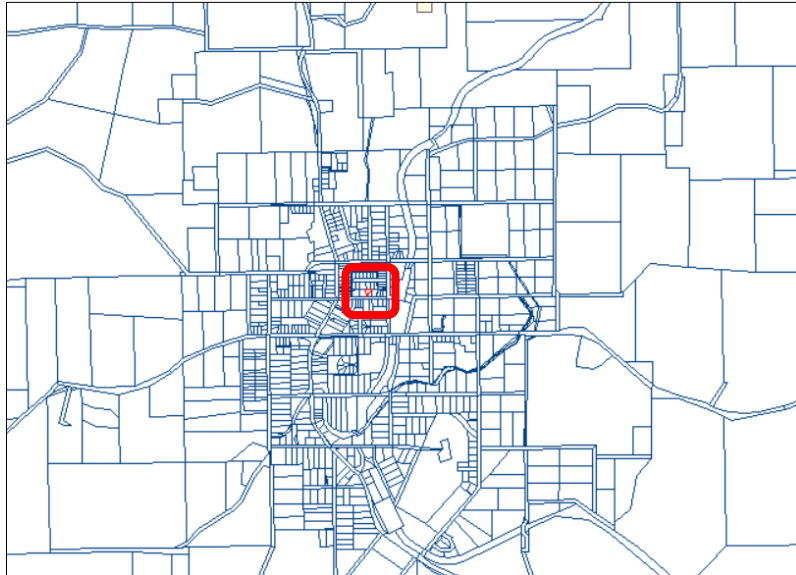


Figure 2. Site plan of Lot 52 (No. 53) Mary Street, Northampton



BACKGROUND:

Historically, the Applicant has operated a hardware business from the location of Lot 52 (No. 53) Mary Street, Northampton for over 34 years. The business has recently been sold, to an agricultural goods supplier from Geraldton.

Prior to an “Industrial” zoning being introduced into the Shire’s *Town Planning Scheme No. 6*, a number of industrial and commercial uses were allowed to occur within the townsite of Northampton. The warehouse/storage depot at Lot 52 is one such site and was locally known as ‘the Clover Shed’ where seed and agricultural supplies and clover seed equipment were stored prior to the Applicant’s ownership which extended the non-conforming use rights and where hardware supplies were stored.

Under the current *Local Planning Scheme No. 10*, new industrial uses are not permitted within the Residential zone, however the use upon Lot 52 is not new and is considered to be a non-conforming use because of its historical nature which existed prior to the demolition of the old existing outbuilding. The demolition was undertaken due to the poor condition of the outbuilding, its age and the subsequent damage incurred by Cyclone Seroja.

The landowner of Lot 52 Mary Street has recently submitted an Application for Development Approval to reconstruct an outbuilding of reduced size on the site.

It is further noted that the non-conforming use that has occurred on this site during the Applicant’s period of ownership for the past 34 years has been associated with the Applicant’s hardware business. The Applicant has recently sold the hardware business to an agricultural goods supplier from Geraldton with settlement of the sale due in February 2023.

THE PROPOSAL:

The Applicant’s proposal to reconstruct an outbuilding is seeking to transfer the non-conforming use rights previously granted to Lot 52 associated with the historical use of the outbuilding which was considered a permissible non-conforming use of the site under the current *Local Planning Scheme No. 10* prior to demolition of the existing outbuilding structure and prior to sale of the Applicant’s hardware business.

A copy of the Application Information has been included as **Appendix 1** to this report.

The Applicant/Owner has advised that the intention since selling the hardware business is to reconstruct the outbuilding to store goods associated with their supermarket business in Northampton.

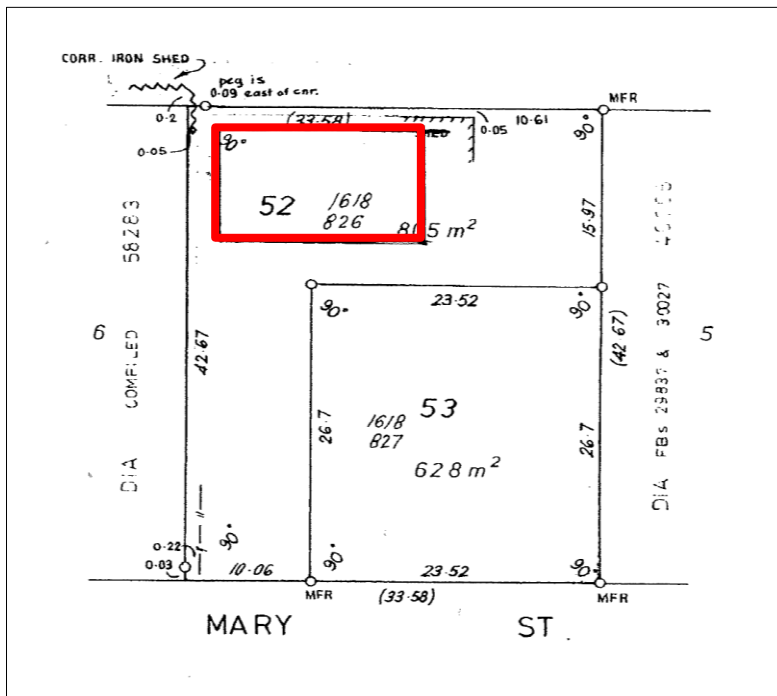
Details associated with the proposed development are provided as follows:

- The old shed was estimated to be 15 metres by 13 metres (195m²) in size;
- No previous approvals or plans exist in relation to the old shed;
- It is considered that limited activity (loading and unloading) was undertaken on the site in relation to the old shed due to its condition and the nature of the applicant's hardware business;
- No advertising or signage exists on the site;
- A new outbuilding 12.050 metres by 9.960 metres (120m²) in size is being proposed;
- The new outbuilding was proposed to be located in a different area of the lot compared to the location of the old structure (as shown in **Figures 3 and 4** below) so as to improve access and egress to the outbuilding;
- During compilation of the agenda report, Shire Officers have liaised with the Applicant who is willing to relocate the outbuilding to sit directly behind the Garage/Service Station that sits in front of a portion of Lot 52 Mary Street;
- Storage of a trailer and a 200 litre diesel transfer tank is proposed (to have on hand for the generator at the supermarket when power outages occur); and
- Currently storage of twelve (12) pallets of goods (associated with the supermarket including toilet paper and other hard to obtain products together with other Christmas stock) would be stored in the outbuilding if available.

Figure 3. Location of old structure on Lot 52 (No. 53) Mary Street, Northampton in 2021



Figure 4. Proposed location of new structure on Lot 52 (No. 53) Mary Street, Northampton



In consideration of the application the following information is provided:

Lot Size	805m ²
Zoning	Residential R10
Existing Development	Vacant lot (following demolition of outbuilding)
Existing Services	Water and Power
Access & Frontage	Mary Street
Topography	Flat
Vegetation	Cleared
Surrounding Land Uses	Residential R10

COMMUNITY & GOVERNMENT CONSULTATION:

In accordance with the above requirements, correspondence was sent to twelve (12) adjoining and adjacent landowners. The advertising period for this consultation was from 22 November 2022 to 7 December 2022.

During that period six (6) submissions were received, with details provided in the Schedule of Submissions at **Appendix 4**. Five submissions were in support of the application with one highlighting the need to also ensure dangerous goods are not stored within the structure and one highlighting historical drainage issues

associated with the adjacent heritage building. One submission objected to the application in relation to the ‘residential’ zoning and the potential for sub-lease arrangements associated with the storage of dangerous goods within the residential zoned area. A copy of this correspondence can be made available to Councillors 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.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

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

The land is zoned “Residential R10” under *Local Planning Scheme No. 10*. “Warehouse/Storage” and associated uses are not permitted under this zoning. However, the site has historically been considered to be a non-conforming use and therefore the following provisions apply:

22. NON-CONFORMING USES

- (1) *Unless specifically provided, this Scheme does not prevent-*
 - (a) *the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately prior to the commencement of this Scheme; or*
 - (b) *the carrying out of any development on land if -*
 - (i) *before the commencement of this Scheme, the development was lawfully approved; and*
 - (ii) *the approval has not expired or been cancelled.*
- (2) *Subclause (1) does not apply if -*
 - (a) *the non-conforming use of the land is discontinued; and*
 - (b) *a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.*
- (3) *Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government -*
 - (a) *purchases the land; or*

- (b) pays compensation to the owner of the land in relation to the non-conforming use.*

23. CHANGES TO NON-CONFORMING USES

- (1) A person must not, without development approval-*
 - (a) alter or extend a non-conforming use of land; or*
 - (b) erect, alter or extend a building used in conjunction with, a non-conforming use; or*
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or*
 - (d) change the use of land from a non-conforming use to another non-conforming use that is not permitted by the Scheme.*
- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.*
- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use -*
 - (a) is less detrimental to the amenity of the locality than the existing non-conforming use;*
 - (b) and is closer to the intended purpose of the zone in which the land is situated.*

The proposed development is considered to fit within the parameters of a 'Non-Conforming Use'. The proposed development is effectively rebuilding the building associated with of a non-conforming use and therefore has followed the process outlined above in terms of advertising and approval.

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Policy 'Outbuildings'

Outbuildings Local Planning Policy (LPP)

The applicants are seeking to erect an outbuilding on the lot to replace one demolished following the impact of Cyclone Seroja. The size of the proposed structure of 120m² meets aggregate provisions for the Residential R10 zoning. The wall height exceeds LPP provisions from 3m to 3.5m.

The objectives of the Shire of Northampton's Local Planning Policy *Outbuildings* are as follows:

- 2.1 *To alter the deemed-to-comply provisions of the R-Codes for Design Principle 5.4.3 and 6.4.4 – Outbuildings.*
- 2.2 *To provide further clarity and a clear interpretation to the definition of an 'outbuilding'.*
- 2.3 *To ensure that outbuildings are not used for habitation or commercial purposes by controlling building bulk (size and height).*
- 2.4 *To limit the visual impact of outbuildings.*
- 2.5 *To encourage the construction of outbuildings in materials and colours that complements the landscape and amenity of surrounding areas.*
- 2.6 *To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.*

Clause 3.2.2 Application of Policy of the LPP *Outbuildings* states:

- 3.2.2 *Rural land (generally less than 20ha) adjacent to settlements or within a townsite boundary, subject to future increase in density or in an area of visual prominence or heritage/high landscape amenity shall be subject to this policy with maximum standards for outbuildings determined on lot size in accordance with clause 3.5.*

Clauses 3.4.2 (b) and 3.5 of the LPP *Outbuildings* provides for variations to maximum standards for outbuildings as follows:

3.3 *Maximum Standards for R10 and Higher Density*

- 3.3.1 *Maximum standards do not override the open space requirements of Table 1 of the R-Codes or any specific Scheme requirements.*
- 3.3.2 *In addition to the deemed-to-comply requirements for Part 5.4.3, C3 iii, iv and v and Part 6.4.4, C4 iii, iv and v of the R-Codes, the following shall apply:*
 - 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.*
- 3.3.3 *Increases in total maximum height to a maximum of 5m may be considered where all of the following criteria can be achieved:*

- a) *The outbuilding must be constructed in the same materials and finish to the existing (or approved) dwelling.*
- b) *The roof pitch of the outbuilding is to match the roof pitch of the existing (or approved) dwelling.*
- c) *The overall total maximum height of the outbuilding is not to be any higher than the highest part of the existing (or approved) dwelling.*
- d) *The outbuilding is not within the primary or secondary street setback area.*
- e) *The outbuilding footprint is not greater than the existing (or approved) dwelling footprint.*
- f) *The aggregate floor area is not greater than the maximum area prescribed in clause 3.3.2 (the intent is if higher outbuildings are approved, the footprint of the outbuilding is reduced, thereby reducing building bulk).*
- g) *Setbacks to comply with the R-Codes.*
- h) *Consultation with adjoining properties is required.*

COMMENT:

It is acknowledged that the Applicant's hardware business has used Lot 52 Mary Street, Northampton, for 34 years and that this use is considered to be a non-conforming use under the current *Local Planning Scheme No. 10*. Non-conforming uses are afforded certain rights under the Local Planning Scheme, however extensions and changes to these non-conforming uses must be approved by the local government and are subject to public advertising.

The daily operations of the business at Lot 52 Mary Street have historically been limited due in part to the nature of the hardware business and the condition of the old outbuilding. Normal operations of the business did not occur on this site on a regular daily basis.

It is considered that the use of the site with a new outbuilding for the purpose of storing goods associated with the supermarket may increase activity and access/egress to and from the site that is located within a residential area and as a consequence could potentially increase the level of noise and activity originating from the site and risks associated with the non-conforming use activity.

It is noted that a variation is being sought to Local Planning Policy (LPP) provisions in respect to wall height of the outbuilding from 3 metres to 3.5 metres. This variation is sought to enable the applicant to manoeuvre machinery to facilitate storage of supermarket goods within the structure. The outbuilding structure that was demolished was substantially larger and estimated to be 195m² in size.

Furthermore, it is also noted that Lot 198 sits in front of Lot 52 and contains a heritage listed building being a Garage/Service Station (see **Figure 5**). This site has historically been used by trades people (such as an automotive electrician

and a mechanic) and was a hardware store as well as a petrol station. It is known as the 'Mary Street Centre' and is on the Shire's Municipal Heritage Inventory and has a Management Category 3 therefore has local significance aesthetically and historically as an example of early garage architecture which was a prominent feature in country towns in the past.

Whilst this structure has not been occupied for a period of more than 6 months and according to Clause 22(2)(b) the non-conforming use previously afforded has elapsed since the discontinuance of the non-conforming use, further consideration should be afforded in relation to these existing structures in the vicinity of Lot 52 Mary Street.

Figure 5. Proposed location of new structure on Lot 198 (No. 55) Mary Street, Northampton



It is acknowledged that Lots 52 and 53 are located within the residential area, and another outbuilding also exists on a vacant lot in this locality, being Lot 37 Guide St, as shown in **Figure 6** which is located at the rear of the Applicant's lot being Lot 52. This structure is also historically afforded non-conforming use rights and whilst also was previously used as a mechanic's workshop, is now used by the present owner as storage for vehicles (caravan, boat and utility) and for handyman tools.

Figure 6. Existing outbuilding located on Lot 37 (No. 7) Guide Street, Northampton



A total of six submissions were received with five in support of the application. One submitter highlighted the need to ensure dangerous goods are not stored within the structure and another highlighted historical drainage issues associated with the adjacent heritage building. One submission objected to the application in relation to the ‘residential’ zoning of the locality and the potential for sub-lease arrangements associated with the storage of dangerous goods within the residential zoned area.

In the vicinity of the proposed development, three sites are historically afforded non-conforming use rights and are sites where historically industrial and commercial uses co-existed in the residential area prior to an ‘Industrial’ zoning being introduced. Those sites include:

- the outbuilding on Lot 52 Mary Street (recently demolished) (**Figure 3**);
- the Garage/Service Station on Lot 198 Mary Street (**Figure 5**); and
- the outbuilding on Lot 37 Guide Street (**Figure 6**).

It is reasonable to consider the historical significance and appearance of the Garage/Service Station building, its location within the residential area and the adjacent industrial/commercial uses that co-exist in the locality without conflict. No complaints have been received to the Shire of Northampton regarding the operations of any of the non-conforming use sites from any adjoining landowners.

The Garage/Service Station sits at the front of a lot adjacent to where the Applicant is proposing to reconstruct an outbuilding damaged by Cyclone Seroja, thereby seeking an extension of the previous non-confirming use (see **Figure 5**).

The location of the proposed outbuilding on Lot 52 was originally proposed to sit in the north-west corner in a different location to the demolished outbuilding. Following further consideration, the Applicant is willing to reconfigure the outbuilding (in relation to openings) and relocate the structure so that it will sit directly behind the more prominent structure on the streetscape, being the heritage listed Garage/Service Station on Lot 198 Mary Street.

Therefore, with the relocation on the site it is considered to not detrimentally impact on the streetscape of Mary Street and potentially make room for a dwelling on Lot 52 in the future thus enabling the site to comply with residential zoning provisions.

If concerns in relation to goods that may be stored within the outbuilding structure are managed, and the storage of industrial goods, such as diesel fuel and chemicals, are not permitted to be stored at the site, it is considered that the use will have no predictable detrimental impact on the residential character or amenity of the immediate or general locality.

Having taking into consideration the requirements of the Shire's *Local Planning Scheme No. 10 – Northampton*, it is recommended that Council approve the Application for Development Approval subject to conditions that relocate the outbuilding on the site and address the level of noise and activity originating from the site and risks associated with the non-conforming use activity.

VOTING REQUIREMENT:

Absolute Majority Required: No

OFFICER RECOMMENDATION – ITEM 7.3.2**APPROVAL****That Council:**

Grant development approval for the non-conforming use on Lot 52 (No. 53) Mary Street, Northampton subject to the following conditions:

- 1 Development/use shall be in accordance with the attached approved plan(s) dated 16 December 2022 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 | This approval (relating to the non-conforming use) is issued only to Tilka Pty Ltd (the landowner) for Lot 52 (No 53) Mary Street, Northampton (the parcel of land) and is NOT transferrable to any other person or any other land parcel. Should there be a change of the occupier of the land in respect of which this development approval is issued this approval shall no longer be valid; |
| 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 development approval for that use/addition; |
| 4 | The landowner/applicant will relocate the outbuilding on the site to the north-eastern corner of the lot and include a 1 metre setback to the rear (north) boundary and a 1 metre setback to the side (eastern) boundary so the structure is placed behind Lot 198 (No. 55) Mary Street so as to address visual amenity according to Clause 5.4.3 of the Residential Design Codes 2021; |
| 5 | A building permit shall be issued by the local government prior to the commencement of any work on site; |
| 5 | Prior to the commencement of the approved use a detailed design of stormwater collection and system of disposal from the developed areas is to be submitted to and approved by the local government; |
| 6 | Any soils disturbed or deposited on site shall be stabilised to the approval of the local government; |
| 7 | The Applicant shall provide a colour schedule for the outbuilding prior to the lodgement of an application for a building permit to the approval of the local government; |
| 8 | The roof and walls of the outbuilding shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted; |
| 9 | Any lighting installed on the building, yard areas or parking areas shall be located and designed in a manner that ensures: <ul style="list-style-type: none"> a) All illumination is confined within the boundaries of the property; and b) There shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government. |

- | | |
|-----|--|
| 10 | The development/land use is to be located entirely within the property boundary; |
| 11 | Prior to the commencement of the development/land use, the Applicant/Owner shall install a 1.8 metre fence on the rear boundary to restrict vehicle/pedestrian access to Lot 52 Mary Street from the adjacent communal access way at the rear, in accordance with the attached approved plan(s) dated 16 December 2022; |
| 12 | Prior to the commencement of the development/land use, the Applicant/Owner shall install a 1.8 metre dividing fence on the southern lot boundary between Lots 52 and Lot 198 Mary Street to address visual privacy, in accordance with the attached approved plan(s) dated 16 December 2022; |
| 12. | The approved outbuilding is only to be used for general storage purposes therein to the approval of the Shire of Northampton and shall NOT be used for habitation or industrial purposes; |
| 13 | The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by means of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise; |
| 14 | The loading and/or unloading of vehicles is to occur on-site and in a manner that does not interfere with adjacent and adjoining residents and only during approved hours of operation (see Condition No. 19; |
| 15 | Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government; |
| 16 | All storage associated with the site shall occur within the building or beneath an approved roof enclosure. The open air storage of equipment and materials is not permitted unless otherwise approved by the local government; |
| 17 | The landowner/applicant is to take measures so as to effectively control rodents by using a Licensed Pest Control Operator; |
| 18 | The storage of any goods associated with industrial or agricultural use (such as fuel, oil, chemical, fertilizer etc.) is not permitted on the subject site; |

19 Major servicing, extensive cleaning and/or detailing of any commercial vehicle is not permitted to occur on the site; and

20 Operational hours relating to the movement of the vehicles subject to this approval shall be limited to Monday – Friday 7am-5pm and Saturday 9am-4pm.

Advice Notes:

Note 1: If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: With regard to Conditions No. 5 and 15, the Applicant/Owner should liaise with the Shire of Northampton's Manager of Works and Technical Services to determine driveway/manoeuvring/car parking and drainage requirements for developed areas.

Note 3: All operations upon this site are to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 and the Environmental Protection Act in respect to noise emissions. No activities associated with the construction, establishment or installation of the development/land use shall take place between the hours of 5-00pm and 7-00am unless otherwise approved in writing by the local government.

Note 4: The landowner/applicant is to take measures so as to effectively control rodents by using a Licensed Pest Control Operator.

Note 5: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

APPENDIX 1 – LETTER OF APPLICATION

Tilka Pty Ltd

P O Box 21

Northampton W A 6535

To The Town Planner
Shire Of Northampton
P O box 61
Northampton WA 6535

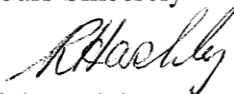
We would like to make application to erect a shed on 53 Mary Street Northampton to replace the old shed that was wrecked by cyclone Seroja.

The old shed was approximately 15 metres by 13 metres and was originally used by us as storage for our business and for storage for the Northampton Iga as there is very little space at their premises for excess stock and fixtures.

Since the cyclone we have been utilising the shed on 222 Hampton Road to store these items however with the impending sale of Haslebys Hardware and the subsequent leasing of the shed on 222 Hampton Road to the new owners we will need somewhere else to store this stuff.

It is proposed to erect a shed of approximately 13 metres by 10 metres on 53 Mary Street. Some of the items to be housed include a trailer and 200 litre diesel transfer tank to have on hand for the generator at Iga when we have power outages. We currently have 12 pallets that cannot fit in Iga namely toilet paper and other hard to get products that we have managed to secure. Iga also have Christmas stock that we will need to store.

Yours Sincerely

A handwritten signature in black ink, appearing to read "R Hasleby".

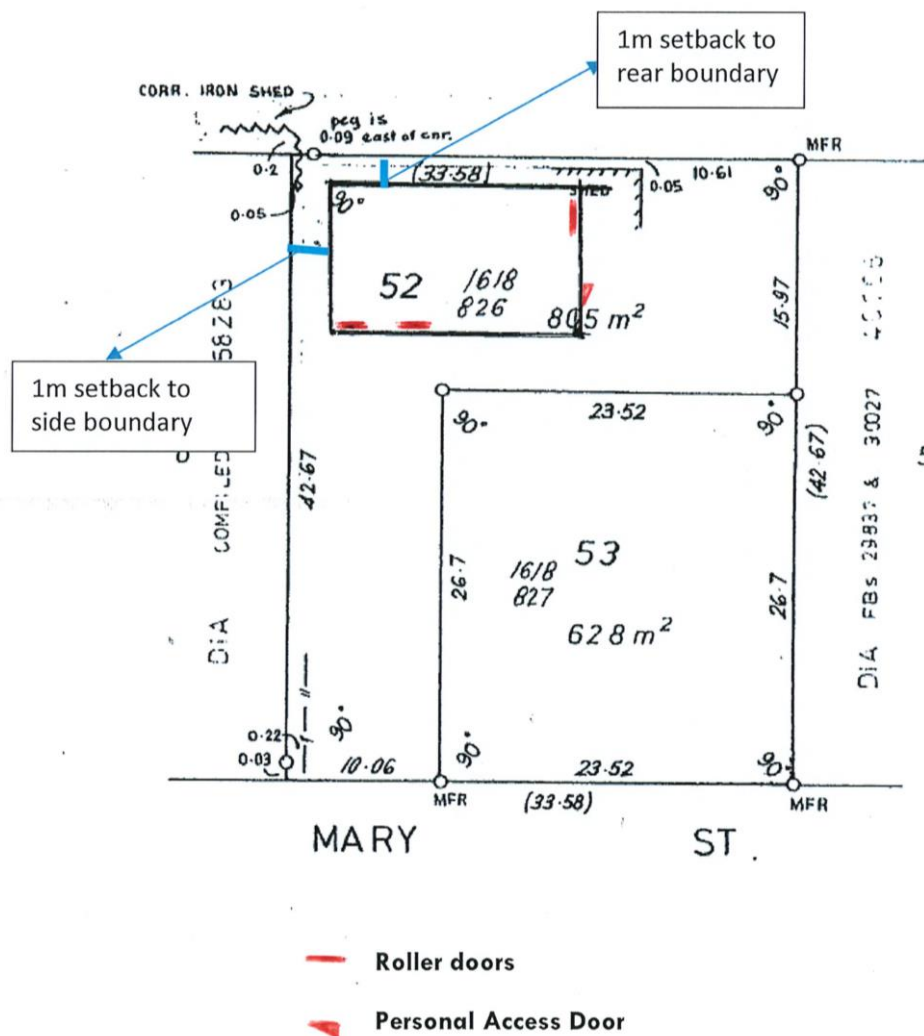
Rick Hasleby

November 11th 2022

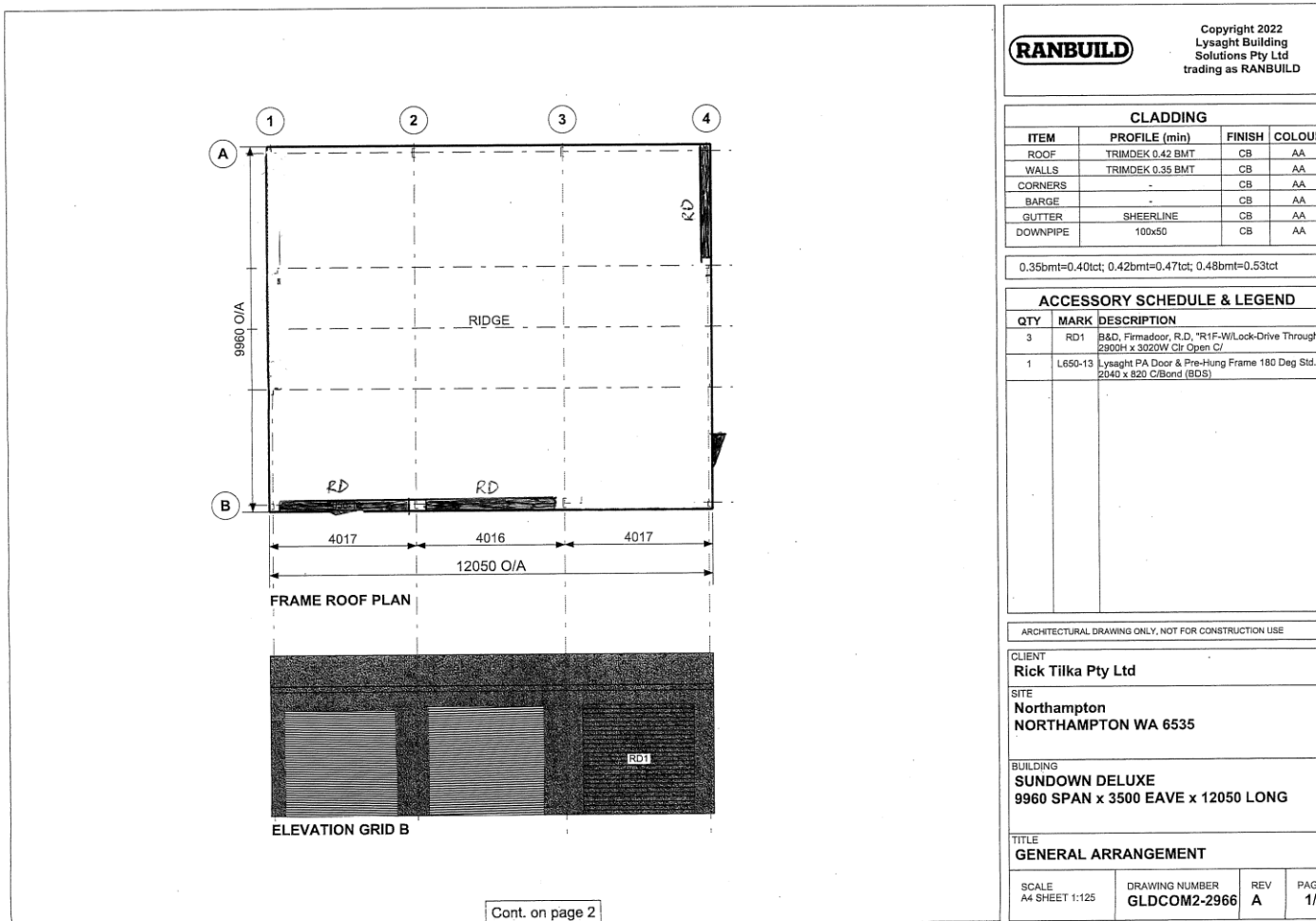
APPENDIX 2 – SITE PLAN

SITE PLAN

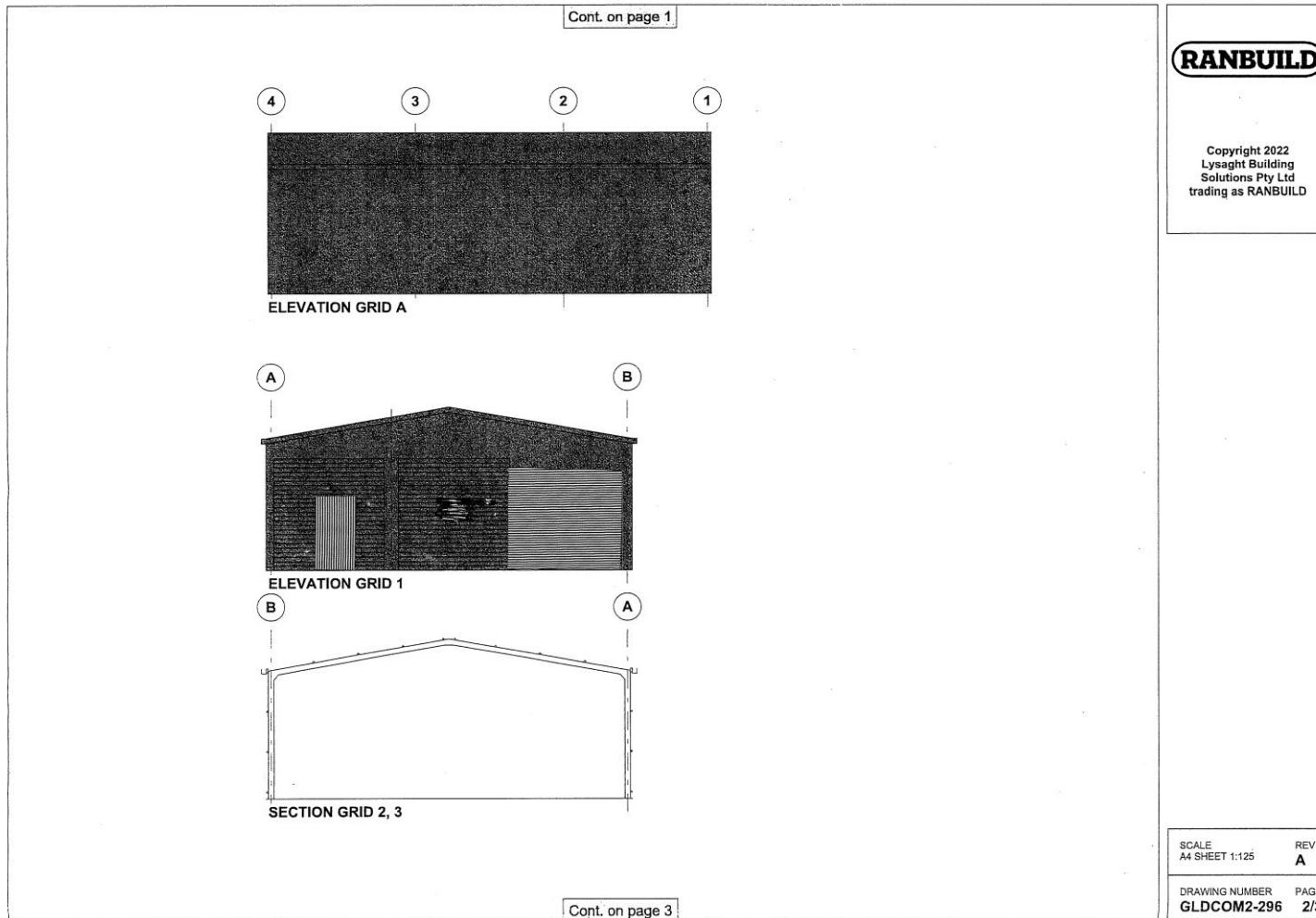
Lot 52 (No. 53) Mary Street, Northampton



APPENDIX 3 – PLANS (OUTBUILDING)



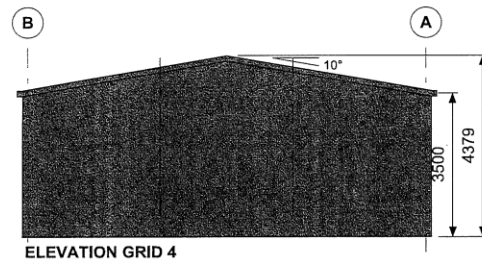
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DRAWING NUMBER GLDCOM2-296	PAGE 3/3

APPENDIX 4 – SCHEDULE OF SUBMISSIONS

No. and Date received	Respondent	Submission	Shire Comment	Shire Recommendation
28/11/2022	██████████	SUPPORT We have received correspondence regarding the proposed warehouse storage at the above address. We have no objections to the proposal.	No response required	Submission noted..
2. 05/12/2022	██████	CONDITIONAL SUPPORT I own a shed on a vacant lot in Northampton too. This is approved under a non-conforming use and is used to store a caravan and where I store my tools and do maintenance on my vehicles. The shed that was on Lot 52 and demolished due to cyclone damage was very old and I support the construction of another shed. However, the purpose of its use needs to be made clear. I object to chemicals or fertiliser or diesel being stored in a residential area	The Applicant has advised in the application letter that they are proposing to store goods from their supermarket at the outbuilding.	Should Council consider granting approval to the proposed development the following conditions are recommended: <ul style="list-style-type: none"> • All storage associated with the site shall occur within the building or beneath an approved roof enclosure. The open air storage of equipment and materials is not permitted unless otherwise approved by the local government • The storage of any goods associated with industrial or agricultural use (such as fuel, oil, chemical, fertilizer etc.) is not permitted on the subject site.
3. 05/12/2022	██████████	OBJECTION We are opposed to the development on Lot 52 Mary Street for a storage shed, although it is to replace an old one that was still there after the cyclone. It was very much in disrepair and dangerous. Our concern is that this new shed will be subleased to another party and agricultural products will be stored in it. I would rather see this land developed into a residential housing (as zoned) rather than have a stand alone storage shed.	This is not a stand alone storage building in the locality. In the vicinity of the proposed development, three sites are historically afforded non-conforming use rights and are sites where historically industrial and commercial uses co-	Should Council consider granting approval to the proposed development the following conditions are recommended: <ul style="list-style-type: none"> • All storage associated with the site shall occur within the building or beneath an approved roof enclosure. The open air storage of equipment and materials is not permitted unless otherwise approved by the local government.

			<p>existed in the residential area prior to an 'Industrial' zoning being introduced.</p> <p>No complaints have been received to the Shire of Northampton regarding the operations of any of the non-conforming use sites from any adjoining/adjacent landowners.</p>	<ul style="list-style-type: none"> • The storage of any goods associated with industrial or agricultural use (such as fuel, oil, chemical, fertiliser etc.) is not permitted on the subject site. • Major servicing, extensive cleaning and/or detailing of any vehicle is not permitted to occur on the site; and • Operational hours relating to the movement of the vehicles subject to this approval shall be limited to Monday – Friday 7am – 5pm and Saturday 9am – 4pm.
4. 07/12/2022	■■■■■	<p>SUPPORT</p> <p>No objection to this proposal as long as when the shed is removed there is no cost to me. Any spillage of diesel will be cleaned and contaminated soil removed and replaced with clean fill. There is to be no extra cost to me for any reason such as land becomes improved land and attracts a higher shire rate. All fire breaks etc. are installed by Tilka Pty Ltd.</p> <p>If land is sold or required by me (very unlikely for several years) that the shed be removed in a timely manner.</p>	<p>Some misunderstanding by submitter as old shed has already been demolished.</p>	<p>Submission noted.</p>
5. 07/12/2022	■■■■■	<p>CONDITIONAL SUPPORT</p> <p>We have discussed the application with the proponents and have no object on the understanding the new building will be colourbond and not tower over the heritage building and that all stormwater – especially from the roof will be directed away from the heritage building. We draw Council's attention to details on our building such as soakwells, and the thousands of dollars damage done from water ingress on the east side of our property when a new car port was erected. Stormwater from the carport came straight into our eastern door and septic. It took years to resolve and was remedied at</p>		<p>Should Council consider granting approval to the proposed development the following condition is recommended:</p> <ul style="list-style-type: none"> • The Applicant shall provide a colour schedule for the outbuilding prior to the lodgement of an application for a building permit to the approval of the local government; • The roof and walls of the outbuilding shall be constructed using coated metal sheeting

		<p>our own cost with engineers and has cost us a tenant and repairs are still pending.</p> <p>We do not put any of this on the current proponent but ask that Council be attentive to stormwater disposal and levels and that these be directed away from the heritage building at all times.</p> <p>In this instance Hasleby's are aware and supportive but as we are now all seniors and further changes in property ownership are likely in the future we appreciate the opportunity to bring drainage to your attention and hope that some record can be kept for future applications.</p>		<p>(Colorbond) and the use of Zincalume is not permitted;</p> <ul style="list-style-type: none"> • Prior to the commencement of the approved use a detailed design of stormwater collection and system of disposal from the developed areas is to be submitted to and approved by the local government; <p><u>Advice Note</u></p> <p><i>With regard to Conditions No. 5 and 15, the Applicant/Owner should liaise with the Shire of Northampton's Manager of Works and Technical Services to determine driveway/manoeuvring/car parking and drainage requirements for developed areas.</i></p>
<p>6. 7/12/2022</p>		<p>SUPPORT</p> <p>No arguments from us. For the local IGA – support the supermarket it will benefit our community in the long run. The more stock they have on hand the better for the customers. We do shop in ger but do most shopping at our local owned IGA. Keep it in the town.</p>	<p>No response required</p>	<p>Submission noted</p>

**7.3.3 PROPOSED AGROFRESTRY (HARDWOOD EUCALYPTUS) TREE FARM -
'BALLAMORE' LOTS 5072, 5079, 5083, 5086 & 5087 (NO. 4472) BALLA-
WHELARRA ROAD, BINNU**

LOCATION:	Lots 5072, 5079, 5083, 5086 & 5087 (No. 4472) Balla-Whelarra Road, Binnu
APPLICANT:	Outback Carbon Pty Ltd
OWNER:	ER & CA Ford
FILE REFERENCE:	10.8.1.3 / A1005
DATE OF REPORT:	8 December 2022
REPORTING OFFICER:	Michelle Allen, Planning Officer
RESPONSIBLE OFFICER:	Hayley Williams, Consultant Planner
APPENDICES:	
1. Application Information	
2. Schedule of Submissions	
3. Extract from High Quality Land Mid West Region (DPIRD)	
4. High Quality Agricultural Lands Shire of Northampton	

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:

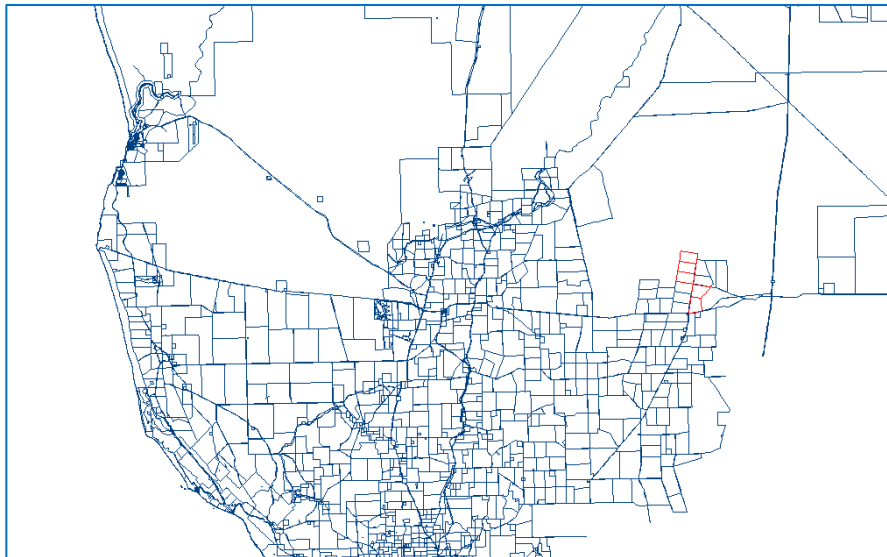
An Application for Development Approval has been received for the proposed Hardwood Eucalyptus Tree Farm from Outback Carbon Pty Ltd (a subsidiary of Mitsui & Co. Ltd) upon Lots 5072, 5079, 5083, 5086 and 5087 (No. 4472) Balla-Whelarra Road, Binnu.

With the landowner's consent, the Applicant is seeking Council's determination in relation to the tree farm proposal which is for the purpose of creating Australian Carbon Credit Units and high quality hardwood whilst still maintaining agricultural activities on the property known as 'Ballamore'.

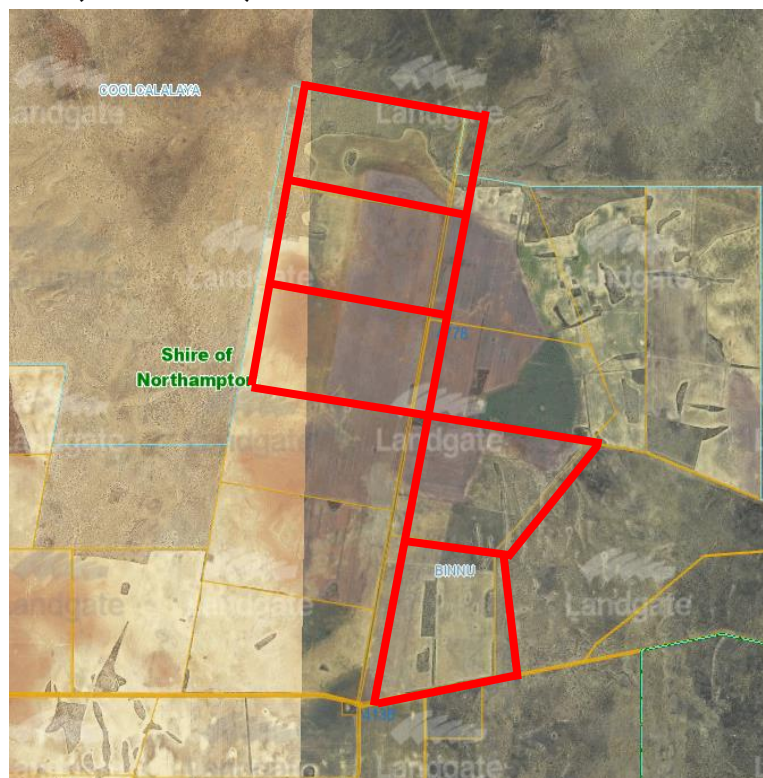
The Applicant is considering purchase of the property but is seeking Council's determination on the proposed development before finalising the purchase.

This report recommends approval of the proposed 'Tree Farm' on Lots 5072, 5079, 5083, 5086 & 5087 (No. 4472) Balla-Whelarra Road, Binnu subject to conditions.

LOCALITY PLANS: Lots 5072, 5079, 5083, 5086 & 5087 (No. 4472) Balla-Whelarra Road, Binnu ('Ballamore')



AERIAL PLAN: Lots 5072, 5079, 5083, 5086 & 5087 (No. 4472) Balla-Whelarra Road, Binnu ('Ballamore')



BACKGROUND:

An Application for Development Approval was received on 10 November 2022 with the Applicant applying to the Shire of Northampton, with the current landowner's consent, seeking Council's determination of an Hardwood Eucalyptus Tree Farm proposal before purchasing the property.

'Ballamore' is located in the eastern part of the Shire of Northampton and has a total area of 2021.50 hectares with approximately 1600 hectares of that area to be included as the proposed carbon project area. This area is the total arable area available on the property.

The Proposal:

The Applicant, with the current landowner's approval, is seeking Council's determination on a proposal to establish a tree farm on land located in the eastern part of the Shire of Northampton for the purpose of creating Australian Carbon Credit Units and high quality hardwood whilst still maintaining agricultural activities on the property.

The total area of the farm is 2021.5 hectares and approximately 1600 hectares will be included as the carbon project area. This area is the total cleared area on the property. Between 20 – 25 percent of the arable area will be planted to trees in a row configuration with the remaining inter-rows (which equates to 75-80 percent of the remaining arable area) to be cropped or established with improved grasses and legumes for future grazing opportunities. Currently there are no improved pastures on the property and little or no fencing exists. If the Applicant successfully purchases the property, a high standard boundary fence around the whole property and improved water supply and storage infrastructure is proposed.

The area proposed to be established with trees in the agroforestry/tree farm proposal is between 320 and 400 hectares and as such the volume of timber produced will not require onerous or intensive traffic movements at harvest times. The Applicant proposes that the volume of heavy vehicle movements on public roads will be less intensive than a traditional broad acre cropping harvest period.

It is anticipated the trees will be retained for approximately 40 years before harvest and used for high quality hardwood timber products, biochar and/or biofuels. The carbon permanence period will be 25 years and the tree and carbon crops will be complementary to the predominant traditional agricultural land uses in the area.

The tree farm area and configuration will comply with the Guidelines for Plantation Fire Protection (2011) with farm design following existing roads and natural features, where practicable. Site topography, road direction, access to water and planting direction in relation to fire control will also form part of the development design.

In consideration of the proposal the following information is provided:

Lot Size	2021.50 hectares (Total area – 5 lots)
Zoning	Rural
Existing Development	Rural and Remnant Vegetation
Existing Services	Telephone, Water, Gas
Access and Frontage	Balla-Whelarra Road
Vegetation	Vegetated in parts
Surrounding Land Uses	Rural and Remnant Vegetation

COMMUNITY & GOVERNMENT CONSULTATION:

The application was advertised for a period of 21 days from 14 November to 9 December 2022 in accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* with a notice placed in the Geraldton Guardian, on the Shire website and available at both the Northampton and Kalbarri Shire Offices.

The application was also forwarded to four adjacent and adjoining landowners and the following governmental agencies and key stakeholders for consideration:

- Department of Planning, Lands and Heritage;
- Main Roads WA;
- Department of Primary Industry and Regional Development;
- Department of Water and Environmental Regulation; and
- Department of Biodiversity, Conservation and Attractions.

A total of four submissions were received with no objections forthcoming in relation to the proposed application. A schedule of submissions is provided at **Appendix 2**.

FINANCIAL IMPLICATIONS:

The Applicant has paid a development application fee of \$2985-00. In addition to this, should Council determine to refuse this application and the Applicant proceeds 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 - Northampton*

The land is zoned 'Rural' under *Local Planning Scheme No. 10 – Northampton* with the objectives of the zone being:

- *To provide for the maintenance or enhancement of specific local rural character.*
- *To protect board acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.*

The use 'Tree Farm' is listed as a 'D' use in the Scheme which means that the use is not permitted unless the local government has exercised its discretion by granting development approval. A 'Tree Farm' is defined within the Scheme as follows:

'Tree Farm' *means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003 section 5'.*

POLICY IMPLICATIONS:

State: *SPP 3.7 – Planning in Bushfire Prone Areas*

Local: *Shire of Northampton Local Planning Strategy - May 2022*

Shire of Northampton Local Planning Policy - Agroforestry

Local: *Guidelines for Plantation Fire Protection (DFES 2011)*

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The intent of this State policy is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

The objectives of the policy are to:

- *Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.*
- *Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.*
- *Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.*
- *Achieve an appropriate balance between bushfire risk management measures and biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.*

As there will be no landowner permanently on site and to comply with the State planning policy when developing the Bushfire/Fire Management Plan for the Tree Farm, it is considered a bushfire hazard assessment be undertaken by a suitably qualified Bushfire Practitioner and be included as part of the Plan.

Shire of Northampton Local Planning Strategy

The Shire's Local Planning Strategy applies to the Northampton townsite and immediate surrounds and forms the basis for development of a long-term strategic plan for the future development and growth of the Shire. The Strategy identifies key issues within the area as follows:

2.1.5 economy & employment

- *Protect high quality agricultural land and promote expansion and diversification of the rural economy to ensure a sustainable economic and employment base for the Shire.*
- *Support opportunities for intensive agriculture including intensive animal husbandry and intensive rural and organic based industries in locations close to major population centres and major transport routes.*

The Strategy also addresses key issues identified under four key outcome areas for the Shire and specifically Agriculture and Rural Industry, as follows:

agriculture & rural industry

Objective	1. To protect, promote and encourage the continuation and diversification of agriculture and related rural based industries within the Shire as a key long term economic driver of the region.
Key Issues	<ul style="list-style-type: none"> □ <i>The Shire of Northampton has one of the largest farming areas of the Northern Agriculture Region, containing extensive areas of high quality agricultural land that need to be protected from further fragmentation as well as encroachment from incompatible land uses so as to support, expand and diversify agricultural activities in the region.</i> □ <i>Support existing and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food.</i> □ <i>Protect high quality agricultural land and promote expansion and diversification of the rural economy to ensure the long term sustainability of the economic and employment base of Shire.</i> □ <i>Provide opportunities for intensive agriculture including intensive animal husbandry and intensive rural and organic based industries to expand into the Shire in locations close to major population centres and major transport routes.</i> □ <i>Large supplies of groundwater to support intensive agriculture are limited in the region. Further investigation of a sustainable water supply is needed.</i>

Strategies	Actions
1.1 Protect High Quality Agricultural land and promote and facilitate the expansion and diversification of the rural economy.	<p>a. Include within the Scheme provisions for protecting High Quality Agricultural land from fragmentation and incompatible land uses in accordance with WAPC Policy.</p> <p>Include within the Scheme provisions which facilitate and support the diversification and intensification of on-farm agriculture.</p>
<p>1.2 Provide for intensive agriculture and rural industries in locations close to major population centres and on major transport routes.</p> <p>1.3 Discourage the introduction of sensitive land uses within these areas so as to limit the constraints on intensive agriculture and rural industry.</p>	<p>b. Investigate s an appropriate location to provide for predominately Intensive Agriculture, Animal Husbandry and Rural Industry uses, subject to consideration of traffic and road access, water supplies, environmental impacts and proximity to populated settlements.</p> <p>c. Introduce the land use definition of Rural Industry into the Scheme with flexible permissibility for rural zoned land.</p> <p>d. In order to support the development of intensive agriculture and rural industries a secure fit for purpose water supply needs to be identified.</p>
1.4 Protect prime and priority agricultural lands from rural living subdivision.	<p>e. Do not support proposals to subdivide rural land unless consistent with WAPC's State Planning Policy 2.5 and Development Control Policy 3.4.</p> <p>f. Oppose any rural living rezoning and subdivision except in consolidated areas designated under this Local Planning Strategy as referenced under Section 2.6 - People & Housing.</p>

The proposed Tree Farm is considered to meet the objectives and key actions of the Local Planning Strategy. The proposed development is located on land that is not considered to be High Quality Agricultural Land. Therefore, the diversification of use in this location is supported as it will enable the continuation of agricultural activities within the locality.

Shire of Northampton Local Planning Policy – Agroforestry

The application has been lodged under the Shire's 'Agroforestry' Local Planning Policy.

The objectives of the Policy are as follows:

- *Achieve a consistent, efficient, and equitable system for assessing and approving tree crop applications.*
- *Actively encourage the establishment of tree crops in appropriate locations across the Shire of Northampton.*
- *Actively encourage tree crops in areas subject to land degradation, including areas of high salinity, water logging, and high levels of chemical contamination where there are clear natural resource management benefits.*
- *Tree crops are to be complementary and ancillary to the predominant traditional agricultural land uses of the area.*
- *Consider impacts on local road infrastructure and fire risk/management issues in all applications.*
- *Consider the visual impact of tree crops in close proximity and/or viewing distance to town sites, roads of local and regional significance, and areas of scenic beauty.*
- *Encourage operators, managers, government and non-government agencies, investors, and land holders to work in partnership wherever possible.*
- *Encourage operators to abide by the Industry Code of Practice, relevant legislation, State Strategy for Plantations and Farm Forestry and this policy.*
- *Outline the matters required to be addressed for assessment to be undertaken under the planning system and other legislation.*
- *The Council recognises that other matters, not listed above, may be raised during assessment of applications, such as submissions by third parties, which will be noted but not necessarily used in determining an application. As such matters may be covered by other legislation, fall under the responsibility of other agencies, or may not be considered relevant or valid planning considerations.*

A Local Planning Policy shall not bind Council in respect of any application for Planning Approval but Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

Guidelines for Plantation Fire Protection

The objective of the Department of Fire and Emergency Services *Guidelines for Plantation Fire Protection* provides “both local government and the plantation industry with a set of best practice fire protection standards for plantation that aim to protect human life and local community interests, while minimizing fire risk to plantation assets.”

Further detail is provided within the publication and *Section 2 Planning for Plantation Fire Management* which outlines specific conditions to be included by Applicants when developing their Bushfire/Fire Management Plans.

STRATEGIC IMPLICATIONS:

State: DPIRD Resource Management Technical Report 386 – Identification of high quality agricultural land in the Mid West region; - Stage 1 Geraldton Planning Region

DPIRD Report – Identification of high quality agricultural land in the Mid West region

In April 2013, the Department of Primary Industries and Regional Development (known at the time as the Department of Agriculture and Food) prepared a report titled *Identification of high quality agricultural land in the Mid West Region*. This report seeks to enable broadacre agriculture industry’s continued access to large areas of good quality land receiving enough reliable rainfall to produce crops and pastures. The project developed a methodology to identify high quality agricultural land (HQAL) that exhibited a combination of qualities that are valuable to the agricultural industry and worthy of protection for production into the future.

A series of maps and accompanying tables were generated which depicted and characterised agricultural land in a way that planners and investors could understand. Detailed maps showing the region’s potential for broadacre and irrigated agriculture derived from existing information on soils, land capability, water resources and rainfall were produced with one showing High Quality Agricultural Lands in the Shire of Northampton at **Appendix 3**.

A map is also attached (see **Appendix 4**) that shows that the location of the land identified within this development application area as marginal country located on the fringe of the northern agricultural area.

COMMENT:

The proposed Tree Farm development is considered to be consistent with the objectives of the *Local Planning Scheme No. 10 – Northampton, the Local Planning Strategy (May 2022)* and the Shire's Local Planning Policy *Agroforestry*.

A Bushfire/Fire Management Plan has not been prepared and is proposed to be compiled once the outcome of this application is determined. Therefore, should Council grant approval it is recommended that a Bushfire/Fire Development Plan be developed by the Applicant with authority delegated to the Shire Chief Executive Officer for execution of the Plan.

Furthermore, as identified within DPIRD's publications dealing with High Quality Agricultural Land in the Mid West, the area proposed to be planted to trees on 4472 Balla-Whelarra Road, Binu is located within an area of the northern agricultural region identified as an Agricultural Land Area (ALA) with lower or marginal agricultural potential/quality.

VOTING REQUIREMENT:

Simple Majority Required.

CONCLUSION:

Having taken into consideration the requirements of the Shire's *Local Planning Scheme No. 10 – Northampton, the Local Planning Strategy (May 2022)* and the Shire's Local Planning Policy *Agroforestry* and submission responses, it is recommended that Council approve the Application for Development Approval, subject to conditions outlined below.

OFFICER RECOMMENDATION – ITEM 7.3.1

APPROVAL

That Council grant Development Approval for the establishment of a Hardwood Eucalyptus 'Tree Farm' on Lots 5072, 5079, 5083, 5086 & 5087 (No. 4472) Balla-Whelarra Road, Binu (known as "Ballamore") subject to the following conditions:

- 1 Development shall be in accordance with the approved plans dated 16 December 2022 and subject to any modifications required as a**

- consequence of any conditions 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 land (not the subject of this consent/approval) considered by the Shire Chief Executive Officer to represent a significant variation from the approved development plan may require further application and planning approval for that use/addition.
- 3 The Applicant shall adhere to the Project Establishment Plan 'Ballamore Farm' dated October 2022 including any modifications required by this approval or any such changes requested in writing by the Shire Chief Executive Officer or in the case of a dispute by the determination of Council as to the ongoing operation of the development;
- 4 Prior to commencement of the approved development/land use, the Applicant is to prepare a Bushfire/Fire Management Plan following the format of 'Fire Management Plans', outlined in the *FESA Guidelines for Plantation Fire Protection 2011* (*as amended), and including local government firebreak notices. The Plan shall include a bushfire hazard assessment prepared by a suitable qualified Bushfire Practitioner, so as to comply with *State Planning Policy 3.7 Planning in Bushfire Prone Areas*;
- 5 The Applicant is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received, the Applicant is required to demonstrate mitigations response/s to the approval of the local government. Such responses/s will be treated as conditions of approval/required modifications to the Project Establishment Plan and Fire Management Plan 'Ballamore Farm';
- 6 The Applicant shall ensure the Project Establishment Plan is inclusive of vermin control measures that is to the satisfaction of the local government before the commencement of the tree farm;
- 7 Any soils disturbed or deposited on-site shall be stabilised to the approval of the local government;
- 8 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;

- 9 The applicant shall obtain any necessary Native Vegetation Clearing Permit from the Department of Environment, if required;**
- 10 Repairing of any damage to the road network including the surface is required by reason of use of the road in connection with the establishment of the development to the approval of Main Roads WA and the Local Government with all costs met by the Applicant;**
- 11 Application of Nutrient Fertiliser, Pesticides and Herbicides to be undertaken to the approval of the Department of Primary Industries and Regional Development; and**
- 12 Authorise delegation to the Chief Executive Officer for the preparation and execution of the Firebreak/Fire Management Plan, with any disputes to be referred back to Council for final determination.**

Advice Notes

Note 1: The Project Establishment Plan and Fire Management Plan shall be prepared and periodically updated with regard for the Shire of Northampton's Local Planning Policy *Agroforestry*, *'Code of Practice for Timber Plantations in Western Australia (FPC 2014)*, *Guidelines for Plantation Fire Protection (DFES 2011)*, *Code of Practice for use of agricultural and veterinary chemicals in WA (DPIRD 2005)* and superseding documents and documents of subsequent relevance.

Note 2: If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

APPENDIX 1 – APPLICATION INFORMATION

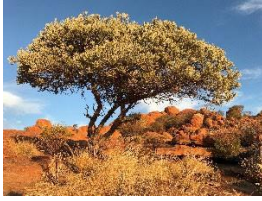
Shire of Northampton

Application
Information
Ballamore
Farm

November 2022

Outback Carbon Pty Ltd (a Mitsui & Co., Ltd. Company)
Level 11 Exchange Tower
2 The Esplanade
Perth 6000





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Outback Carbon Pty Ltd (Outback Carbon) proposes to establish a plantation of hardwood Eucalyptus species on land located in eastern part of the Shire of Northampton, Western Australia, for the purpose of creating Australian Carbon Credit Units (ACCUs) and high-quality hardwood whilst still maintaining agricultural activities on the property. Outback Carbon is a subsidiary of Mitsui & Co., Ltd. and is part of the Mitsui E&P Australia group of companies and will be the project proponent and project manager for the project.

The total area of the farm is approximately 2,020 ha, with approximately 1,600 ha to be included as the total proposed carbon project area (which is the total cleared arable area on the property). Between 20 - 25% of the arable area will be planted to trees in a row configuration. These remaining inter-rows (which combined give a total of between 75-80% of the remaining cleared property area) can continue to be cropped or established with improved grasses and legumes for future grazing opportunities. Currently there are no improved pastures on the property with some new fencing required. If successful in purchasing the property, Outback Carbon would look to put a high standard boundary fence where needed and improve the water supply and storage infrastructure for effective future firefighting activities.

The plantation compartment size and configuration will comply with the Guidelines for Plantation Fire Protection (FESA, 2011), section 4.1. For example, where practicable the compartment boundaries will follow existing roads or natural features. The design will further consider site topography, slope, aspect, road direction, strategic access to water, and planting direction in relation to fire control and compartment size. In addition, firebreaks will be maintained in accordance with the Shire regulations.

It is anticipated the trees will be retained for approximately 40 years before harvest and used for high quality hardwood timber products, biochar and/or biofuels. The carbon permanence period will be 25 years and the tree and carbon crops will be complementary to the predominant traditional agricultural land uses in the area.

Refer to Appendix A which shows the General Property Map.

General location: Midwest Region,
Northampton Farm name: Ballamore
Farm

There is growing discussion and evidence that revegetating areas could lead to increasing rainfall (When trees make rain: Could restoring forests help ease drought in Australia? Sept 2018). Outback Carbon plans to revegetate between 20 - 25% of the arable property area and therefore believes there will be minimal negative impact, and potentially numerous positive impacts realised on the property area and greater region.

It is Outback Carbon's intention that cropping and/or grazing will continue on the remaining property area after the first two years, when the trees are more robust. The grazing should also serve as a fire risk mitigation tool, by reducing the fuel load during the hot summer months.

The introduction of trees will provide a diversified farm income from carbon and also provide shelter for livestock and enhance other environmental aspects such as improved soil condition, reduced wind erosion and increased soil carbon. There may also be opportunity for future beekeeping activities on both the planted trees and surrounding native vegetation.

The project will comply with the Code of Practice for Timber Plantations in Western Australia (Forest Industries Federation (WA) Inc, 2014) and compartments will be designed in accordance with the Guidelines for Plantation Fire Protection. The basic planting configuration will be the same across the cleared arable areas of the property. Establishment will be via machine and hand planted seedlings.

The establishment will incorporate up to three native eucalypt species (*E. camaldulensis*, *E. maculata* and *E. supravialis* - northern variant) at approximately 200-250 stems per hectare. All have the potential for high quality timber building or furniture products, or biomass for biochar and biofuels.

The establishment operations include summer vermin control, broadacre boom spray weed and pest control based on knockdown and residual herbicide application, and insect control via insecticides. A machine will be used to scalp, shallow rip and roll the soil early in the season after the rainfall season has started.

Improved annual grasses and legumes will be established opportunistically either in May/June in the first or second year. Local and regional contractors will be given the opportunity to contract for establishment and/or maintenance activities for the project. These operations include:

- Weed control (pre-establishment);
- Rip and scalp, seedling planting;
- Weed control (post establishment and for project life);
- Rotational grazing;
- Insecticide applications if necessary;
- Firebreak and access roads upgrades annually or as required;
- Vermin control; and
- Monitoring and inventory (for carbon assessment).

Maintenance activities will be reviewed annually considering site and surrounding conditions, seasonal circumstances and Local Government requirements.

Livestock

Grazing and animal exclusion on planted land is planned for 24 months following seedling planting and will be an effective weed management and fire risk mitigation tool (as recommended in both the Guidelines for Plantation Fire Protection, and the Code of Practice for Timber Plantations in Western Australia).

Harvesting is expected to occur when the trees have aged to around 40 years. This is noted as the optimal time for timber quality for the proposed species. As noted in the Shire's Agroforestry and Tree Farms Local Planning Policy, currently there is very limited local processing of timber in the Mid West. In the potential absence of future local processing facilities, spot milling may be considered as an alternative and other on farm based mobile units for biochar/biofuels production.

Given the relatively limited area proposed to be established with trees in this agroforestry/plantation project (320-400 ha), it is not expected the volume of timber produced will require onerous or intensive traffic movements in harvest and haul. Likely, the volume of heavy vehicle movements on public roads will be less intensive than a traditional broad acre cropping harvest period. Likely roads to be used include Balla- Whellarra, Ogilvie Road, Binna Road East and the North West Coastal Highway

In accordance with the Shire's Agroforestry and Tree Farms Local Planning Policy, a Harvest Plan including transport will be submitted to the Council for separate approval 12 months prior to the commencement of harvesting. This plan will comply with the Code of Practice for Timber Plantations in Western Australia.

Section 7 below details the expected impact on existing road infrastructure during the initial project establishment and maintenance phase. The Harvest Plan will specify travel routes and expected impacts associated with any timber harvesting.

As noted in the Department of Water's Plantation Forestry and Water Management Guideline, a small reduction in stream flow or groundwater level is related to a small area of plantation forestry. As per section

6.1 of this document, native vegetation will be planted. This aligns well with recommendation 14 of the Department of Water's WQPN 6 Vegetation Buffers to Sensitive Water Resources. Due consideration to buffers will be given in accordance to the note when designing the plantation compartments.

There will be negligible impact on shire roads during the establishment phase of the project.

A Fire Management Plan has been prepared for the Ballamore Farm Project and will be made available to the Shire of Northampton and adjoining landowners.

REFERENCES

Could restoring forests help ease drought in Australia? (2018, September 14).

ABC News. <https://www.abc.net.au/news/science/2018-09-15/trees-make-rain-ease-drought/10236572>

Department of Water (2006) Water Quality Protection Note. Vegetation Buffers to Sensitive Water Resources.

Department of Water (2009) Plantation Forestry and Water Management Guideline.

Fire and Emergency Services Authority of Western Australia (2011) Guidelines for Plantation Fire Protection.

Forest Industries Federation WA (2014) Code of Practice for Timber Plantations in Western Australia.

Ballamore Farm
Establishment Plan

Project

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Department of Water (2006) Water Quality Protection Note. Vegetation Buffers to Sensitive Water Resources.

Department of Water (2009) Plantation Forestry and Water Management Guideline.

Fire and Emergency Services Authority of Western Australia (2011) Guidelines for Plantation Fire Protection.

Forest Industries Federation WA (2014) Code of Practice for Timber Plantations in Western Australia.

Ballamore Farm
Establishment Plan

Project

APPENDIX A

General Property Map and Proposed Project Location



APPENDIX 2. - SCHEDULE OF SUBMISSIONS

No. and Date Received	Submitter	Submission Detail	Comment/Recommendation
1. 21/11/2022	Main Roads WA	<p>NO OBJECTION</p> <p>Thank you for consulting Main Roads on the proposed development.</p> <p>The proposed project is not located adjacent to a road reserve under Main Roads jurisdiction. Accordingly, Main Roads does not object to the proposal and has no further comments.</p>	Submission noted.
2. 24/11/2022	Neville J Humphries	<p>SUPPORT</p> <p>No supporting comments</p>	Noted.
3. 29/11/2022	Greg Teakle	<p>SUPPORT</p> <p>No supporting comments</p>	Noted.
4. 8/12/2022	Department of Biodiversity, Conservation and Attractions	<p>NO OBJECTION</p> <p>Proposed agroforestry plantation adjoins ex - Coolcalcalaya station UCL to the west, north and east. DBCA notes the proposed plantation area is surrounded by bushfire prone vegetation and recommends Shire of Northampton ensure that all bushfire protection requirements for the plantation are provided for within the development area and do not place impositions or reliance upon management of the adjoining UCL areas.</p> <p>The proponent has indicated they will source seed for the plantation from adjoining remnant vegetation areas. This approach is supported by DBCA as this will ensure plantation timber species will be of similar provenance to adjoining native vegetation. DBCA notes that advice has already been provided to the proponent regarding the collection of seed, including a requirement to obtain a</p>	

		<p>licence from DBCA for taking of flora on Crown Land, pursuant to Regulation 60 of the Biodiversity Conservation Regulations 2018.</p> <p>DBCA has no objections to the proposal as outlined in your letter. It is anticipated that the proposed agroforestry plantation development and any associated environmental impacts will be appropriately managed through the existing planning framework.</p>	
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APPENDIX 3 – EXTRACT FROM HIGH QUALITY AGRICULTURAL LAND DOCUMENT IN THE MID WEST REGION (DPIRD)

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4.3.23 Galena–Wandana ALA

Location: The Galena–Wandana ALA covers about 76 700 ha, comprising three small areas sitting on the northern fringe of the agricultural districts. The north-western area is about 28 000 ha, straddling the Murchison River to the east of the Kalbarri National Park; the central area is about 42 000 ha, sitting to the north-west of the Wandana Nature Reserve. The smaller, south-eastern portion is about 6000 ha and is bordered by the Wandana Nature Reserve on three sides.

Characteristics: This area comprises a mix of yellow sandplain and dune ridges, red soil flats on relict alluvial plains and undulating granitic country. Most of the land has flat to gentle slopes. Currently it is used for grazing sheep (and a few cattle) and cropping wheat, as well as lupins, canola and very limited areas of chickpeas where soil types are suitable. Perennial pastures are increasingly important in grazing systems. Integration of oil mallee plantations into the farming mix on poorer performing soils is also becoming more prominent.

No significant irrigated agriculture exists. Twenty-two per cent of this area remains uncleared and a sizeable area is listed as flora conservation. Property and parcel sizes are typically very large.

Agricultural importance: The nature and productivity of the soils is varied. Though there are considerable areas of 'good quality' soils, the relatively low rainfall limits yields in most seasons.

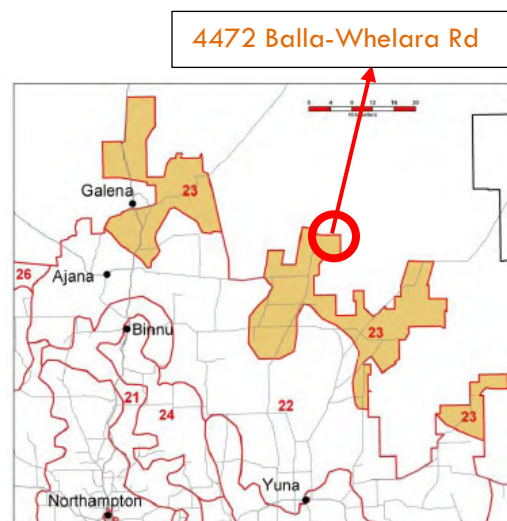
While some soils are highly suitable for horticulture, limited groundwater resources make irrigation developments unlikely. Current knowledge suggests that groundwater supplies are small, scattered and often of questionable quality.

Opportunities:

- good quality soils
- large property sizes
- profitability for broadacre agriculture is maintained by using low-input, low-risk systems.

Constraints:

- limited groundwater resources
- low rainfall
- traces of heavy metals may occur in the groundwater
- wildlife and vermin may reduce crop potential.



Identification of high quality agricultural land in the Geraldton Planning Region

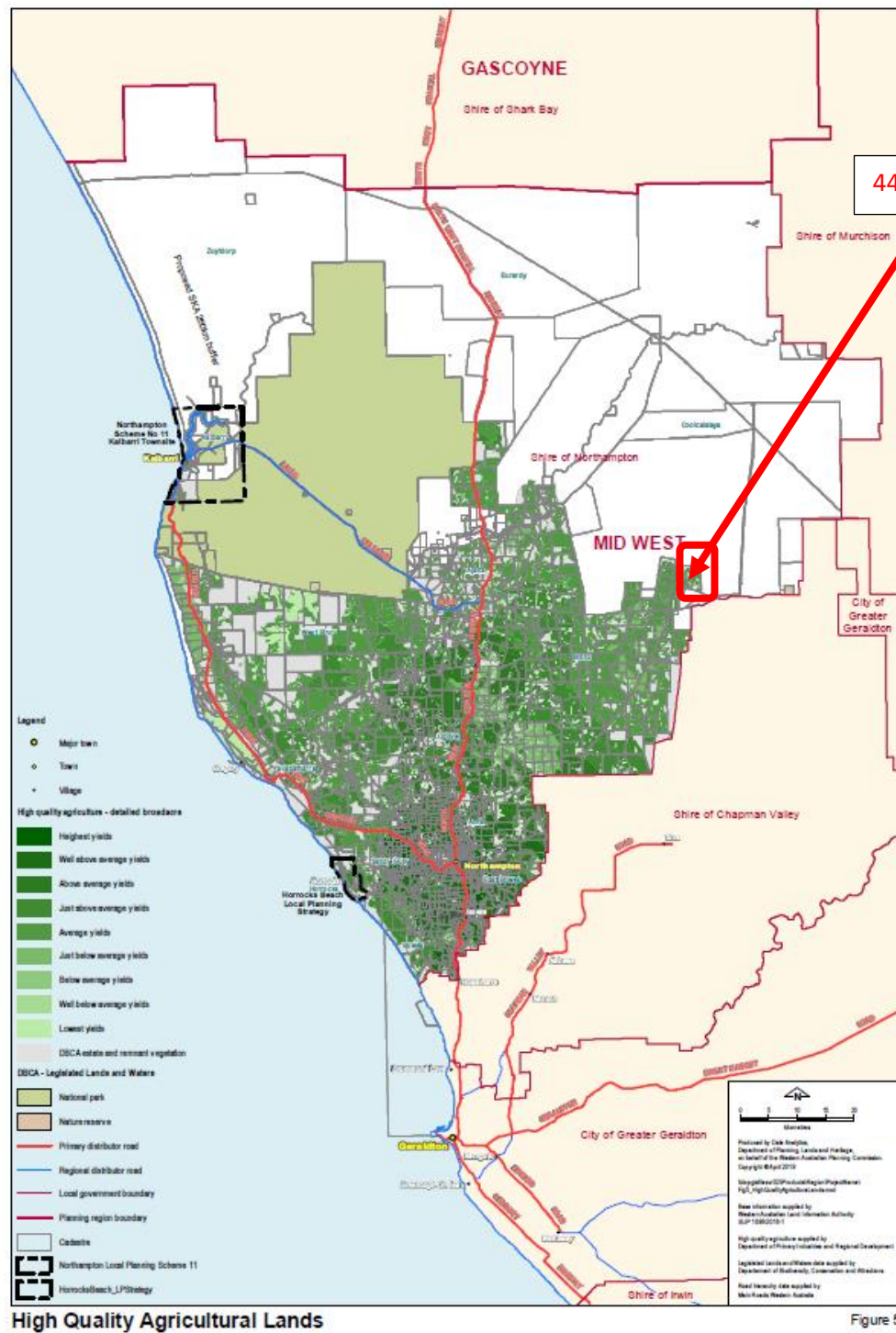
Galena–Wandana ALA (76 700 ha)

Landform	This area is a mix of yellow sandplain, red soil flats on relict alluvial plains and undulating granitic country. Most of the land has flat to gentle slopes		Gradients: Dominantly 1–3%	Remnant vegetation: 22%
Soils	The sandplains have Yellow deep sands and Yellow Sandy earths of variable quality (Eradu, Indarra, Eurangoa and Ajana series). Relict alluvial plains have Red-brown hardpan shallow loams and Red shallow loams (Mindage and Wilroy series) with Red shallow loamy duplexes (Northampton series) also found on sloping granitic terrain.			
Broadacre agriculture	Growing season rainfall over past decade: Average: 222 mm		Geographical range: 185–250 mm	
	Potential wheat production from all arable cleared land: 81 800 t		Average potential yield: 1.4 t/ha; yields range from < 1 t/ha on poorer soils up to 2 t/ha on better sandplain areas.	Value: \$20 million/year
	The nature and productivity of the soils is varied. Though there are considerable areas of 'good quality' soils, the relatively low rainfall limits yields in most seasons.			
Groundwater resources	Estimated recharge to fresh aquifers: No significant recharge of fresh aquifers.			
	Regional aquifer general licensing component: No Yuna/Eradu GWSA or Northampton/Gelena GWSA general licensing components relate to aquifers currently designated as being regional.			
	Current knowledge and recharge estimates suggest that groundwater supplies are small, scattered and often of questionable quality.			
Irrigated agriculture	Horticulture potential: Although some soils are highly suitable for horticulture, limited groundwater resources make irrigation developments unlikely.			
	Potential water for irrigated agriculture:		Area of mix of enterprises irrigated by potential water:	Potential value of irrigated crops:
	Maximum volume	0 ML/yr	0 ha (0% of ALA)	\$0
	Conservative volume	0 ML/yr	0 ha (0% of ALA)	\$0
Property analysis	Average property size: 6913 ha		Average parcel (lot) size: 620 ha	
	No. of properties: 25		No. of parcels (lots): 208	Average no. of parcels per property: 10.8

Note: The data presented in this table are indicative only and should not be used without first reading the text in s 4.3. The regional aquifer general licensing components will not necessarily be available for licensing to agricultural users. Nor are they exclusively for the use of licensees located within the ALA. Recharge estimates do not translate directly into water availability. Crop yields do not represent actual production. Dollar values do not include the full contribution of agriculture activities to the economy. Yields and dollar values should not be used as a guide for enterprise budgeting.

Identification of high quality agricultural land in the Geration Planning Region

APPENDIX – HIGH QUALITY AGRICULTURAL LANDS SHIRE OF NORTHAMPTON



7.3.4 SUMMARY OF PLANNING INFORMATION ITEMS

DATE OF REPORT: 8 December 2022
REPORTING OFFICER: Michelle Allen - Planning Officer

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
2021-067 Amendment	P Goode, Eco Building and Design	LOT 84 EIGHTH AVENUE, NORTHAMPTON	SINGLE HOUSE AND OUTBUILDING	3 November 2022
087	Norwest Building Group	LOT 161 (NO. 13) SMITH STREET, KALBARRI (formerly 13A, 13B & 13C Smith Street)	OUTBUILDING (R-CODE VARIATION)	10 November 2022
088	F Rystenberg	LOT 13 (NO. 22) CLOTWORTHY STREET, KALBARRI	EXTENSIONS TO CARETAKERS DWELLING (VERANDAH & DECKING)	10 November 2022
089	Vikas Sah	LOT 44 (NO. 181) HAMPTON ROAD, NORTHAMPTON	REPAIRS/REPLACEMENT WORKS (CYCLONE SEROJA) – HERITAGE LISTED BUILDING MI PLACE NO 104 IN SCA4 TOWN CENTRE CONSERVATION PRECINCT	11 November 2023
E019	FL Griffiths	LOT 130 (NO. 166) HAMPTON ROAD NORTHAMPTON AND LOT 1 (NO. 136) STEPHEN STREET, NORTHAMPTON	TEMPORARY ACCOMMODATION (CARAVAN) – CYCLONE SEROJA	22 November 2022
090	JA & C Dalglish	LOT 31 (NO. 12) ERWOOD ROAD, NORTHAMPTON	HOLIDAY HOUSE USE FOR ANCILLARY DWELLING	30 November 2022
092	T & R Homes	LOT 33 (NO. 6) ROWE STREET, KALBARRI	SINGLE HOUSE (R-CODE VARIATION)	2 December 2022

093	R Allen Northampton Motors & Machinery Restoration Group	RESERVE 44264 LOT 500 (NO. 52) GWALLA STREET, NORTHAMPTON	OUTBUILDING (DISPLAY SHED)	5 December 2022
094	E & DM Cotterill	LOT 348 (NO. 168) WANNERENOOKA ROAD, NORTHAMPTON	BED AND BREAKFAST USE FOR TWO ANCILLARY BEDROOMS	5 December 2022
095	RA Mickelberg	LOT 711 (NO. 5) ADAIR CLOSE, KALBARRI	CARPORT – (R-CODE VARIATION)	5 December 2022

OFFICER RECOMMENDATION – ITEM 7.3.4	For Council information
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7.3.1 PROPOSED SINGLE HOUSE, OUTBUILDING AND RETAINING WALLS - R-CODE VARIATIONS – LOT 260 (NO. 54) CENTROLEPIS CIRCUIT, KALBARRI

LOCATION:	Lot 260 (No. 54) Centrolepis Circuit, Kalbarri
APPLICANT:	Sean Gorman
OWNER:	RC and DM Moore
FILE REFERENCE:	10.6.1.1 (A4137)
DATE OF REPORT:	5 December 2022
REPORTING OFFICER:	Michelle Allen – Planning Officer
RESPONSIBLE OFFICER:	Maurice Battilana – Acting CEO

APPENDICES:

- 1. Site Plan and Elevations (Single Dwelling and Outbuilding)**
- 2. Plans (Retaining Wall Structures)**

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 development of a single house, outbuilding and retaining walls at Lot 260 (No. 54) Centrolepis Circuit, Kalbarri.

The application has been referred to Council because the proposed development is seeking several variations, including the placement of retaining walls between the street boundary and the street setback that are 2.4 metres above natural ground level. Council consideration is required due to the application seeking a number of variations to the 'Deemed-to-Comply' provisions of the *Residential Design Codes of WA* ("R-Codes") in relation to site works and lot boundary setbacks which do not meet 'Design Principle' provisions.

This report recommends Council grant conditional approval to the single house, outbuilding and retaining walls subject to conditions that will result in minor amendments to the proposed development in order to adequately address the design principles for lot boundary setback and site works.

LOCALITY PLANS:

Figure 1. Locality plan of Lot 260 (No. 54) Centrolepis Circuit, Kalbarri

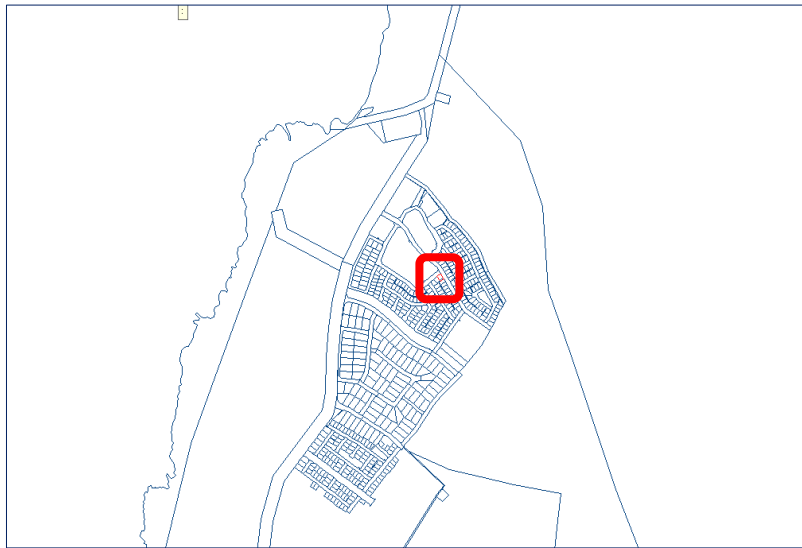
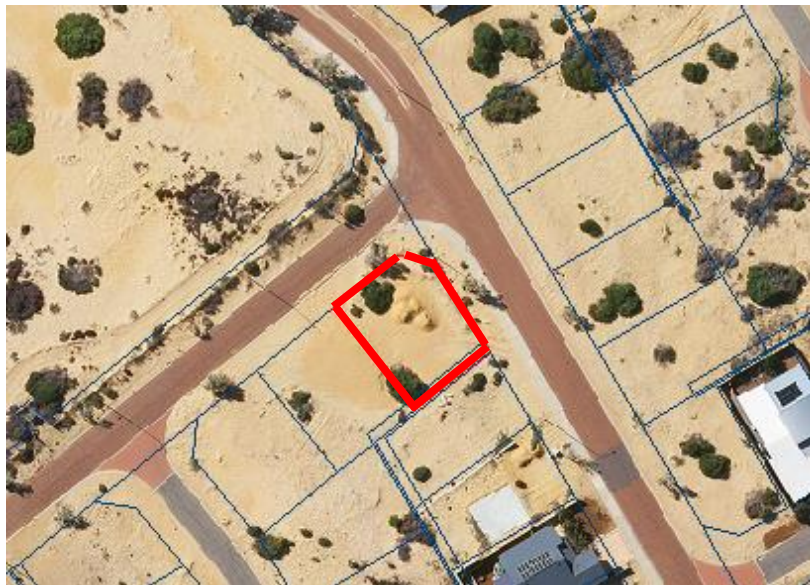


Figure 2. Site plan of Lot Lot 260 (No. 54) Centrolepis Circuit, Kalbarri



BACKGROUND:

An application has been received to construct a single house, outbuilding and retaining walls upon Lot 260 (No. 54) Centrolepis Circuit, Kalbarri. It is apparent upon assessment that the Applicant is seeking a number of variations to the *Residential Design Codes of Western Australia* (R-Codes), particularly for the proposed retaining wall structures along the front and side boundaries of Lot 260.

The Proposal:

The proposed development is seeking to construct a single house, outbuilding and retaining walls on Lot 260 Centrolepis Circuit which has a total site variation of 2.23m over the lot.

Location	Level	Variation
NE – Side (Flora Boulevard)	9.09m to 10.30m	1.21m
NW – Front (Centrolepis Circuit)	9.09m to 10.34m	1.25m
SE – Side lot boundary	10.30m to 11.20m	0.90m
SW – Side lot boundary	10.34 front to 11.32 rear	0.98m

The lowest point of the site is 9.09 on the northern side which is located on the corner of the lot of Centrolepis Circuit and Flora Boulevard. The highest point of the lot is located in the southern corner directly opposite with a measure of 11.32. Therefore, according to the survey and site plans provided as part of the application documentation variation over the whole site is 2.23.

There are two levels of retaining wall proposed on the front and side boundaries and site levels in that area measure at the lowest point 9.20 to the highest point 10.30. This equates to a site variation in the area where the two retaining walls are proposed of 1.1 metres.

Site Works	
Deemed to Comply Standard	Proposal
R Codes Clause 5.3.7 <u>Site Works</u> C7.1 Retaining walls and site works between the street boundary and the street setback shall be no more than 0.5m above or below the natural ground level. C7.2 Retaining walls, fill and excavation within the site and behind the required street setback to comply with Table 4 C7.3 Subject to subclause C7.2, all excavation or filling behind a street setback line and within 1m of a lot boundary, not more than 0.5m above the natural ground level at	 The development proposes site fill and retaining walls on the front and side boundary to a maximum height of 2.4 metres above natural ground level between the street boundary and street setback. See Table below. Fill within 1m of adjoining boundaries is above 0.5m

the lot boundary except where otherwise stated in the scheme, local planning policy, structure plan or local development plan.	
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Details of the retaining wall structures are as follows:

Retaining Wall	Location	Proposed Wall Height	R-Code Setback	Actual Setback
RW1 – 2nd level of retaining	Front & Side lot boundaries (NW, N & NE)	2.4m	2.5m	Nil to 1.5m
RW2 – 1st level of retaining	Front & Side lot boundaries (NW, N & NE)	1.34-1.54m	1.5-2m	Nil
RW3 – Side & rear walls of outbuilding	Side lot boundary (Outbuilding on SW side)			Nil – side 2.53m rear
RW4 – Basement Walls	Side and Rear walls of basement area (90.75m ²)			5m – 6.3m side
RW5 – Ensuite Wall	Rear Ensuite Wall (SE)			0.6m to 1.2m

Copies of the applicant's site, floor and elevation plans have been included as **Appendix 1** to this report.

In consideration of the application the following information is provided:

Lot Size (Lot 260)	599m ²
Existing Development	Vacant
Access & Frontage	Centrolepis Circuit and Flora Boulevard
Services	Water, Sewer, Telephone and Power
Topography	Undulating
Vegetation	Cleared, with existing landscaping
Surrounding Land Uses	Residential R20

The application has been brought before Council for the following variations to the Residential Design Codes:

- Retaining walls and fill between the street boundary and the street setback;
- Impact of building bulk on the adjoining property on the south-eastern side boundary; and
- Reduced setback sought in relation to the outbuilding on the south-western side boundary.

It is noted for Council information that a number of other variations were sought within the Applicant's original development application, however these are considered to have already been adequately addressed through the application of the design principles.

COMMUNITY CONSULTATION:

Given the variations being sought by the proposed additions to the single house, outbuilding and retaining walls, the application has been advertised in accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which requires the local government to give notice to adjacent landowners who are likely to be impacted by the proposed development:

"(3) (a) by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, in the opinion of the local government, are likely to be affected by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person..."

In accordance with the above requirements, correspondence was sent to five adjoining and adjacent landowners. The advertising period closed on 28th October 2022 and no submissions were received.

FINANCIAL & BUDGET IMPLICATIONS:

An Application for Development Approval fee of \$640 has been charged in line with the 2021/22 statutory Planning Fees and Charges for an application seeking R-Code variations and based upon the estimated cost of development submitted for the single house, outbuilding and retaining walls being \$200,000.

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

Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 7.1 - Residential Design Codes (2021)

Local: Shire of Northampton Local Planning Scheme No. 11

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 and Part 14 of the Planning and

Development Act 2005, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Planning and Development (Local Planning Scheme) Regulations 2015

The Shire is to have due regard to the matters set out in Schedule 2, Clause 67 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (LPS Regulations) in determining an application. The due regard matters relevant to this application are:

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (c) *any approved State planning policy;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following –*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality; and*
 - (iii) social impacts of the development;*
- (zb) *any other planning consideration the local government considers appropriate.*

Shire of Northampton Local Planning Scheme No. 11

The land is zoned "Residential R20" under the *Shire of Northampton Local Planning Scheme No. 11 - Kalbarri Townsite* with a "Single House" and associated structures such as an 'Outbuilding and Retaining Walls' considered to be a permitted 'P' use where it complies with the 'Deemed-to-comply' provisions of the Residential Design Codes of Western Australia.

The objective of the "Residential" zone is:

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

State Planning Policy 7.3 - Residential Design Codes (2021)

The *Residential Design Codes* (R-Codes) are formulated using a modified "performance" approach. The "Deemed-to-Comply" provisions contained in the R-Codes provide a means by which development can be assessed as being compliant, while the "Design Principles" allow the possibility of other ways to achieve an acceptable outcome.

The proposed development, being a single house, outbuilding and retaining walls, complies with the “Deemed-to-Comply” provisions of the *Residential Design Codes (2021)*, with the exception of:

- Lot Boundary Setback – Clause 5.1.3; and
- Site Works – Clause 5.3.7.

The focus of this report are the variations that relate to the impact of building bulk on both the streetscape and adjoining property which is considered to be significant.

These clauses of the Residential Design Codes will be examined in further detail.

Lot Boundary Setbacks – Cl. 5.1.3

The proposed development is not able to satisfy the following “Deemed-to-Comply” provisions of the R-Codes in terms of lot boundary setbacks under the clause 5.1.3:

"C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:

- i. buildings set back from lot boundaries in accordance with Table 1, Tables 2a and 2b (refer to Figure Series 3 and 4);*
- "*

The setback required as per table 2A of the R-Codes is 2.4 metres, with the Applicant proposing a nil setback on side (south-eastern) boundary to the adjoining property on Flora Boulevard.

Where the "Deemed-to-Comply" provisions are not able to be met, it is necessary to assess that component of the design against the relevant “Design Principles”.

The “Design Principles” for lot boundary setbacks are:

"P3.1 Buildings set back from lot boundaries so as to:

- reduce impacts of building bulk on adjoining properties;*
- provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- minimise the extent of overlooking and resultant loss of privacy on adjoining properties."*

The proposed development is seeking an increased maximum overall height of retaining wall structure(s) to 2.4 metres which is considered to add to the significant impact of building bulk of the site in light of the variation to site levels

in the location of the front and side boundary walls being in the vicinity of 1.1 metres.

Lot boundary setbacks to both retaining wall structures on the front (northern) and side (north-eastern) boundaries are seeking a variation from 1.1 metres to nil setback on the first retaining wall and a variation from 2.4 metres to nil setback on the second retaining wall.

Further discussion is provided within the Comment section of the report.

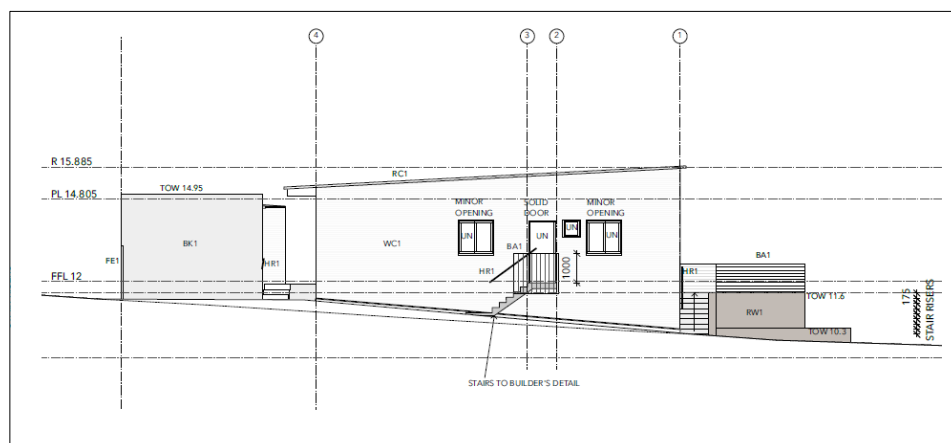
Outbuilding : In the case of the outbuilding, a wall structure is proposed to sit on the south western side boundary with a nil setback for an 8.7 metre long parapet wall that is 4 metres above natural ground level. Therefore, due to the wall's height a variation is sought for a nil setback.

Whilst the structure does not meet "Deemed-to-Comply" provision(s) of the R-Codes as per Clause 5.1.3 Lot Boundary Setback, it does meet the associated design principles and is considered to have no adverse impact on the amenity of the adjoining property. This is further underscored by the adjoining landowner not providing any objection to the proposal when referred to them for comment.

Retaining Wall structures : The proposed development includes retaining wall structures that do not meet 'Deemed-to-Comply' provisions, as follows:

- The retaining wall on the rear (south eastern) boundary is proposed to a height of 2.2 metres and to include the building to sit atop the retaining wall that will measure 5.6 metres above natural ground level. At this height and even with a setback distance over 3.5 metres proposed, it is considered that building bulk will impact on the adjoining landowner. (see **Figure 1**).
- The retaining walls proposed on the front and side lot boundaries of Lot 260 will vary in height from 1.1 metre to 2.4 metres.

Figure 1 – South Eastern Elevation



Site Works – Cl. 5.3.7

The proposed development does not satisfy the following "Deemed-to-Comply" provision(s) of the R-Codes in terms of the site works under cl. 5.3.7:

- C7.1 Retaining walls, fill and excavation between the street boundary and the street setback, not more than 0.5m above or below the natural ground level, except where necessary to provide for pedestrian, universal and/or vehicle access, drainage works or natural light to a dwelling.
- C7.2 Retaining walls, fill and excavation within the site and behind the required street setback to comply with Table 4.

Table 4 – Setback of site works and retaining walls

Height of site works and/or retaining walls	Required minimum setback
0.5m or less	0m
1m	1m
1.5m	1.5m
2m	2m
2.5m	2.5m
3m	3m

The proposed development includes a number of retaining walls, including two walls situated along both the front and side boundaries of Lot 260 seeking extensive site fill. The retaining walls range in height from 1.1 metre to 2.4 metres (see **Figures 2 and 3**).

Figure 2 – North western (Front) elevation

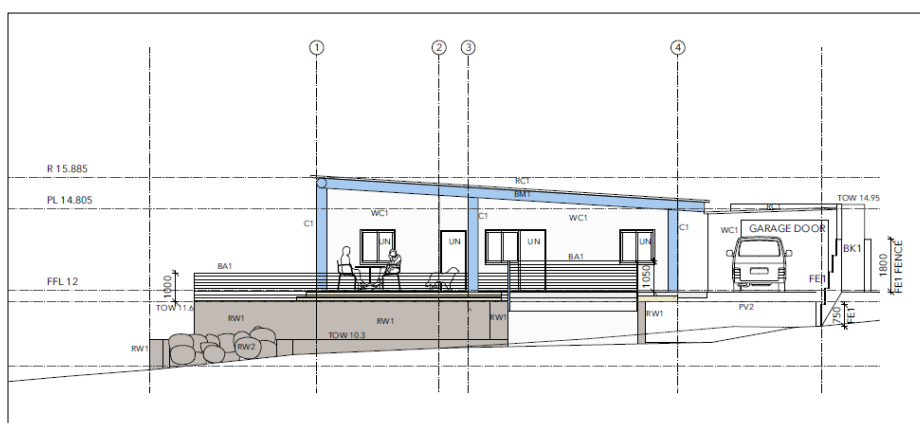
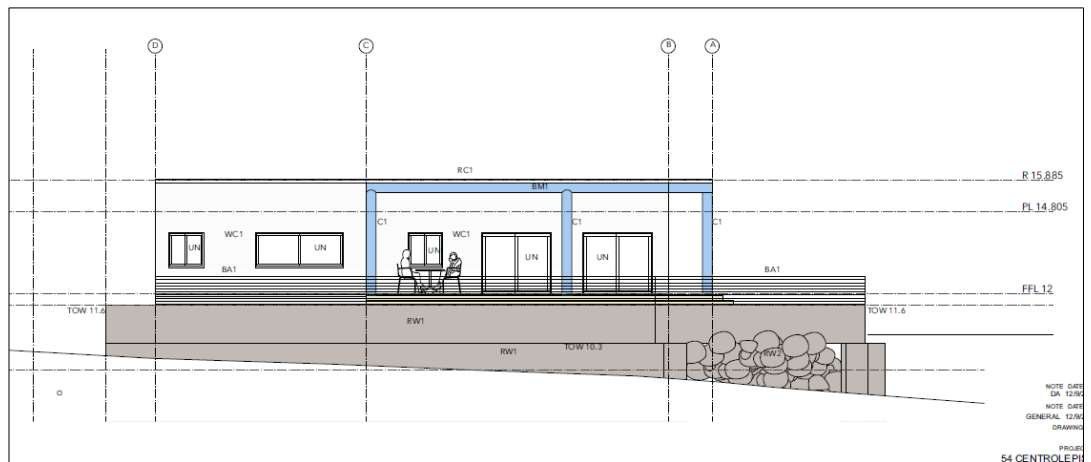
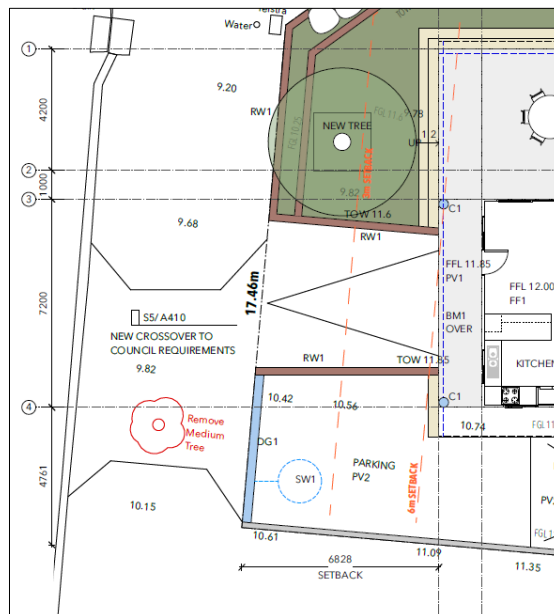


Figure 3 – North eastern (Side) elevation



In addition, there are two retaining walls within the front setback area that are both over 0.5m in height. These walls sit along the truncated corner and run south towards the driveway that sits wholly within the street setback area. The first wall is 0.700m in height and the second wall is 2 metres in height. Given the height of the retaining wall, which is in excess of 0.5m within the street setback area, it is not considered to comply with the ‘deemed-to-comply’ criteria (see **Figure 4**).

Figure 4 – Placement of retaining walls to driveway



Where the “Deemed-to-comply” provisions are not able to be met, it is necessary to assess that component of the design against the relevant design principle(s).

The design principle for site works is:

P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.

- P7.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.*
- P7.3 Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1*

An examination of the proposed development against the Design Principles of Cl. 5.3.7 will be provided within the 'Comment' section of this report.

POLICY IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

COMMENT:

Assessment of the application indicates that the proposed additions comply with the objectives of the "Residential" zone as prescribed by the Shire of Northampton Local Planning Scheme No. 11. There are, however, a number of variations being sought to the "Deemed-to-Comply" provisions of the Residential Design Codes. While the proposed development partially addresses the principles relating to: the lot boundary setbacks, there are a number of exceptions principally relating to site works.

Site Works and Retaining Walls

The R Codes 'deemed-to-comply' standard allows for retaining walls, excavation or fill to not exceed 0.5 metres above or below the natural ground level. The application proposes fill of up to 2.4 metres in some areas, whilst the site levels vary in height to a total of 2.1 metres from the lowest point to the highest point on the lot overall as shown on the contour and site plans.

The Applicant has included the following supporting justification for the proposed variation:

In regards to the retaining that doesn't meet R-Code deemed to comply requirements, I submit the following justification:

- the retaining walls allow for a level uncovered outdoor living area on the north side of the house that will be to the benefit of the resident including shelter from the wind and access to winter sun.*
- allows for vehicle access to undercroft garage which will conceal vehicles and equipment from the street.*

- *does not detrimentally affect adjacent properties*
- *existing ground levels along the boundary are maintained along the south and east boundaries*
- *retaining walls viewed from the street will be aesthetically pleasing limestone blockwork and feature boulders.*
- *precedent: there are many examples of non compliant boundary retaining walls in the area that have been approved by the council. Please see the attached photos.*

The proposed site works and retaining wall height do not satisfy the design principles of the R Codes for the following reasons:

Response to natural topography

The subject site has a crossfall from the southern corner (highest point where outbuilding is proposed) to the northern corner (lowest point) of 2.1 metres. The proposed site fill and retaining wall level exceed this height measurement and are proposing fill to a height of 2.4 metres. In the immediate area where the retaining walls are located, the second wall is proposed to have a top of wall measurement of 11.6m in an area of the lot with a site level variation of only 1.1 metres (9.2 to 10.3). Therefore the site fill and retaining wall heights being proposed in the area at 2.4 metres and 1.3 metres respectively greatly exceed site levels in the area and are not considered to respond to the natural features of the site.

It is noted that the proposed development includes the construction of an undercroft garage. While it is anticipated the site may require some retaining for the dwelling, it appears that the finished floor levels of the dwelling and therefore the necessary retaining, are being determined by the height of the undercroft structure. In terms of Design Principle P7.1 the development is not responding to the natural features of the site and is requiring a greater amount of excavation/fill to achieve the development.

Impact to streetscape

The proposed site works include fill and works to a height level that exceeds site levels in the area and are considered to adversely impact the site as viewed from the street as the maximum top of wall measurement proposed at 11.6 will require a portion of retaining wall to sit 2.4 metres above natural ground level which is considered excessive. The proposed levels do not correspond with the levels of the site and adjoining/adjacent sites in the vicinity and are therefore considered to be inconsistent with the prevailing streetscape.

Justification has been provided by the Applicant in accordance with Design Principle P7.3, that the retaining walls allow for a level uncovered outdoor living area on the north side of the house that will be to the benefit of the resident including shelter from the wind and access to winter sun. While this is acknowledged it is considered that this could also be provided with a reduction in retaining.

Again, while some level of fill is necessary, the proposed retaining does not respect the natural ground level at the lot boundary of the site as viewed from the street. In order to address the impact on streetscape it is recommended that the retaining walls within the street setback area be modified by either reducing their overall height or being setback further from the street boundary.

Impact to adjoining properties

The maximum amount of site works is proposed where the two retaining walls sit on Centrolepis Circuit and extend for a distance east along Flora Boulevard. Whilst the retaining walls are proposed for a distance of 22.15 metres along Flora Boulevard, the first retaining wall will decrease in height to nil. The second retaining wall at that same point will sit 1.3 metres above natural ground level. It is recognised that some adjoining sites in the area have crossfalls from the south to the north, however, proposed site fill to a height of 2.4 metre on Lot 260 within the primary street setback is considered excessive with potential to detrimentally affect adjoining properties in the area.

Matters to be considered – LPS Regulations 2015

The following assessment is provided against Clause 67:

- a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
 - *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas; and*
- c) *any approved State planning policy;*
Assessment has been undertaken against SPP7.3 – Residential Design Codes of Western Australia
- m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- n) *the amenity of the locality including the following –*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality; and*
 - (iii) social impacts of the development;*
- zb) *any other planning consideration the local government considers appropriate*
The Applicant has cited the incident of precedent as a justification for the site works and overheight retaining walls, providing a range of photos for consideration. While some of these retaining walls are overheight and with nil street setback, they have been individually determined against the merits of the application and the particular characteristics of the site. It is further

noted that some retaining walls shown in the photos were constructed as part of the subdivision and not as individual development applications.

VOTING REQUIREMENT:

Absolute Majority Required: *No.*

CONCLUSION:

It is recommended that Council grant development approval to the proposed single dwelling, outbuilding and retaining walls upon Lot 260 (No. 54) Centrolepis Circuit, Kalbarri subject to the conditions outlined below. These conditions aim to minimise the impact of the retaining walls on Centrolepis Circuit and Flora Boulevard and minimise the potential for detrimental impacts on the streetscape and adjoining properties.

OFFICER RECOMMENDATION – ITEM 7.3.3		APPROVAL
That Council grant development approval for the proposed Single Dwelling, Outbuilding and Retaining Walls upon Lot 260 (No. 54) Centrolepis Circuit, Kalbarri subject to the following conditions:		
1	Development shall be in accordance with the attached approved plans dated 16 December 2022 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;	
2	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;	
6	Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;	
7	The Applicant is required to obtain approval from the Water Corporation in relation to location and servicing of water mains and sewers;	

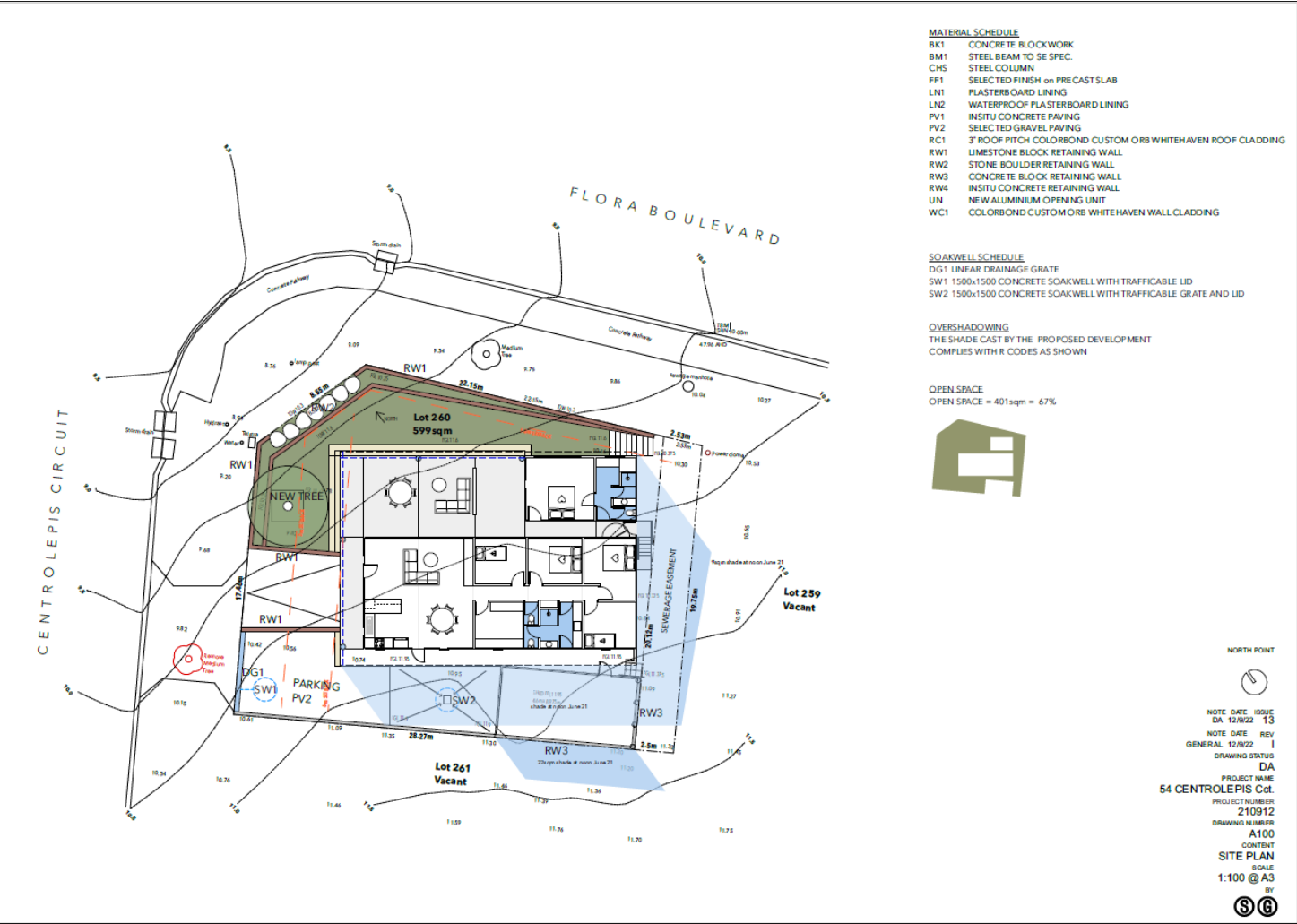
- 8** A materials and colour schedule for the dwelling shall be submitted prior to construction of the development and be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural coastal environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area;
- 9** Installation of crossing places and verge gradients shall be to the standards and specifications of the local government (refer to Advice Note 3);
- 10** Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;
- 11** All parking of vehicles (including boats and trailers) associated with the property is to be provided for within the property boundary, and the street verge area is to be kept free of such vehicles;
- 12** The position of all retaining walls along the North-western, north-eastern, south-eastern and south-western boundaries shall be situated wholly within the property boundary of Lot 260 Centrolepis Circuit, Kalbarri as marked in 'RED' on the attached approved plan(s) dated 16 December 2022;
- 13** The height of the retaining walls along Centrolepis Circuit and Flora Boulevard shall be reduced in height by 0.600m so as to meet requirements of Clause 5.3.7 of the Residential Design Codes (2021);
- 14** The finish of the retaining wall on the affected adjoining landowner's sides is to be:
- a. Face finish brickwork with tooled joints;
 - b. Non face finish brick (ie. commons) to have sand finish render;
 - c. Concrete panels to have smooth finish;
 - d. Face finish limestone blocks with tooled joints;
 - e. Concrete blocks larger than 0.16m² (standard 200mm x 400mm) to have sand finish render as determined by the local government; or
 - f. Face finish concrete block less than 0.16m² with tooled joints.
- 15** Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
- (a) all illumination is confined within the boundaries of the property; and
 - (b) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government.
- 16** Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the view from the street/s, to the approval of the local government; and

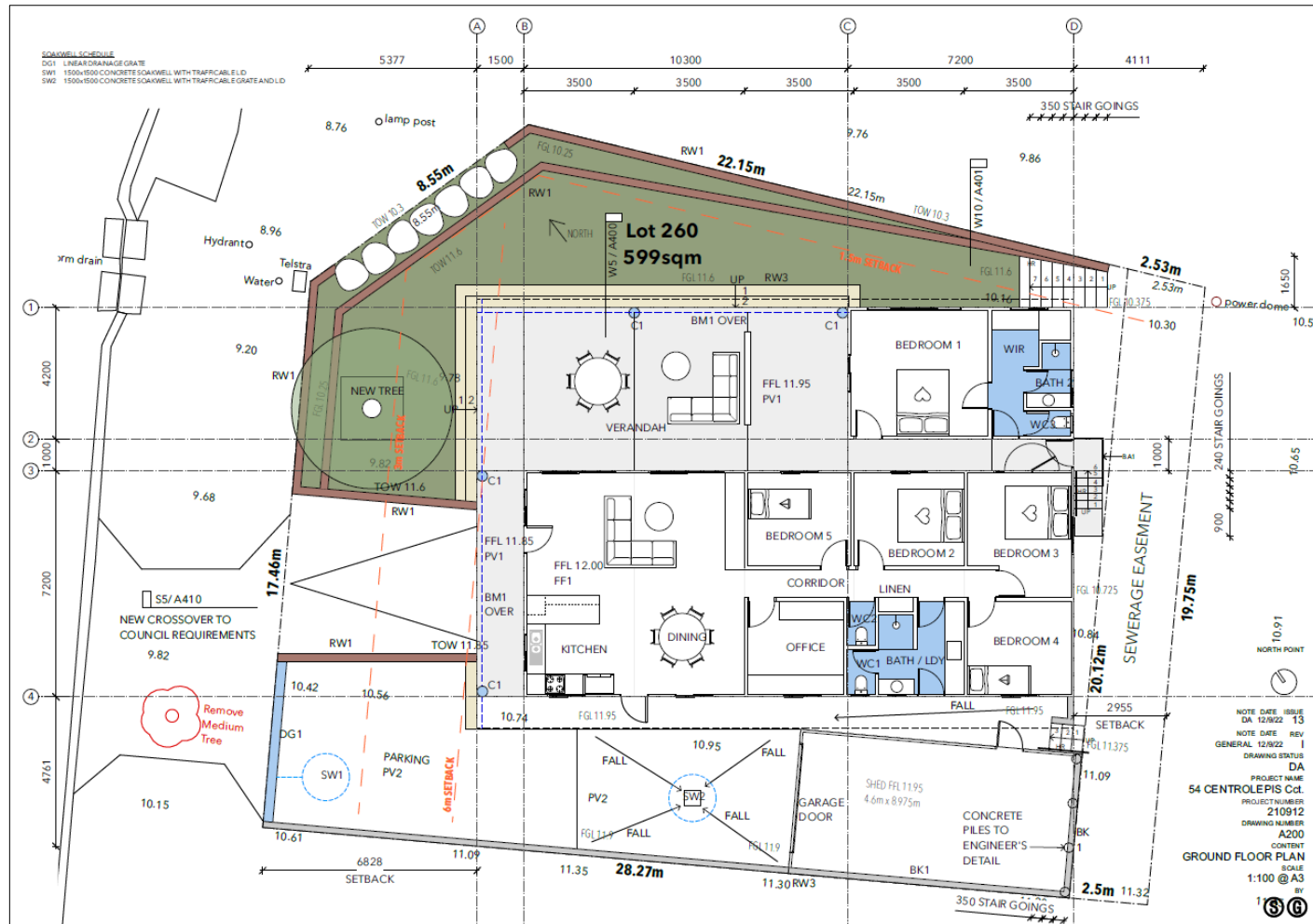
- 17** The Applicant/Owner shall include the minimum tree requirement on Lot 260, being one (1) tree with a minimum tree planting area of 2 metres by 2 metres per tree within the street setback area of Lot 260 Centrolepis Circuit so as to address the requirements of Clause 5.3.2 of the Residential Design Codes (2021).

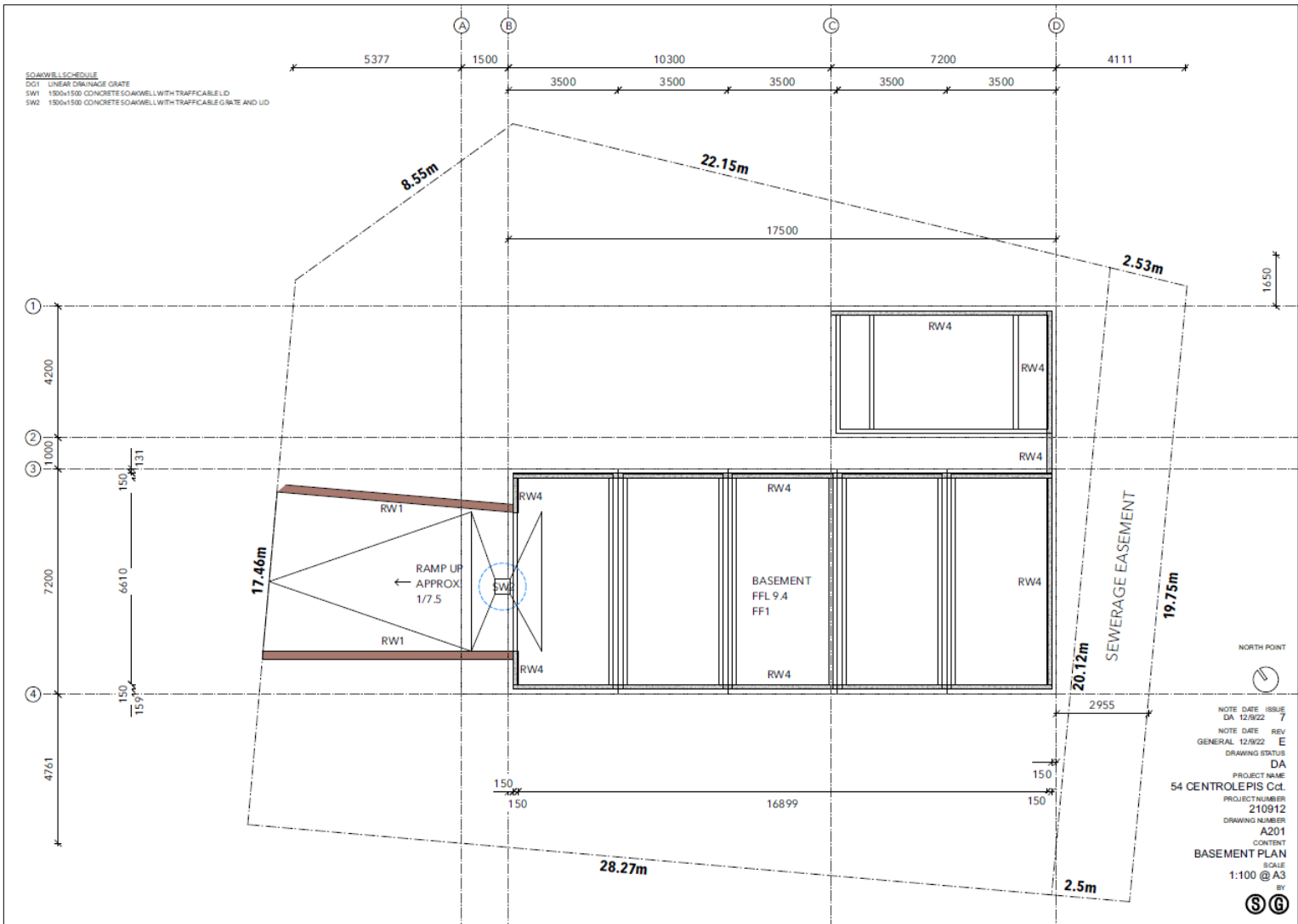
Advice Notes

- Note 1** With regard to Condition No. 12, it is recommended that the services of a licensed surveyor be employed to verify the exact boundary positions.
- Note 2** As portions of the retaining wall is greater in height than 0.750m it will require the installation of fencing to meet the required standards as specified by the Building Code of Australia.
- Note 3** With regard to Condition No. 9, it is advised that the Applicant should liaise with the Shire of Northampton's Manager of Works and Technical Services to determine crossover, verge gradient and additional retaining requirements.
- Note 4** With regard to Condition No. 17, the minimum tree planting area is to be provided for each tree and shown on the site plan. The tree planting area is to be free of impervious surfaces and roof cover.
- Note 5** If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- Note 6** Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 7** Assessment of the application was based on the use of the dwelling for residential purposes and any changes to this use (eg. for tourist/holiday accommodation) requires further application and development approval for that use.
- Note 8** If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

APPENDIX 1 – PLANS AND ELEVATIONS, SINGLE HOUSE, OUTBUILDING AND RETAINING WALLS





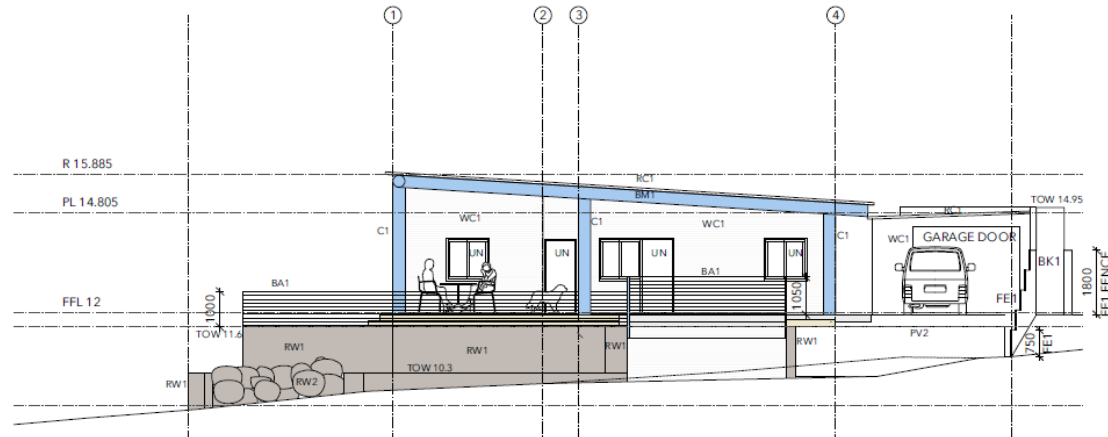


ROOF STRUCTURE SCHEDULE

C1 CHS COLUMN PROVIDED BY OWNER 3.35 DIA. 25mm THICK
 BM1 CHS BEAM PROVIDED BY OWNER 335 DIA. 25mm THICK - SITE WELD TO C1
 P1 C SECTION STEEL PURLIN
 R1 C SECTION STEEL RAFTER - SPACED TO FIX CUSTOM ORB SOFFIT UNDER
 T1 TRUSS

MATERIAL SCHEDULE

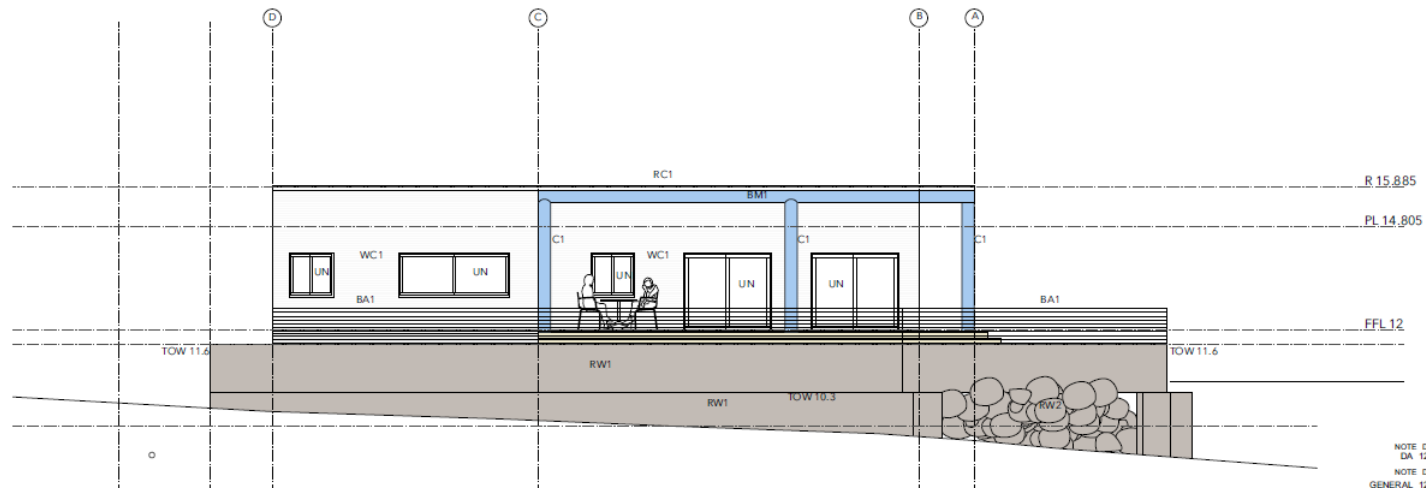
BK1 CONCRETE BLOCKWORK
 BM1 STEEL BEAM TO SE SPEC.
 CHS STEEL COLUMN
 FF1 SELECTED FINISH on PRECAST SLAB
 LN1 PLASTERBOARD LINING
 LN2 WATERPROOF PLASTERBOARD LINING
 PV1 INSITU CONCRETE PAVING
 PV2 SELECTED GRAVEL PAVING
 RC1 3" ROOF PITCH COLORBOND CUSTOM ORB WHITEHAVEN ROOF CLADDING
 RW1 LIMESTONE BLOCK RETAINING WALL
 RW2 STONE BOULDER RETAINING WALL
 RW3 CONCRETE BLOCK RETAINING WALL
 RW4 INSITU CONCRETE RETAINING WALL
 UN NEW ALUMINIUM OPENING UNIT
 WC1 COLORBOND CUSTOM ORB WHITEHAVEN WALL CLADDING



NOTE DATE ISSUE
 DA 12/9/22 10
 NOTE DATE REV
 GENERAL 12/9/22 G
 DRAWING STATUS
 DA
 PROJECT NAME
 54 CENTROLEPIS Cdt.
 PROJECT NUMBER
 210912
 DRAWING NUMBER
 A300
 CONTENT
 NORTH WEST ELEVATION
 SCALE
 1:100 @ A3
 BY
 S G

C1 CHS COLUMN PROVIDED BY OWNER 335 DIA. 25mm THICK
BM1 CHS BEAM PROVIDED BY OWNER 335 DIA. 25mm THICK - SITE WELD TO C1
P1 C SECTION STEEL PURLIN
R1 C SECTION STEEL RAFTER - SPACED TO FIX CUSTOM ORB SOFFIT UNDER
T1 TRUSS

BK1	CONCRETE BLOCKWORK
BM1	STEEL BEAM TO SE SPEC.
CH5	STEEL COLUMN
FF1	SELECTED FINISH on PRECAST SLAB
LN1	PLASTERBOARD LINING
LN2	WATERPROOF PLASTERBOARD LINING
PV1	INSITU CONCRETE PAVING
PV2	SELECTED GRAVEL PAVING
RC3	3" ROOF PITCH COLORBOND CUSTOM ORB WHITEHAVEN ROOF CLADDING
RW1	LIMESTONE BLOCK RETAINING WALL
RW2	STONE BOULDER RETAINING WALL
RW3	CONCRETE BLOCK RETAINING WALL
RW4	INSITU CONCRETE RETAINING WALL
UN	NEW ALUMINIUM OPENING UNIT
WC1	COLORBOND CUSTOM ORB WHITEHAVEN WALL CLADDING



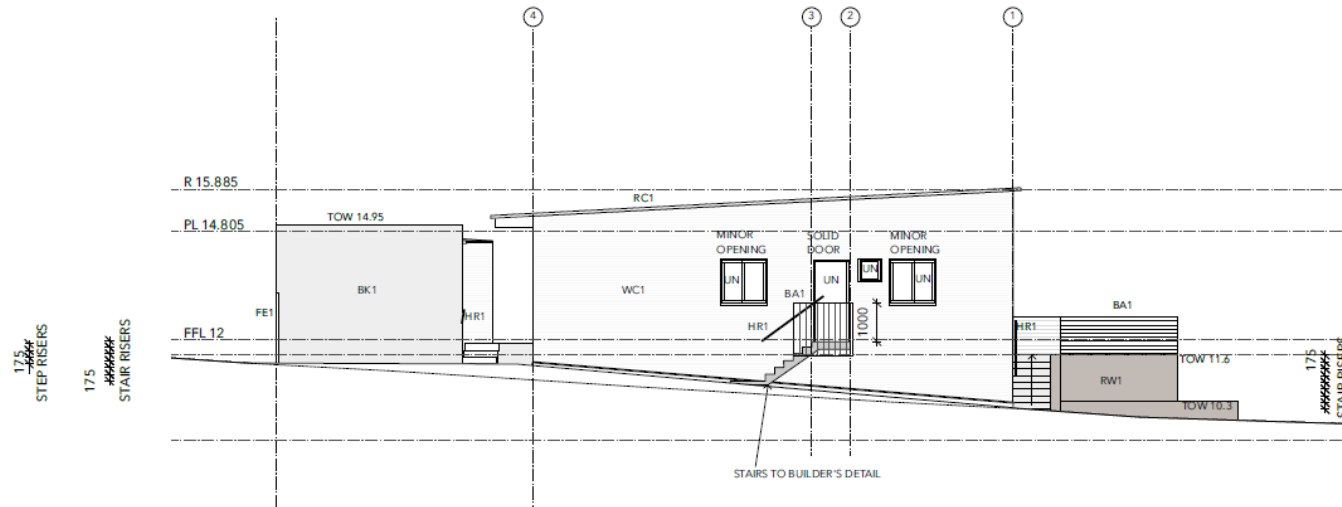
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DA 12/9/22 10
NOTE DATE REV
GENERAL 12/9/22 G
DRAWING STATUS
DA
PROJECT NAME
54 CENTROLEPIS Cdt.
PROJECT NUMBER
210912
DRAWING NUMBER
A301
CONTENT
NORTH EAST ELEVATION
SCALE
1:100 @ A3
BY
S G

ROOF STRUCTURE SCHEDULE

C1 CHS COLUMN PROVIDED BY OWNER 335 DIA. 25mm THICK
 BM1 CHS BEAM PROVIDED BY OWNER 335 DIA. 25mm THICK - SITE WELD TO C1
 P1 C SECTION STEEL PURLIN
 R1 C SECTION STEEL RAFTER - SPACED TO FIX CUSTOM ORB SOFFIT UNDER
 T1 TRUSS

MATERIAL SCHEDULE

BK1 CONCRETE BLOCKWORK
 BM1 STEEL BEAM TO SE SPEC.
 CHS STEEL COLUMN
 FF1 SELECTED FINISH on PRECAST SLAB
 LN1 PLASTERBOARD LINING
 LN2 WATERPROOF PLASTERBOARD LINING
 PV1 INSITU CONCRETE PAVING
 PV2 SELECTED GRAVEL PAVING
 RC1 3' ROOF PITCH COLORBOND CUSTOM ORB WHITEHAVEN ROOF CLADDING
 RW1 LIMESTONE BLOCK RETAINING WALL
 RW2 STONE BOULDER RETAINING WALL
 RW3 CONCRETE BLOCK RETAINING WALL
 RW4 INSITU CONCRETE RETAINING WALL
 UN NEW ALUMINIUM OPENING UNIT
 WC1 COLORBOND CUSTOM ORB WHITEHAVEN WALL CLADDING



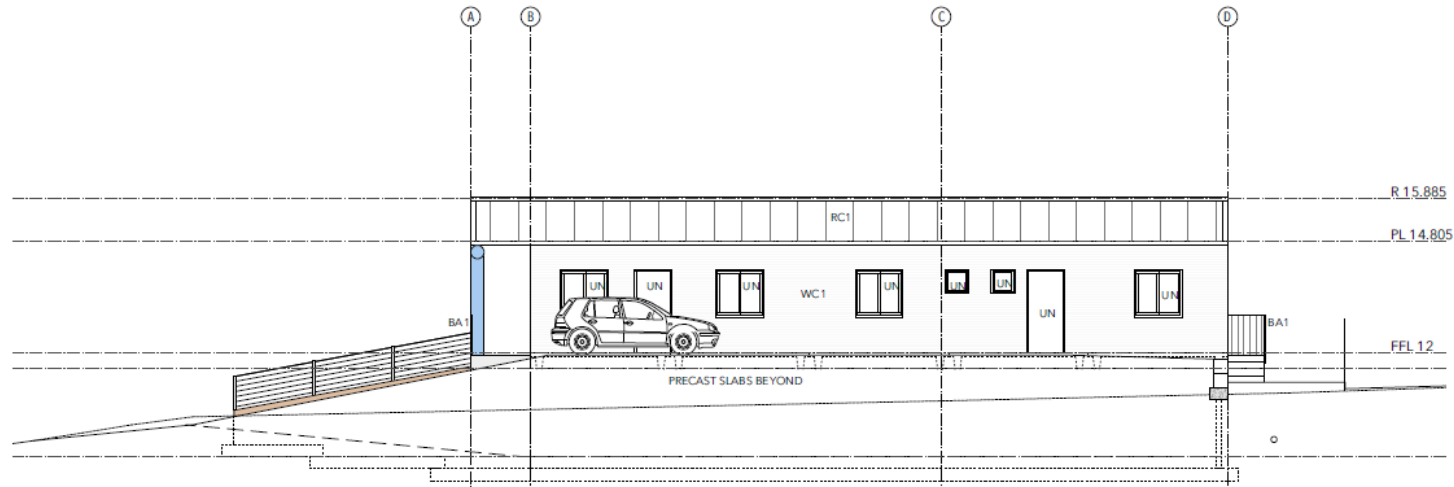
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 DA 12/9/22 10
 NOTE DATE REV
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 DRAWING STATUS
 DA
 PROJECT NAME
 54 CENTROLEPIS Ctl.
 PROJECT NUMBER
 210912
 DRAWING NUMBER
 A302
 CONTENT
 SOUTH EAST ELEVATION
 SCALE
 1:100 @ A3
 BY
 S G

ROOF STRUCTURE SCHEDULE

C1 CHS COLUMN PROVIDED BY OWNER 335 DIA. 25mm THICK
BM1 CHS BEAM PROVIDED BY OWNER 335 DIA. 25mm THICK - SITE WELD TO C1
P1 C SECTION STEEL PURLIN
R1 C SECTION STEEL RAFTER - SPACED TO FIX CUSTOM ORB SOFFIT UNDER
T1 TRUSS

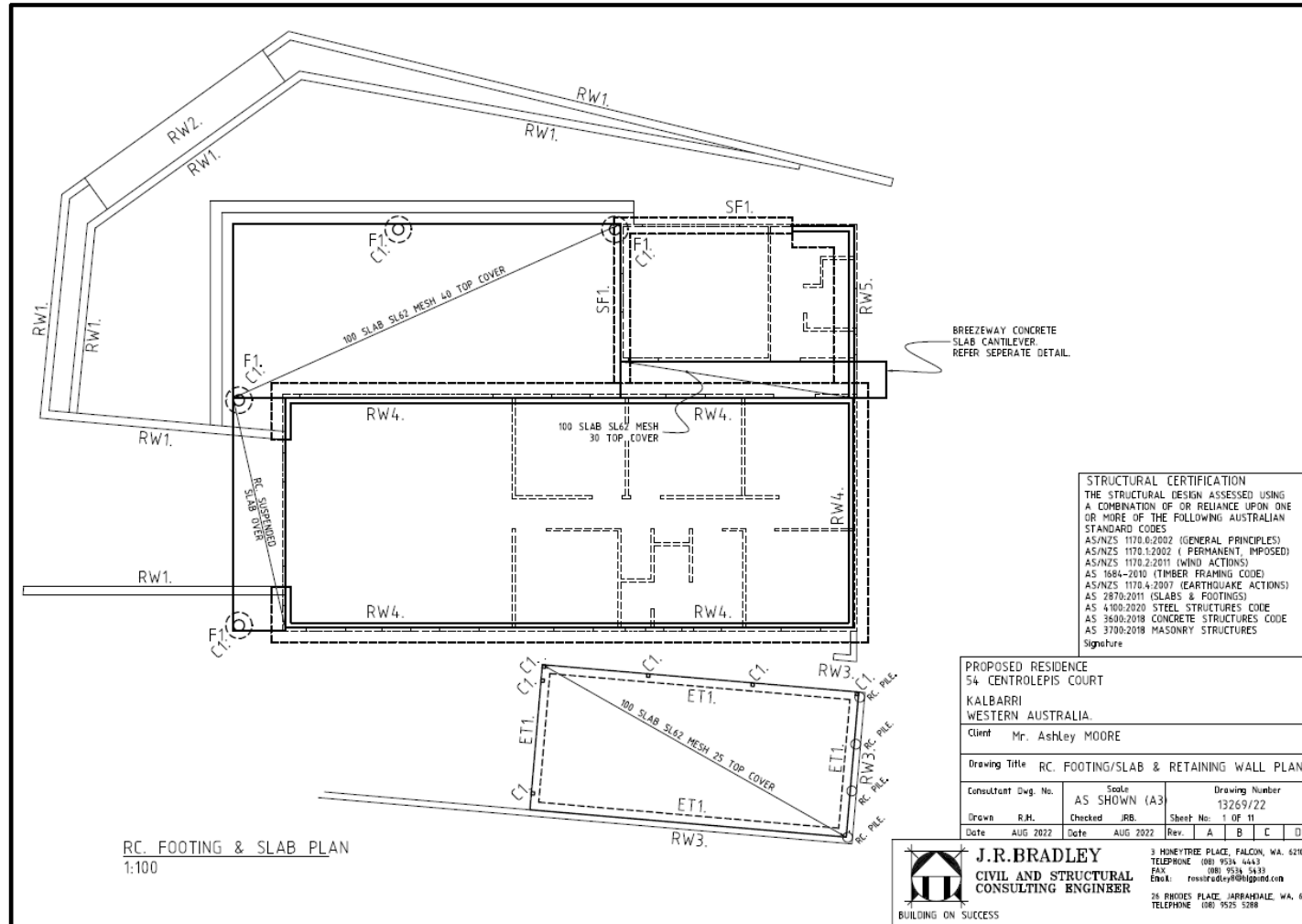
MATERIAL SCHEDULE

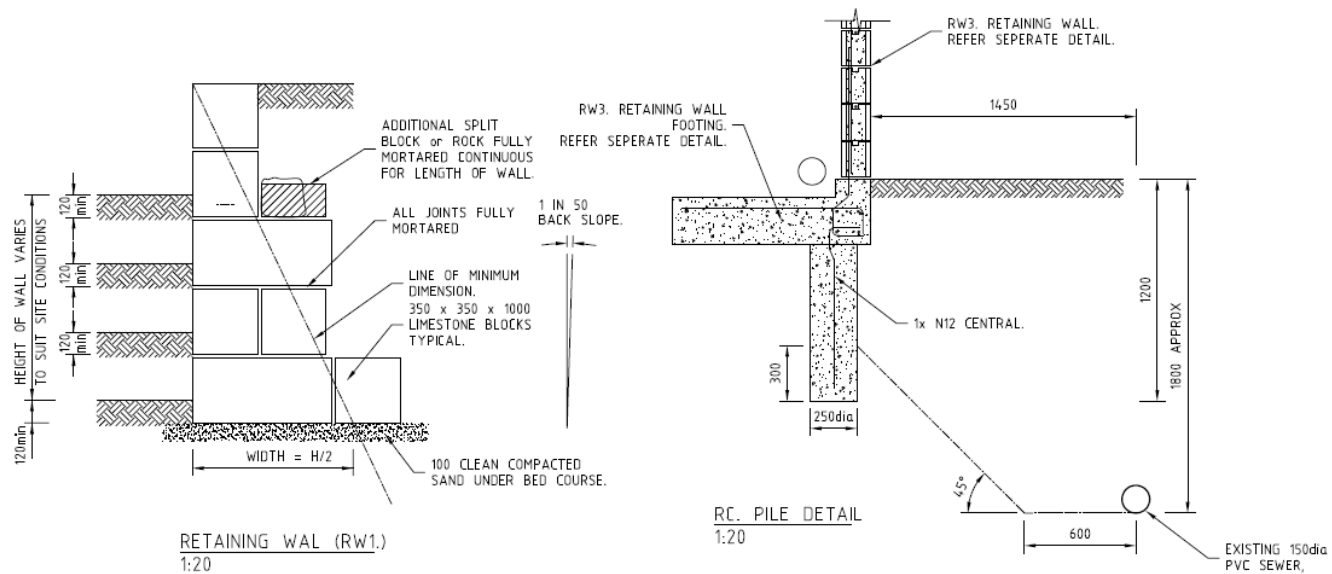
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BM1 STEEL BEAM TO SE SPEC.
CH5 STEEL COLUMN
FF1 SELECTED FINISH on PRECAST SLAB
LN1 PLASTERBOARD LINING
LN2 WATERPROOF PLASTERBOARD LINING
PV1 INSITU CONCRETE PAVING
PV2 SELECTED GRAVEL PAVING
RC1 3' ROOF PITCH COLORBOND CUSTOM ORB WHITEHAVEN ROOF CLADDING
RW1 LIMESTONE BLOCK RETAINING WALL
RW2 STONE BOULDER RETAINING WALL
RW3 CONCRETE BLOCK RETAINING WALL
RW4 INSITU CONCRETE RETAINING WALL
UN NEW ALUMINIUM OPENING UNIT
WC1 COLORBOND CUSTOM ORB WHITEHAVEN WALL CLADDING



NOTE DATE ISSUE
DA 12/02/22 10
NOTE DATE REV
GENERAL 12/02/22 G
DRAWING STATUS
DA
PROJECT NAME
54 CENTROLEPIS Cdt.
PROJECT NUMBER
210912
DRAWING NUMBER
A303
CONTENT
SOUTH WEST ELEVATION
SCALE
1:100 @ A3
BY
S G

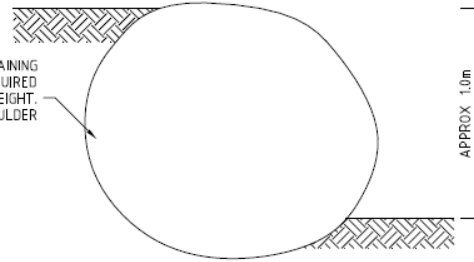
APPENDIX 2 – PLANS RETAINING WALL STRUCTURES



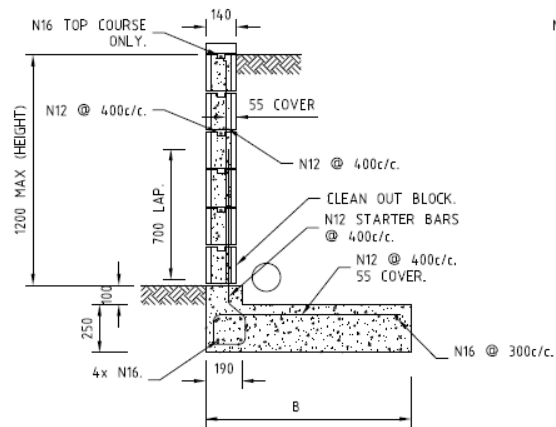


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Drawing Title RETAINING WALL DETAILS				Signature			
Consultant Dwg. No.	Scale	Drawing Number					
Drawn R.J.H.	AS SHOWN (A3)	13269/22					
Checked J.R.B.	Sheet No: 2 OF 11						
Date AUG 2022	Date AUG 2022	Rev.	A	B	C	D	
J.R.BRADLEY CIVIL AND STRUCTURAL CONSULTING ENGINEER BUILDING ON SUCCESS				3 HONEYTREE PLACE, FALCON, WA, 6210 TELEPHONE (08) 9534 4443 FAX (08) 9534 5433 Email: russ@jrbcivil.com.au 26 PHOENIX PLACE, LARRAHDALE, WA, 6107 TELEPHONE (08) 9525 5288			

MASS BOULDER RETAINING
WALL TO ACHIEVE REQUIRED
HEIGHT.
APPROX 5 TONNE EACH BOULDER

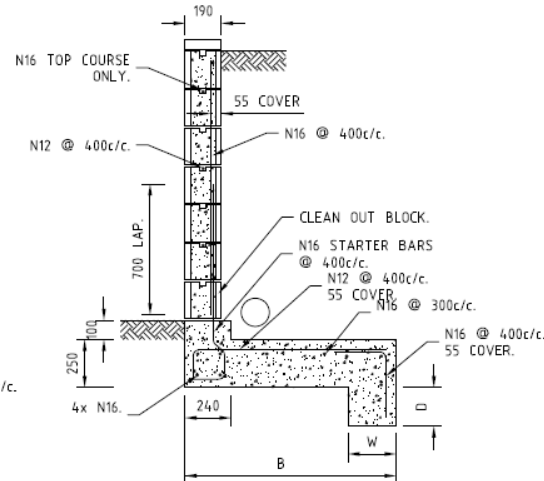


RETAINING WALL (RW2.)
1:20



HEIGHT	B (FOOTING WIDTH)
600	500
800	600
1000	700
1200	850

RETAINING WALL (RW3.)
1:20



HEIGHT	B (FOOTING WIDTH)	W (KEY WIDTH)	D (KEY DEPTH)
1400	1000	-	-
1600	1300	200	200
1800	1450	200	250

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AS/NZS 1170.2:2011 (WIND ACTIONS)
AS 1684-2010 (TIMBER FRAMING CODE)
AS/NZS 1170.4:2007 (EARTHQUAKE ACTIONS)
AS 2870:2011 (SLABS & FOOTINGS)
AS 4100:2020 STEEL STRUCTURES CODE
AS 3600:2018 CONCRETE STRUCTURES CODE
AS 3700:2018 MASONRY STRUCTURES
Signature

PROPOSED RESIDENCE
54 CENTROLEPIS COURT
KALBARRI
WESTERN AUSTRALIA.

Client Mr. Ashley MOORE

Drawing Title RETAINING WALL DETAILS

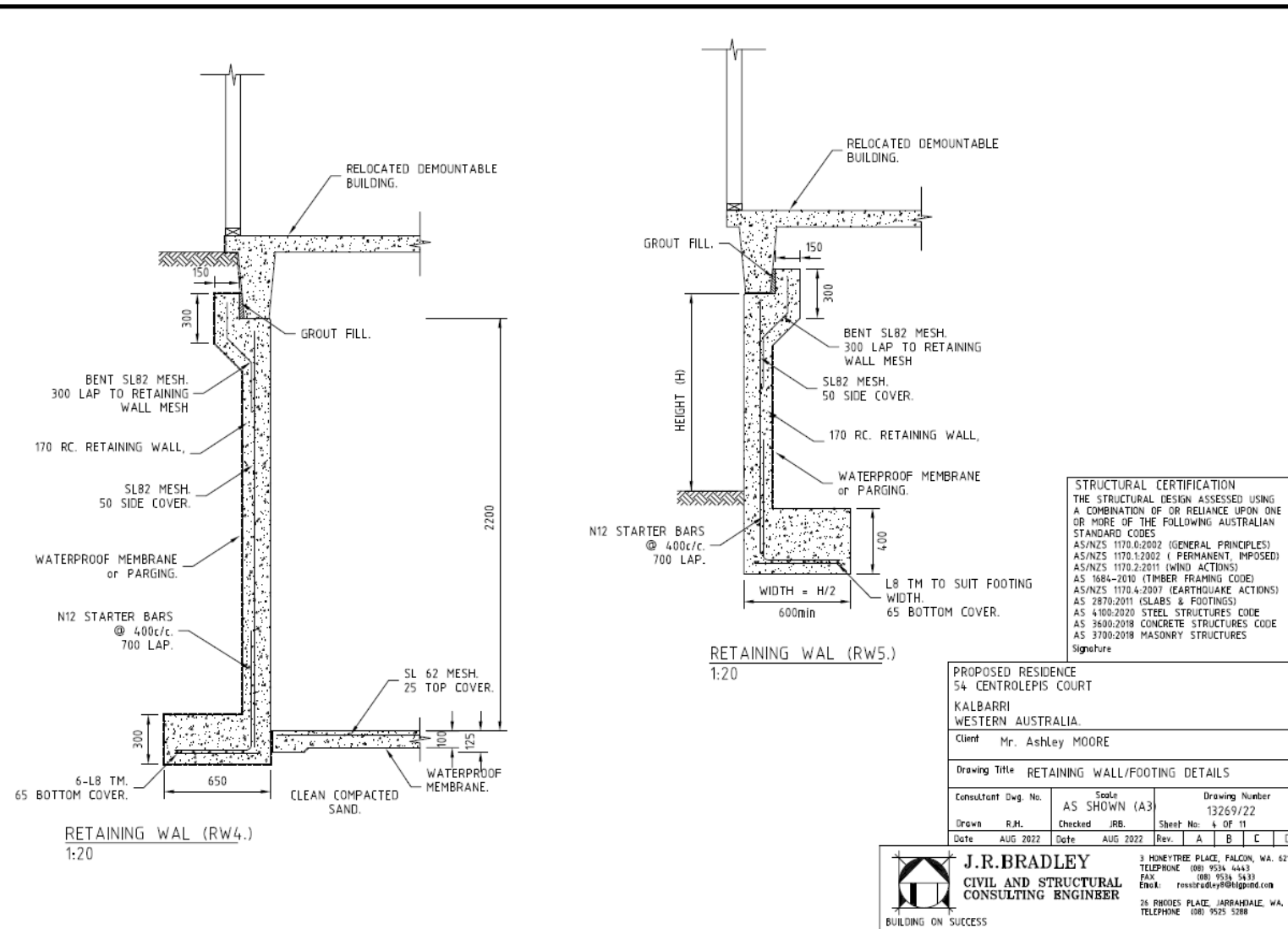
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Date AUG 2022	Date AUG 2022	Rev. A B C D

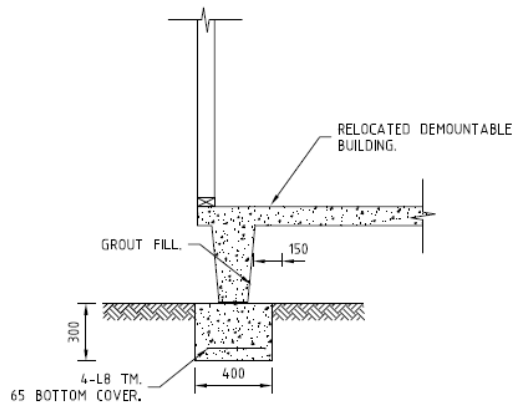


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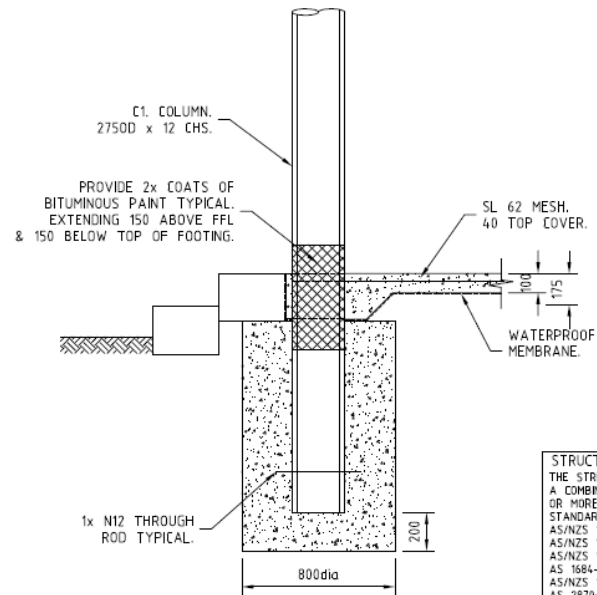
3 HONEYTREE PLACE, FALCON, WA. 6210
TELEPHONE (08) 9534 4443
FAX (08) 9534 5433
Email: rossbradley@optusnet.com.au
26 RHODES PLACE, JARRAHDALE, WA. 6120
TELEPHONE (08) 9525 5288

BUILDING ON SUCCESS





STRIP FOOTING (SF1.)
1:20



FOOTING (F1.)
1:20

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AS 4100:2020 STEEL STRUCTURES CODE
AS 3600:2018 CONCRETE STRUCTURES CODE
AS 3700:2018 MASONRY STRUCTURES
Signature

PROPOSED RESIDENCE
54 CENTROLEPIS COURT

KALBARRI
WESTERN AUSTRALIA.

Client Mr. Ashley MOORE

Drawing Title RETAINING WALL/FOOTING DETAILS

Consultant Dwg. No.	Scale	Drawing Number
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Drawn R.H.	Checked JRB.	Sheet No: 5 OF 11
Date AUG 2022	Date AUG 2022	Rev. A B C D

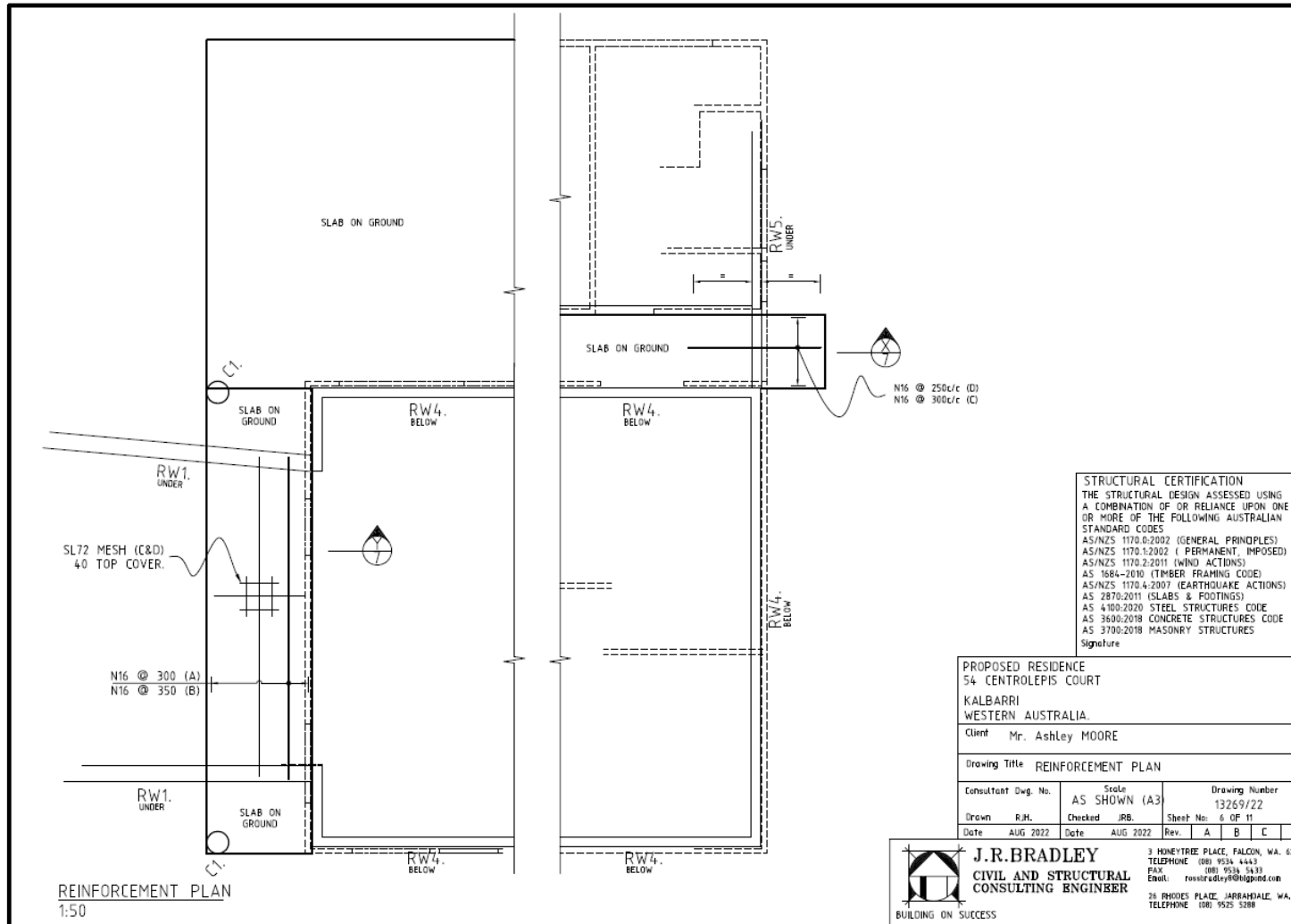


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AS 1684-2010 (TIMBER FRAMING CODE)
AS/NZS 1170.4:2007 (EARTHQUAKE ACTIONS)
AS 2870:2011 (SLABS & FOOTINGS)
AS 4100:2020 STEEL STRUCTURES CODE
AS 3600:2018 CONCRETE STRUCTURES CODE
AS 3700:2018 MASONRY STRUCTURES
Signature

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54 CENTROLEPIS COURT
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WESTERN AUSTRALIA.

Client Mr. Ashley MOORE

Drawing Title REINFORCEMENT PLAN

Consultant Dwg. No. AS SHOWN (A3) Drawing Number 13269/22

Drawn R.H. Checked JRB. Sheet No. 6 OF 11

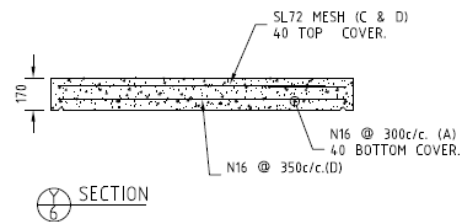
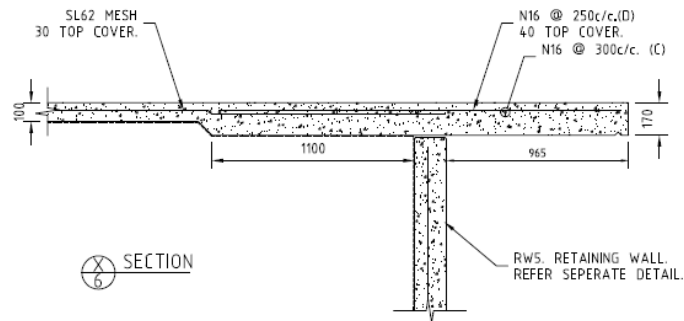
Date AUG 2022 Date AUG 2022 Rev. A B C D



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AS/NZS 1170.4:2007 (EARTHQUAKE ACTIONS)
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AS 4100:2020 STEEL STRUCTURES CODE
AS 3600:2018 CONCRETE STRUCTURES CODE
AS 3700:2018 MASONRY STRUCTURES

Signature

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KALBARRI
WESTERN AUSTRALIA.

Client Mr. AshLeY MOORE

Drawing Title SUSPENDED SLAB SECTIONS

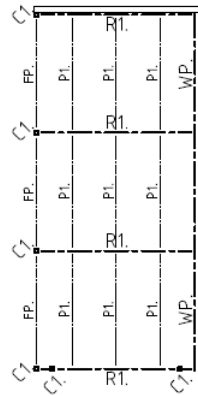
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Date AUG 2022	Date AUG 2022	Rev. A B C D



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CONSULTING ENGINEER

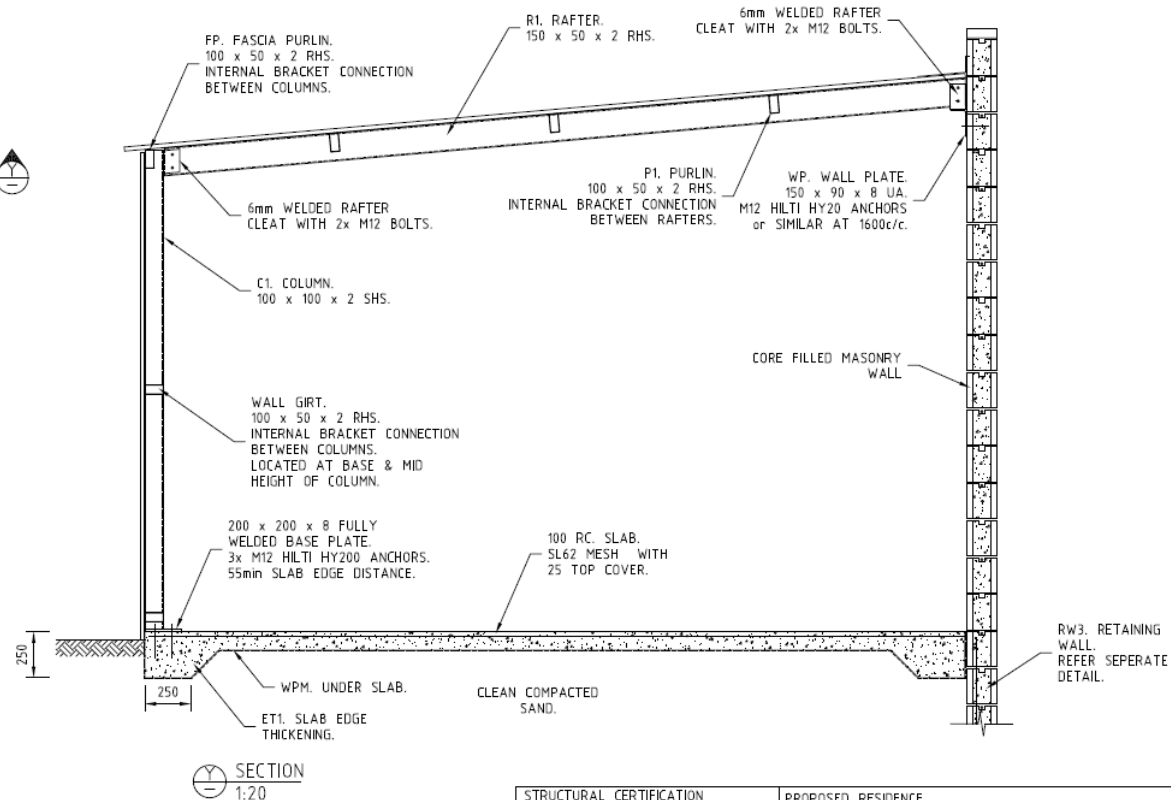
3 HONEYTREE PLACE, FALCON, WA. 6210
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FAX (08) 9534 5493
Email: rossbradley@bigpond.com
26 RIDGES PLACE, JARRAHDALE, WA. 6102
TELEPHONE (08) 9525 5288



STEELWORK PLAN
1:100 (GARAGE)

MARKING SCHEDULE

C1.	100 x 100 x 2 SHS. COLUMN.
R1.	150 x 50 x 2 RHS. RAFTER.
P1.	100 x 50 x 2 RHS. ROOF PURLIN.
FP.	100 x 50 x 2 RHS. FASCIA PURLIN.
WP.	150 x 90 x 8 UA. WALL PLATE.



SECTION
1:20



J.R. BRADLEY
CIVIL AND STRUCTURAL
CONSULTING ENGINEER

BUILDING ON SUCCESS

3 HONEYTREE PLACE, FALCON, WA. 6210
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Email: russbradley@bigpond.com
26 RHODES PLACE, JARRANDALE, WA. 6104
TELEPHONE (08) 9525 5288

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AS 4100:2020 STEEL STRUCTURES CODE
AS 3600:2018 CONCRETE STRUCTURES CODE
AS 3700:2018 MASONRY STRUCTURES
Signature

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54 CENTROLEPIS COURT
KALBARRI
WESTERN AUSTRALIA.

Client Mr. Ashley MOORE

Drawing Title GARAGE STEELWORK PLAN & SECTION

Consultant Dwg. No.	Scale AS SHOWN (A3)	Drawing Number 13269/22
Drawn R.H.	Checked JRB.	Sheet No: 10 OF 11
Date AUG 2022	Date AUG 2022	Rev. A B C D

7.4.1	ACCOUNTS FOR PAYMENT	2
7.4.2	MONTHLY FINANCIAL STATEMENTS – NOVEMBER 2022	9
7.4.3	CYCLONE SEROJA DONATIONS	38
7.4.4	BUDGET VARIATIONS	43
7.4.5	CREDIT CARD LIMIT INCREASE	48

7.4.1 ACCOUNTS FOR PAYMENT

FILE REFERENCE:	1.1.1
DATE OF REPORT:	9th December 2022
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton/Leanne Rowe
APPENDICES:	1. List of Accounts

SUMMARY

Council to authorise the payments as presented.

BACKGROUND:

A list of payments submitted to Council on 16th December 2022, 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 bank 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 7.4.1

That Municipal Fund Cheques 22301 to 22317 inclusive totalling \$64,259.13, Municipal EFT payments numbered EFT24229 to EFT24334 inclusive totalling \$608,771.68, Direct Debit payments numbered GJ0501 to GJ0507 inclusive totalling \$270,761.45 be passed for payment and the items therein be declared authorised expenditure.

MUNICIPAL FUND CHEQUES

Chq #	Date	Name	Description	Amount
22301	08-11-2022	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	17284.80
22302	21-11-2022	SYNERGY	ELECTRICITY CHARGES	19500.41
22303	23-11-2022	AUSTRALIA POST	POSTAGE	676.68
22304	23-11-2022	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	8101.90
22305	23-11-2022	GERALDTON MOWER & REPAIR SPECIALISTS	GARDENER TRAILER MOWER RAMPS, PARTS	455.60
22306	23-11-2022	KLEENHEAT GAS	FACILITY FEE	93.50
22307	23-11-2022	MCLEODS BARRISTERS & SOLICITORS	LEGAL FEES RECOVERY OF UNPAID RATES NTON - 17 GREY ST A1525	1185.80
22308	23-11-2022	ROBERT CHARLES WEMM	RATE REFUND	591.63
22309	CANCELLED			
22310	CANCELLED			
22311	CANCELLED			
22312	28-11-2022	BRETT BAIN	25 YEARS SERVICE AWARD	700.00
22313	28-11-2022	NORMAN REYNOLDS	40 YEARS SERVICE AWARD	1500.00
22314	28-11-2022	MAUREEN DRAGE	35 YEARS SERVICE AWARD	1200.00
22315	CANCELLED			
22316	29-11-2022	SYNERGY	ELECTRICITY CHARGES	9061.87
22317	29-11-2022	WATER CORPORATION	WATER USE & SERVICE CHARGES	3906.94
				<u>\$64,259.13</u>

ELECTRONIC FUND TRANSFERS – MUNICIPAL ACCOUNT

EFT #	Date	Name	Description	Amount
EFT24229	01-11-2022	KEVIN JOHN MOSS	WATER CUSTODIAN REIMB FUEL	31.98
EFT24230	01-11-2022	MICK SPARLING	WTM TRAINING REIMB MEALS	71.50
EFT24231	01-11-2022	LGISWA	LGIS INSURANCES 2ND INSTALMENT	182686.10
EFT24232	08-11-2022	AIRPORT CONSULTANCY GROUP PTY LTD	KALBARRI AERODROME RESEAL PROJECT	10604.00
EFT24233	08-11-2022	KALBARRI IGA	OFFICE GOODS	66.29
EFT24234	08-11-2022	AXIS AUTOS	PORT GREGORY FIRE TRUCK SERVICE	1885.20
EFT24235	08-11-2022	BELLA LUCA DEMOLITION	BINNU REFUSE SITE REMOVE ASBESTOS	880.00
EFT24236	08-11-2022	LIBERTY NORTHAMPTON	UNLEADED FUEL	168.85
EFT24237	08-11-2022	CAT WEST PTY LTD	NCC REINSTATE CARPARK	3498.00
EFT24238	08-11-2022	CATERLAAS	12M GRADER INJECTOR REPAIRS	4656.69
EFT24239	08-11-2022	CLEANAWAY OPERATIONS PTY LTD	REFUSE COLLECTION/SITE MTCE	37545.06
EFT24240	08-11-2022	WINC AUSTRALIA PTY LTD	P/COPIER MTCE	1151.46
EFT24241	08-11-2022	CORSIGN WA PTY LTD	SIGNS	4547.40
EFT24242	08-11-2022	TOLL TRANSPORT PTY LTD	FREIGHT	181.04
EFT24243	08-11-2022	HAYLEY R WILLIAMS DEVISE URBAN PLANNING	PLANNING SERVICES	4433.00
EFT24244	08-11-2022	ELITE ELECTRICAL CONTRACTING	RSL DOWNLIGHTS	726.00
EFT24245	08-11-2022	FENN PLUMBING & GAS	SALLYS TREE BBQ RELOCATE TAP	221.83
EFT24246	08-11-2022	FIVE STAR BUSINESS EQUIPMENT AND COMMUNICATIONS	PHOTOCOPIER COUNT/MTCE	48.30
EFT24247	08-11-2022	GERALDTON LOCK & KEY SPECIALISTS	LOCKS	330.00
EFT24248	08-11-2022	GERALDTON FUEL COMPANY PTY LTD	FUEL CARD PURCHASES	887.16
EFT24249	08-11-2022	GREAT NORTHERN RURAL SERVICES	NTON OVAL RETIC MATERIALS	600.38
EFT24250	08-11-2022	DAVID GRAY & CO PTY LTD	240LT BINS & SPARE PARTS	2943.69
EFT24251	08-11-2022	GREAT SOUTHERN FUEL SUPPLY	DEPOT FUEL/FUEL CARD PURCHASES	45778.48
EFT24252	08-11-2022	HASLEBYS HARDWARE SUPPLIES	HARDWARE, RETIC, PRESSURE CLEANER	4059.50
EFT24253	08-11-2022	C + J HANSON PLUMBING CONTRACTORS	NTON RSL/PT GREG PLUMBING	3377.26
EFT24254	08-11-2022	KALBARRI AUTO CENTRE	PLANT SERVICE	1338.00

SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

EFT #	Date	Name	Description	Amount
EFT24255	08-11-2022	KALBARRI EXPRESS FREIGHT	FREIGHT	63.57
EFT24256	08-11-2022	BP KALBARRI	HARDWARE/FUEL	215.46
EFT24257	08-11-2022	KALBARRI NEWSAGENCY	STATIONERY	11.40
EFT24258	08-11-2022	KALBARRI PEST CONTROL	SALAMIT PLACE PEST CONTROL	180.00
EFT24259	08-11-2022	LAKELINE RESOURCES PTY LTD (MOSS)	SIMKIN PLACE REPAIR PLUMBING	401.50
EFT24260	08-11-2022	MEDIBLOOM GROUP PTY LTD	IMMUNISATION	80.00
EFT24261	08-11-2022	LGRCEU	PAYROLL DEDUCTIONS	82.00
EFT24262	08-11-2022	MW CHAMBER OF COMMERCE & INDUSTRY	REFUND NTON COMMUNITY BUS BOND	200.00
EFT24263	08-11-2022	MIDWEST TURF SUPPLIES	NTON OVAL TURF RENO/FERT	12400.00
EFT24264	08-11-2022	M L COMMUNICATIONS	VHF RADIO MAINT	1648.72
EFT24265	08-11-2022	NORWEST BUILDING GROUP	NTON RAMS SHED CLADDED	80000.00
EFT24266	08-11-2022	NORTHAMPTON IGA	REFRESHMENT/GOODS	240.79
EFT24267	08-11-2022	NORTHAMPTON LIONS CLUB	DRUM MUSTER	308.56
EFT24268	08-11-2022	NORTHAMPTON PHARMACY	IMMUNISATIONS	76.80
EFT24269	08-11-2022	PLATINUM ELECTRICIANS MIDWEST	NR DEPOT ELECTRICAL REPAIRS	1520.93
EFT24270	08-11-2022	PORT GREGORY CARAVAN PARK	PORT GREG FIRE TRUCK FUEL	148.05
EFT24271	08-11-2022	PUBLIC LIBRARIES WESTERN AUSTRALIA C.	PLWA MEMBERSHIP RENEWAL	200.00
EFT24272	08-11-2022	LEANNE ROWE	REIMB UNI FEES	1717.00
EFT24273	08-11-2022	THE SHEARING SHED CAFE	REFRESHMENTS KAL TIP BURN	210.00
EFT24274	08-11-2022	ANGELO DAVID TARCHINI	RATE REFUND	263.10
EFT24275	08-11-2022	TIKETYBOO METAL ART	HORROCKS LOOKOUT PLASMA CUT SIGN	650.00
EFT24276	08-11-2022	2V NET IT SOLUTIONS	COMPUTER MTCE	739.00
EFT24277	08-11-2022	TUDOR HOUSE	FLAGS	1038.00
EFT24278	08-11-2022	WIDEGLIDE CONSTRUCTIONS	MALALUCA PATHWAY REPAIR	1518.00
EFT24279	08-11-2022	WILSONS SIGN SOLUTIONS	PLAQUES	290.95
EFT24280	08-11-2022	CT & L WOODCOCK & SON PTY LTD	FIRE TRAINING REFRESHMENTS	33.00
EFT24281	08-11-2022	WREN OIL	NTON REFUSE SITE OIL DISPOSAL	33.00
EFT24282	16-11-2022	DAZFAB ENGINEERING	NTON BOWLS CLUB SHADE MATERIAL	11711.70
EFT24283	22-11-2022	TELSTRA	TELEPHONE CHARGES	1648.77

SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

EFT #	Date	Name	Description	Amount
EFT24284	22-11-2022	CHRISTIE PARKSAFE	KAL FORESHORE SALLYS TREE BBQ	7803.40
EFT24285	23-11-2022	AERODROME MANAGEMENT SERVICES	KAL AIRPORT TRAINING REFRESHER	3190.00
EFT24286	23-11-2022	ARROW BRONZE	NICHE WALL PLAQUE	2892.00
EFT24287	23-11-2022	MAURICE BATTILANA	ACTING CEO REIMB FUEL	88.65
EFT24288	23-11-2022	BELLA LUCA DEMOLITION	KAL B/BALL CT ASBESTOS FENCE REMOVAL	7480.00
EFT24289	23-11-2022	BLACKWOODS	NTON WITCHES HATS	1962.18
EFT24290	23-11-2022	NEIL ANTONY BLACKBURN	KERB DEPOSIT REFUND	500.00
EFT24291	23-11-2022	DAVID EDWARD BOOTH	KERB DEPOSIT REFUND	500.00
EFT24292	23-11-2022	TREVOR BRANDY	REIMBURSE - EHA MEMBERSHIP	496.11
EFT24293	23-11-2022	CENTRAL WEST PUMP SERVICE	KAL BLUE HOLES TOILET SOLAR & PUMP	4721.20
EFT24294	23-11-2022	CHEM CENTRE EXPERT SOLUTIONS	WATER SAMPLE	220.00
EFT24295	23-11-2022	CLEANAWAY OPERATIONS PTY LTD	REFUSE COLLECTION/SITE MTCE	38844.72
EFT24296	23-11-2022	BOC GASES AUSTRALIA	INDUSTRY GASES	70.84
EFT24297	23-11-2022	CORSIGN WA PTY LTD	SIGNS	7910.10
EFT24298	23-11-2022	TOLL TRANSPORT PTY LTD	FREIGHT	762.43
EFT24299	23-11-2022	HAYLEY R WILLIAMS DEVISE URBAN PLANNING	PLANNING SERVICES	4147.00
EFT24300	23-11-2022	DEPARTMENT OF TRANSPORT	WATER CHARGES	799.58
EFT24301	23-11-2022	SIMON DRAGE	BURRELL PAV REPAIRS, VARIOUS FBREAKS	7361.20
EFT24302	23-11-2022	ELDERS RURAL SERVICES AUSTRALIA LIMITED	TOILET PAPERS, RETIC, HARDWARE	2797.80
EFT24303	23-11-2022	ENGIN	TELEPHONE CHARGES	401.00
EFT24304	23-11-2022	FORPARK AUSTRALIA	KAL NATURE PLAYGROUND PARTS	2010.80
EFT24305	23-11-2022	ATOM GERALDTON	HIGH PRESSURE CLEANER, LUBES	5222.80
EFT24306	23-11-2022	GERALDTON AUTO WHOLESALERS	PLANT SERVICE/WHEEL ALIGNMENT	477.13
EFT24307	23-11-2022	GOODYEAR & DUNLOP TYRES (AUST) PTY LTD (BEAUREPAIRES)	NTON BUS TYRES	1679.93
EFT24308	23-11-2022	DAVID GRAY & CO PTY LTD	240LT BINS & SPARE PARTS	2973.30

SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

EFT #	Date	Name	Description	Amount
EFT24309	23-11-2022	HILLE THOMPSON & DELFOS	COOLCALALAYA RD ROAD WIDENING/REALIGNMENT	3960.00
EFT24310	23-11-2022	HOSEXPRESS	GRADER REPLACE HYD LINE	107.27
EFT24311	23-11-2022	KALBARRI MOTOR HOTEL	REFRESHMENTS KAL TIP BURN	305.64
EFT24312	23-11-2022	KALBARRI WAREHOUSE	SOIL & WATER CRYSTALS	296.45
EFT24313	23-11-2022	KALBARRI CARRIERS	FREIGHT	103.13
EFT24314	23-11-2022	LOCAL GOVERNMENT PROF AUSTRALIA WA	22/23 MEMBERSHIP DCEO	398.25
EFT24315	23-11-2022	MAVER CONTRACTING	NTON SHOW PREP MOWING	660.00
EFT24316	23-11-2022	LGRCEU	PAYROLL DEDUCTIONS	61.50
EFT24317	23-11-2022	MIDWEST KERBING	HORROCKS GLANCE ST FOOTPATH	6050.00
EFT24318	23-11-2022	NORWEST BUILDING GROUP	NTON RAMS SHED (7TH INSTL) TEMP FENCING	8575.00
EFT24319	23-11-2022	NORTHAMPTON NEWSAGENCY	STATIONERY, NEWSPAPERS	1087.44
EFT24320	23-11-2022	NPTON DISTRICT AGRICULTURAL SOCIETY	2022 NTON SHOW PRIZE DONATION	100.00
EFT24321	23-11-2022	PLATINUM ELECTRICIANS MIDWEST	VARIOUS ELECTRICAL	10285.49
EFT24322	23-11-2022	PORT GREGORY CARAVAN PARK	FUEL PORT GREG FIRE TRUCK	88.32
EFT24323	23-11-2022	PURCHER INTERNATIONAL	PLANT PARTS	390.39
EFT24324	23-11-2022	RED BLUFF AUTO ELECTRICAL	VEHICLE NEW BEACONS	580.00
EFT24325	23-11-2022	2V NET IT SOLUTIONS	COMPTER MTCE	656.50
EFT24326	23-11-2022	TOTALLY WORKWEAR - GERALDTON	UNIFORM (HAT)	51.70
EFT24327	23-11-2022	TRUCKLINE	PLANT PARTS	214.02
EFT24328	23-11-2022	LANDGATE	SLIP RENEWAL	2453.00
EFT24329	23-11-2022	WESTRAC EQUIPMENT PTY LTD	NTON - 12M GRADER 4500HR SERVICE	3281.44
EFT24330	23-11-2022	WA LOCAL GOVERNMENT ASSOC (WALGA)	COUNCILLOR ONLINE TRAINING	1782.00
EFT24331	23-11-2022	WILSONS SIGN SOLUTIONS	PLAQUES	290.95
EFT24332	17-11-2022	AUSTRALIAN TAXATION OFFICE	BAS OCT 2022	25888.00
EFT24333	28-11-2022	NORTHAMPTON AUTO ELECTRICS	VARIOUS PLANT ELECTRICAL	3452.65
EFT24334	30-11-2022	ELANA MARIE TROW-KENNEDY	REIMB DOT TRAINING EXPS	1992.90
				<u>\$608,771.68</u>

SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

DIRECT DEBITS

Jnl #	Date	Name	Description	Amount
	10-11-2022	PAYROLL	FN/E 9/11/2022	108079.00
	23-11-2022	SUPERCHOICE	SUPERANNUATION PAY FN/E 09/11/2022	25547.85
	29-11-2022	PAYROLL	FN/E 28/11/2022	105355.00
	29-11-2022	SUPERCHOICE	SUPERANNUATION PAY FN/E 28/11/2022	25636.87
GJ0501	30-11-2022	NATIONAL AUSTRALIA BANK	BANK FEES	191.28
GJ0502	30-11-2022	NATIONAL AUSTRALIA BANK	BANK MERCHANT FEES	1261.10
GJ0503	30-11-2022	COMMONWEALTH BANK	BPOINT FEES	1197.43
GJ0504	30-11-2022	NATIONAL AUSTRALIA BANK	BPAY	187.44
GJ0506	30-11-2022	NAB CEO CORPORATE CARD	BANK CHARGES	9.00
			COUNCIL RETIRE GIFT REYNOLDS	529.00
				538.00
GJ0507	30-11-2022	NAB DCEO CORPORATE CARD	BANK CHARGES	9.00
			KCC IINET	160.27
			COMPUTER EXPS 2VNET/ADOBE	1,474.96
			LG WEEK ACCOMM	171.45
			WORKS TRAINING ACCOMM	1,243.00
			RAPIDPLAN SUBS (TRAFFIC CONTROL)	108.90
			SWAGMAN GARDEN SPRAYERS	861.00
				4028.58
				<u>\$272,022.55</u>

7.4.2 MONTHLY FINANCIAL STATEMENTS – NOVEMBER 2022

FILE REFERENCE:	1.1.1
DATE OF REPORT:	9th December 2022
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton
APPENDICES:	Monthly Financial Report for November 2022

SUMMARY

Council to adopt the monthly financial reports as presented.

BACKGROUND:

This information is provided to Council in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

The Monthly Statements of Financial Activity for the period ending 30 November 2022 are detailed from page 1 to page 27 per the attached Monthly Financial Report.

FINANCIAL & BUDGET IMPLICATIONS:

The 30th November 2022 financial position is comprised of the following:

Total operating revenue has a surplus position of \$1,524,672 and operating expenditure has a surplus position of \$19,359 to the end of November 2022. The surplus revenue position is largely due to the receipt of \$750,000 for Insurance and LRCL grant revenue. The expenditure variances are spread across multiple programs and not considered significant at this stage of the year.

Investing and Financing variances will reconcile as the year progresses and it is anticipated there will be no significant budget variations.

Further explanations of material variations are detailed by reporting program in Note 16 of the Monthly Financial Report.

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 7.4.2

That Council adopts the Monthly Financial Report for the period ending 30 November 2022.

SHIRE OF NORTHAMPTON
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 November 2022

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

SUMMARY INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 November 2022

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 , Regulation 34* . Note: The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities and to the extent they are not in-consistent with the *Local Government Act 1995* and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has 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 this statement. 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 statement, but a separate statement of those monies appears at Note 14.

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

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.

CRITICAL ACCOUNTING ESTIMATES

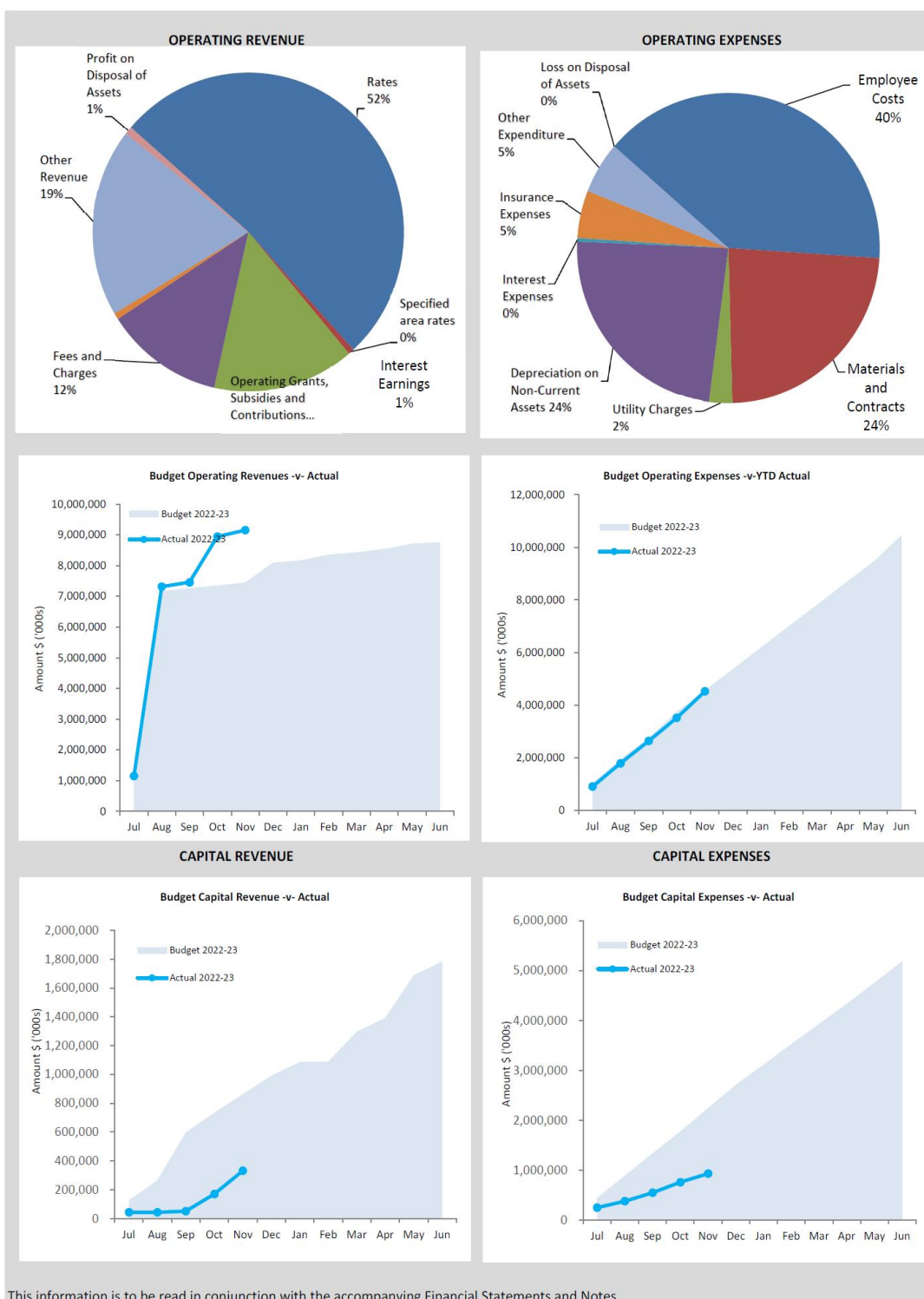
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2022

SUMMARY INFORMATION - GRAPHS



Please refer to the compilation report

SHIRE OF NORTHAMPTON | 3

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 NOVEMBER 2022

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE	ACTIVITIES
To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of council and the administrative support available to the Council for the provision of governance of the district.
GENERAL PURPOSE FUNDING	
To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
LAW, ORDER, PUBLIC SAFETY	
To provide services to help ensure a safer and environmentally conscious community.	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.
HEALTH	
To provide an operational framework for environmental and community health.	Inspection of food outlets and their control, administration of health local laws and maintenance
EDUCATION AND WELFARE	
To provide services to disadvantaged persons, the elderly, children and youth.	Maintenance of child minding centre's, youth programs and Pioneer Lodge Self Supporting Loan.
HOUSING	
To provide and maintain shire housing.	Provision and maintenance of shire housing.
COMMUNITY AMENITIES	
To provide services required by the community.	Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.
RECREATION AND CULTURE	
To establish and effectively manage infrastructure and resource which will help the social wellbeing of the community.	Maintenance of public halls and buildings, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, other cultural facilities.
TRANSPORT	
To provide safe, effective and efficient transport services to the community.	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
ECONOMIC SERVICES	
To help promote the shire and its economic wellbeing.	Tourism and area promotion including the maintenance and operation of camping facilities. Provision of Building Services and Port Gregory Water Supply.
OTHER PROPERTY AND SERVICES	
To monitor and control Shire's overhead operating accounts.	Private works operation, plant repair and operation costs and engineering operation costs.

SHIRE OF NORTHAMPTON

FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2022

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	3,011,814	3,011,814	3,011,814	(0)	(0.00%)	
Revenue from operating activities							
Governance		115,722	60,710	72,234	11,524	18.98%	▲
General purpose funding	6	5,238,296	4,971,079	5,701,993	730,914	14.70%	▲
Law, order and public safety		101,588	42,315	46,992	4,677	11.05%	
Health		30,112	12,540	11,195	(1,345)	(10.72%)	
Education and welfare		59,943	43,925	40,905	(3,020)	(6.87%)	
Housing		71,636	29,845	22,844	(7,001)	(23.46%)	▼
Community amenities		1,061,727	929,347	956,316	26,969	2.90%	▲
Recreation and culture		30,233	12,585	57,559	44,974	357.36%	▲
Transport		319,506	295,436	254,024	(41,412)	(14.02%)	▼
Economic services		241,790	172,330	206,554	34,224	19.86%	▲
Other property and services		1,625,740	1,065,485	1,789,652	724,167	67.97%	▲
		8,896,293	7,635,597	9,160,269	1,524,672		▲
Expenditure from operating activities							
Governance		(1,005,116)	(460,177)	(444,280)	15,897	3.45%	▲
General purpose funding		(281,054)	(121,132)	(130,153)	(9,021)	(7.45%)	▼
Law, order and public safety		(416,715)	(192,060)	(188,356)	3,704	1.93%	
Health		(220,840)	(95,203)	(96,739)	(1,536)	(1.61%)	
Education and welfare		(92,081)	(58,596)	(89,790)	(31,194)	(53.24%)	▼
Housing		(77,697)	(39,091)	(43,512)	(4,421)	(11.31%)	
Community amenities		(1,949,451)	(818,319)	(670,817)	147,502	18.02%	▲
Recreation and culture		(1,662,042)	(734,254)	(767,022)	(32,768)	(4.46%)	▼
Transport		(4,010,413)	(1,615,938)	(1,491,351)	124,587	7.71%	▲
Economic services		(401,472)	(220,156)	(134,277)	85,879	39.01%	▲
Other property and services		(142,820)	(142,762)	(460,749)	(317,987)	(222.74%)	▼
		(10,259,701)	(4,497,688)	(4,517,047)	(19,359)		▼
Non-cash amounts excluded from operating activities	1(a)	2,245,350	878,235	993,705	115,470	13.15%	▲
Amount attributable to operating activities		881,942	4,016,144	5,636,927	1,620,783		▲
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions	13	1,096,786	456,985	219,817	(237,168)	(51.90%)	▼
Proceeds from disposal of assets	7	244,000	181,660	93,435	(88,225)	(48.57%)	
Proceeds from self supporting loans	9	37,470	18,734	18,554	(180)	(0.96%)	
Purchase of property, plant and equipment	8	(4,984,264)	(2,175,905)	(875,560)	1,300,345	59.76%	▲
Amount attributable to investing activities		(3,606,008)	(1,518,526)	(543,754)	974,772		▲
Financing Activities							
Proceeds from new debentures	9	200,000	0	0	0	0.00%	
Transfer from reserves	10	205,000	68,333	205,000	136,667	200.00%	▲
Repayment of debentures	9	(202,648)	(67,549)	(57,750)	9,799	14.51%	▲
Transfer to reserves	10	(490,100)	(163,367)	(10,573)	152,794	93.53%	▲
Amount attributable to financing activities		(287,748)	(162,583)	136,677	299,260		▲
Closing funding surplus / (deficit)	1(c)	0	5,346,849	8,241,664			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to Note threshold. Refer to Note 16 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2022-23 year is \$5,000 or 0.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

Please refer to the compilation report

SHIRE OF NORTHAMPTON | 5

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 30 NOVEMBER 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

GRANT REVENUE

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

Assets that were acquired for consideration that was less than fair value principally to enable the Shire to further its objectives may have been measured on initial recognition under other Australian Accounting Standards at a cost that was significant less than fair value. Such assets are not required to be remeasured at fair value.

Volunteer Services in relation have not been recognised in revenue and expenditure as the fair value of the services cannot be reliably estimated and the services would not have been purchased if they had not been donated.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

EXPENSES

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

BY NATURE OR TYPE

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	3,011,814	3,011,814	3,011,814	(0)	(0.00%)	
Revenue from operating activities							
Rates	6	4,717,499	4,717,499	4,747,088	29,589	0.63%	▲
Specified area rates	6	53,000	53,000	54,026	1,026	1.94%	
Operating grants, subsidies and contributions	12	1,133,783	637,296	1,350,742	713,446	111.95%	▲
Fees and charges		1,345,971	1,088,432	1,124,745	36,313	3.34%	▲
Interest earnings		40,000	24,790	61,057	36,267	146.30%	▲
Other revenue		1,468,540	1,000,000	1,750,000	750,000	75.00%	▲
Profit on disposal of assets	7	137,500	114,580	72,610	(41,970)	(36.63%)	▼
		8,896,293	7,635,597	9,160,269	1,524,672		▲
Expenditure from operating activities							
Employee costs		(4,033,035)	(1,758,965)	(1,791,659)	(32,694)	(1.86%)	▼
Materials and contracts		(2,681,458)	(1,122,500)	(1,063,249)	59,251	5.28%	▲
Utility charges		(339,634)	(141,410)	(111,293)	30,117	21.30%	▲
Depreciation on non-current assets		(2,382,850)	(992,815)	(1,066,316)	(73,501)	(7.40%)	▼
Interest expenses		(53,237)	(22,170)	(17,447)	4,723	21.30%	
Insurance expenses		(227,456)	(227,291)	(223,935)	3,356	1.48%	
Other expenditure		(542,031)	(232,537)	(243,149)	(10,612)	(4.56%)	▼
		(10,259,701)	(4,497,688)	(4,517,047)	(19,359)		▼
Non-cash amounts excluded from operating activities	1(a)	2,245,350	878,235	993,705	115,470	13.15%	▲
Amount attributable to operating activities		881,942	4,016,144	5,636,927	1,620,783		▲
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	13	1,096,786	456,985	219,817	(237,168)	(51.90%)	▼
Proceeds from disposal of assets	7	244,000	181,660	93,435	(88,225)	(48.57%)	▼
Proceeds from self-supporting loans	9	37,470	18,734	18,554	(180)	(0.96%)	
Payments for property, plant and equipment	8	(4,984,264)	(2,175,905)	(875,560)	1,300,345	(59.76%)	▲
Amount attributable to investing activities		(3,606,008)	(1,518,526)	(543,754)	974,772		▲
Financing Activities							
Proceeds from new debentures	9	200,000	0	0	0	0.00%	
Transfer from reserves	10	205,000	68,333	205,000	136,667	200.00%	▲
Repayment of debentures	9	(202,648)	(67,549)	(57,750)	9,799	14.51%	▲
Transfer to reserves	10	(490,100)	(163,367)	(10,573)	152,794	93.53%	▲
Amount attributable to financing activities		(287,748)	(162,583)	136,677	299,260		
Closing funding surplus / (deficit)	1(c)	0	5,346,849	8,241,664			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 16 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF NORTHAMPTON FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2022

NOTE 1 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$
Adjustments to operating activities			
Add/Deduct: Profit/Loss on asset disposals	7	(137,500)	(72,610)
Add: Depreciation on assets		2,382,850	1,066,316
Total non-cash items excluded from operating activities		2,245,350	993,705

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2022	Year to Date 30 November 2022
Adjustments to net current assets			
Less: Reserves - restricted cash	10	(982,603)	(788,176)
Less: - Financial assets at amortised cost - self supporting loans	4	(35,627)	(18,554)
Less: Land Held for Resale		(235,000)	(180,000)
Less: Income Received in Advance			497,341
Add/Less: Adjustments		39,875	99,142
Add: Borrowings	9	196,293	57,751
Add: Provisions - Employee	11	718,085	732,724
Total adjustments to net current assets		(298,977)	400,227

(c) Net current assets used in the Statement of Financial Activity

Current assets			
Cash and cash equivalents	2	4,178,911	7,493,870
Financial assets at amortised cost	2	35,627	18,554
Rates receivables	3	218,904	884,915
Receivables	3	208,660	449,418
Other current assets	4	246,568	201,813
Less: Current liabilities			
Payables	5	(663,501)	(416,659)
Borrowings	9	(196,293)	(57,751)
Borrowings (New Loan)	9	0	0
Provisions	11	(718,085)	(732,724)
Less: Total adjustments to net current assets	1(b)	(298,977)	400,227
Closing funding surplus / (deficit)		3,011,814	8,241,664

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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

SHIRE OF NORTHAMPTON

FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

OPERATING ACTIVITIES NOTE 2 CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on hand								
Cash Deposits	Municipal	2,697,699		2,697,699		NAB		At call
Petty Cash	Cash on Hand	1,050		1,050				
Investment	Reserves	0	788,176	788,176		NAB	3.53%	28/12/2022
Investment	Term Deposit	1,001,932		1,001,932		NAB	3.60%	27/01/2023
Investment	Term Deposit	1,005,014		1,005,014		NAB	3.00%	27/01/2023
Investment	Term Deposit	1,000,000		1,000,000		NAB	3.05%	29/12/2022
Investment	Term Deposit	1,000,000		1,000,000		NAB	3.55%	29/12/2022
Total		6,705,694	788,176	7,493,870	0			
Comprising								
Cash and cash equivalents		6,705,694	788,176	7,493,870	0			
		6,705,694	788,176	7,493,870	0			

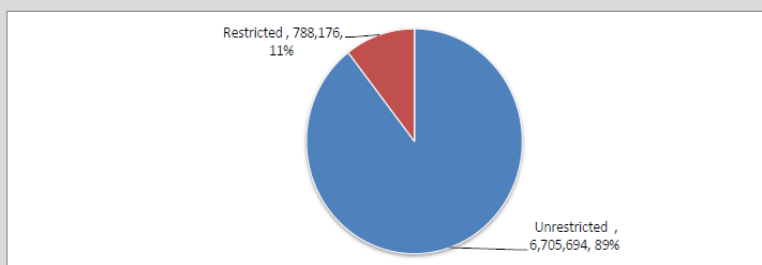
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less 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 reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Total Cash	Unrestricted
\$7.49 M	\$6.71 M

Please refer to the compilation report

SHIRE OF NORTHAMPTON | 9

OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

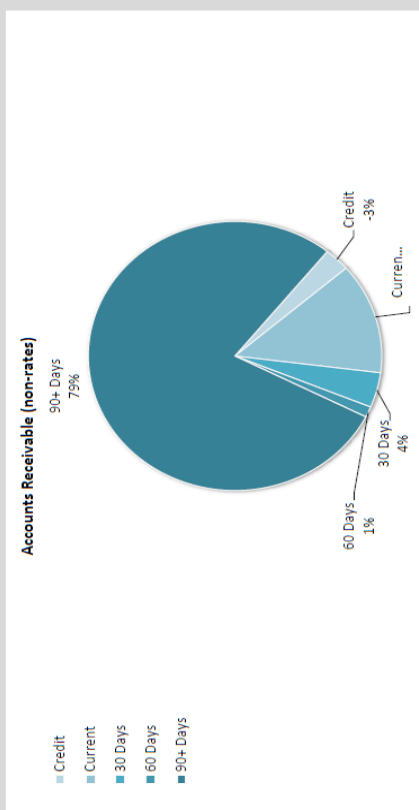
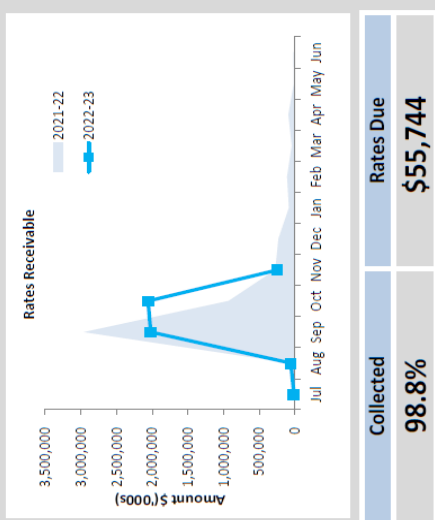
	30-Nov-22	30 Jun 2022
Rates receivable	\$	\$
Opening arrears previous years	55,744	103,801
Levied this year	4,801,114	4,709,139
Less - collections to date	(3,971,944)	(4,757,195)
Equals current outstanding	884,915	55,744
Net rates collectable	884,915	55,744
% Collected	81.8%	98.8%

Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
Receivables - general	(5,812)	27,264	8,604	2,643	160,397	193,096
Percentage	(3.0%)	14.1%	4.5%	1.4%	83.1%	
Balance per trial balance						
Sundry receivable	(5,812)	27,264	8,604	2,643	160,397	193,096
GST receivable		55,097				55,097
Rubbish Receivables		100,368				100,368
Accrued Income		(7,346)				(7,346)
Emergency Services Levy		108,204				108,204
Total receivables general outstanding						449,418

Amounts shown above include GST (where applicable)

KEY INFORMATION

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.



Please refer to the compilation report

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 30 November 2022
Other current assets	\$	\$	\$	\$
Inventory				
Fuel & Materials	11,568	10,246	0	21,813
Land Held for Resale	180,000	0	0	180,000
Total other current assets				201,813
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

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.

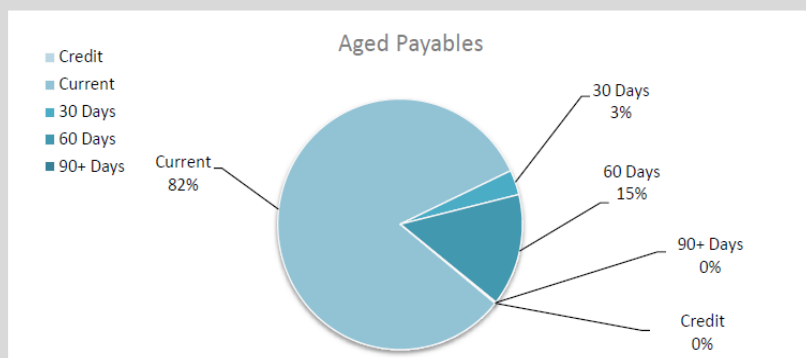
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

OPERATING ACTIVITIES
NOTE 5
Payables

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	53,339	2,100	9,419	(98)	64,760
Percentage	0%	82.4%	3.2%	14.5%	-0.2%	
Balance per trial balance						
Sundry creditors	0	53,339	2,100	9,419	(98)	64,760
Sundry/Payroll Deductions		(40)				(40)
Tax Payable		69,250				69,250
Accrued salaries and wages		3,895				3,895
Accrued Expenditure		84,470				84,470
Bonds and Deposits		194,324				194,324
Total payables general outstanding	0	405,238	2,100	9,419	(98)	416,659
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire 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.



Creditors Due

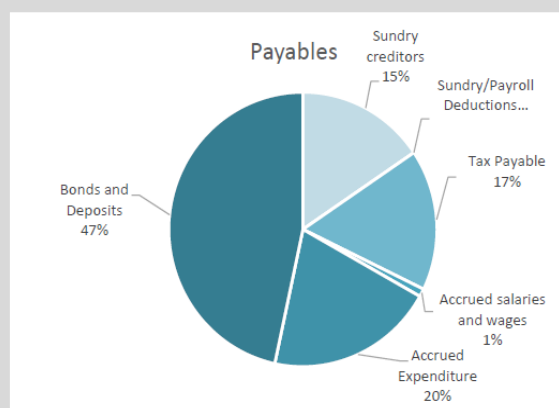
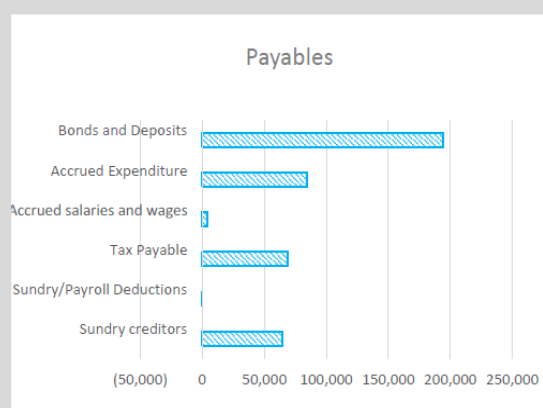
\$416,659

Over 30 Days

18%

Over 90 Days

-0.2%



SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

General rate revenue		Budget				YTD Actual			
		Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Total Revenue
RATE TYPE					\$	\$	\$	\$	\$
Gross rental value									
General GRV	0.082000	1,399	19,295,690	1,583,482	0	0	0	1,583,482	1,582,990
Unimproved value									
General UV	0.009907	424	243,055,941	2,397,997	0	0	0	2,397,997	2,398,241
Sub-Total		1,823	262,351,631	3,981,479	0	0	0	3,981,723	3,981,231
Minimum payment									
Gross rental value									
General GRV	580	1,197	3,678,781	694,260	0	0	0	694,260	727,367
Unimproved value									
General UV	580	72	75,235	41,760	0	0	0	41,760	38,490
Sub-total		1,269	3,754,016	736,020	0	0	0	736,020	765,857
Total general rates								4,717,499	4,747,088
Specified area rates									
Kalbarri Tourism									
Port Gregory Water Supply	0.001866		16,088,152	30,000	0	0	0	30,000	30,740
	0.040955		561,586	23,000	0	0	0	23,000	23,286
Total specified area rates			16,649,738	53,000	0	0	0	53,000	54,026
Total								4,770,499	4,801,114

Please refer to the compilation report

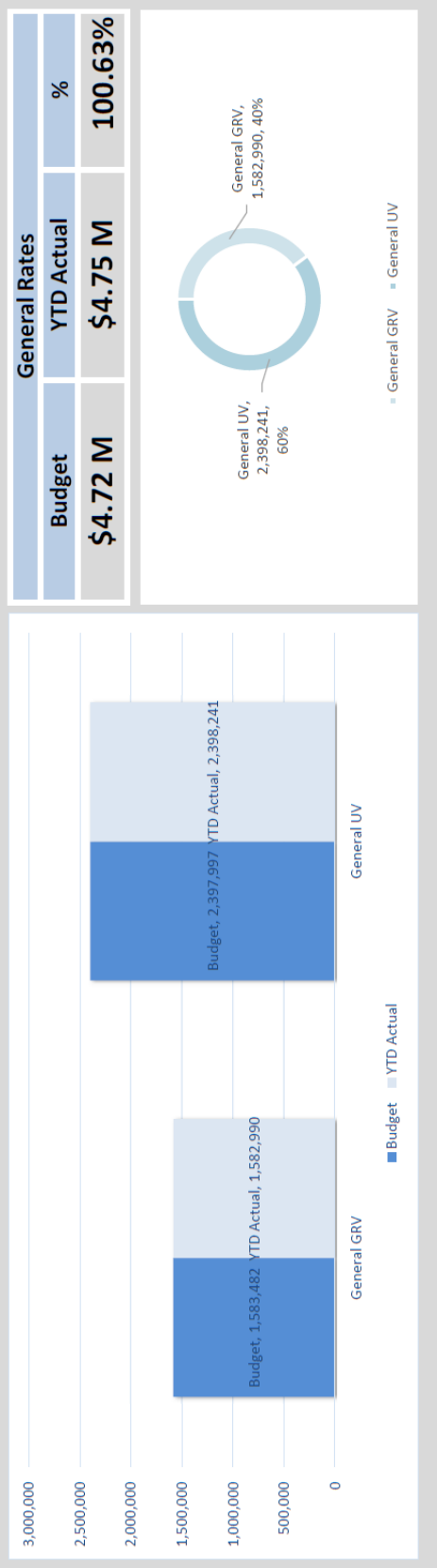
SHIRE OF NORTHAMPTON | 13

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. From 1 July 2019 prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Please refer to the compilation report

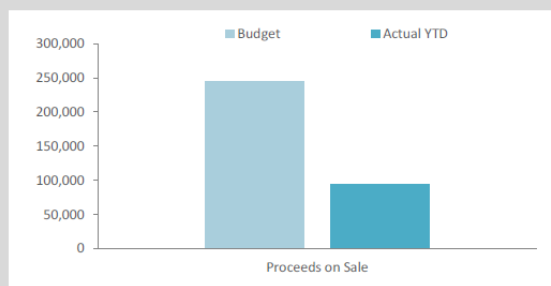
SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

OPERATING ACTIVITIES
NOTE 7
DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Governance								
41761	Toyota Prado - CEO	22,000	52,000	30,000	0	20,824	50,000	29,176	0
	Transport								
41769	P283 - Ute LH Kalbarri	11,000	12,000	1,000	0			0	0
41770	P284 - Ute LH Main't N'hpton	13,500	20,000	6,500	0			0	0
41758	P271 - Ute LH Road Construction	0	20,000	20,000	0	0	24,990	24,990	0
41716	P238 - Cat Grader 12M	60,000	140,000	80,000	0			0	0
41758	P258 - Ute General Northampton			0	0	0	18,445	18,445	0
		106,500	244,000	137,500	0	20,824	93,435	72,610	0

KEY INFORMATION



Proceeds on sale		
Annual Budget	YTD Actual	%
\$244,000	\$93,435	38%

Please refer to the compilation report

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

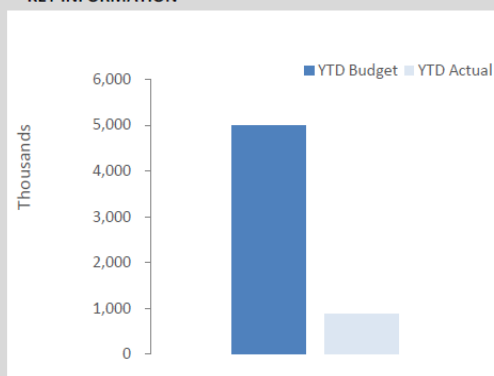
**INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	596,410	257,965	472,726	214,761
Plant and equipment	865,300	441,910	122,619	(319,291)
Infrastructure - Roads	2,352,084	980,030	257,720	(722,310)
Infrastructure - Footpaths & Carpark	376,470	156,835	2,934	(153,901)
Infrastructure - Parks & Ovals	109,000	53,750	4,400	(49,350)
Infrastructure - Airport	630,000	262,500	15,160	(247,340)
Infrastructure - Other	55,000	22,915	0	(22,915)
Capital Expenditure Totals	4,984,264	2,175,905	875,560	(1,300,345)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,096,786	456,985	219,817	(237,168)
Borrowings	200,000	0	0	0
Other (disposals & C/Fwd)	244,000	181,660	93,435	(88,225)
Cash backed reserves				
Leave Reserve	242,810	242,810	242,925	115
Roadworks Reserve	29,956	29,956	30,001	45
Kalbarri Airport Reserve	635	635	645	10
Building/Housing Reserve	595,210	595,210	115,255	(479,955)
Kalbarri Tourism Rate Reserve	6,975	6,975	6,975	0
Computer and Office Equipment Reserve	34,111	34,111	34,136	25
Land Development Reserve	358,006	358,006	358,239	233
Contribution - operations	2,175,775	269,557	(225,868)	(495,425)
Capital funding total	4,984,264	2,175,905	875,560	(1,300,345)

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. 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 local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$4.98 M	\$0.88 M	18%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$1.1 M	\$0.22 M	20%

SHIRE OF NORTHAMPTON FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2022

INVESTING ACTIVITIES NOTE 8 CAPITAL ACQUISITIONS (CONTINUED)

Capital expenditure total Level of completion indicators					
	0%	Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.			
	20%				
	40%				
	60%				
	80%				
	100%				
	Over 100%				
%	Account Description	Current Budget	Year to Date Budget	Year to Date Actual	Variance (Under)/Over
Governance					
	Office Generator changeover switching	13,300	11,083	13,257	43
	CEO Vehicle	60,000	49,997	59,045	955
	Governance Total	73,300	61,080	72,302	998
Health					
Communities Amenities					
	Northampton Recreation Ground Ablutions	140,060	1,517	109,590	30,470
	Sallys Tree Ablutions outdoor showers	8,000	87	7,700	300
	Chinamans ablutions outdoor showers	8,000	87	7,700	300
	Seal Access Road to Horrocks Dump Point	27,500	11,455	23,636	3,864
	Communities Amenities Total	183,560	13,145	148,626	34,934
Recreation And Culture					
	Horrock Foreshore - stairs and shower	24,000	10,000	4,400	19,600
	Kalbarri Recreation Jetty Repairs	65,000	27,085	0	65,000
	Port Gregory Carpark and BBQ	141,310	58,870	0	141,310
	Kalbarri Community Camp Kitchen	134,750	112,285	123,291	11,459
	NCC - Change Room Upgrade	40,000	33,330	0	40,000
	Stud Breeders Shed - Northampton	227,600	94,830	221,456	6,144
	Kalbarri Multi-Use Centre	30,000	12,500	2,990	27,010
	Horrocks North Holding Tanks	20,000	16,665	0	20,000
	Recreation And Culture Total	682,660	365,565	352,136	330,524
Transport					
	Road Construction	2,324,584	968,575	234,084	2,090,500
	Footpath/Carpark Construction	235,160	97,965	2,934	232,226
	Maintenance Grader	440,000	183,332	0	440,000
	Back Hoe	230,000	95,833	0	230,000
	Ute Leading Hand M'tce Kalbarri	50,000	41,666	1,855	48,145
	Ute Leading Hand M'tce Northampton	48,000	39,999	48,462	(462)
	Safety Officer (50% share)	24,000	20,000	0	24,000
	Kalbarri Depot Ablution	8,000	3,330	0	8,000
	Airport - Runway and Apron Seal	630,000	262,500	15,160	614,840
	Transport Total	3,989,744	1,713,200	302,495	3,687,249
Economic & Other Property and Services					
	Port Gregory Water Supply - Tank/Shed	55,000	22,915	0	55,000
	Economic & Other Property and Services Total	55,000	22,915	0	55,000
	Capital Expenditure by Program Total	4,984,264	2,175,905	875,560	4,108,704

Please refer to the compilation report

SHIRE OF NORTHAMPTON | 17

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

Repayments - borrowings

Information on borrowings

Particulars	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Housing	\$	\$	\$	\$	\$	\$	\$	\$	\$
Loan 154 - Staff Housing	117,155	0	0		37,792	117,155	79,363		4,344
Recreation and culture									
Loan 156 - RSL Hall Extensions	360,605	0	0		48,402	360,605	312,203		9,604
Transport									
Loan 153 - Plant Purchases	46,346	0	0	22,943	46,346	23,403	0	932	1,606
Loan 157 - Plant Purchases	276,264	0	0	16,254	32,638	260,010	243,626	2,210	6,120
Loan 158 - Plant Purchases	0	0	200,000			0	200,000		
	800,370	0	200,000	39,196	165,178	761,174	835,192	3,142	21,674
Self supporting loans									
Education and welfare									
Loan 155 - Pioneer Lodge	327,177	0	0	8,097	16,353	319,080	310,824	6,462	14,983
Recreation and culture									
Loan 151 - Kalbarri Bowling Club	0	0	0	0	0	0	0	0	0
Other property and services									
Loan 152 - Staff Housing (CEO)	254,835	0	0	10,458	21,117	302,907	233,718	7,844	16,580
	582,012	0	0	18,554	37,470	621,988	544,542	14,305	31,563
Total	1,382,382	0	200,000	57,750	202,648	1,383,162	1,379,734	17,447	53,237
Current borrowings	202,648					57,751			
Non-current borrowings	1,179,734					1,325,411			
	1,382,382					1,383,162			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

Please refer to the compilation report

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

New borrowings 2022-23

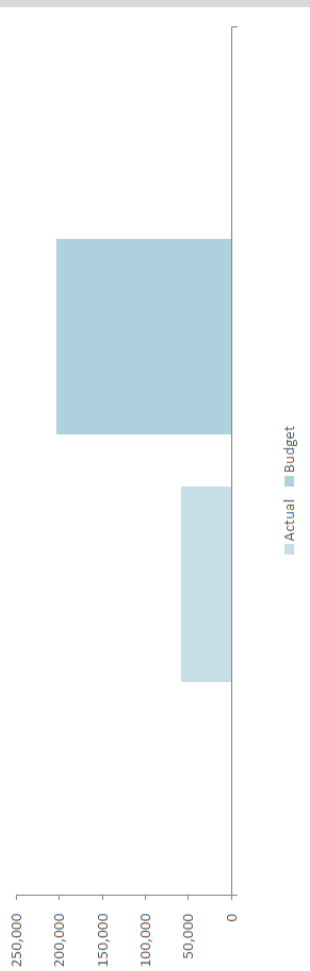
FINANCING ACTIVITIES
NOTE 9
BORROWINGS

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
Loan 158 - Plant Purchases	\$ 0	\$ 200,000	WATC	Fixed	10	\$ 0	%	\$ 0	\$ 0	\$ 0

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings (Principal Repayments)



Principal repayments	\$57,750
Interest earned	\$61,057
Interest expense	\$17,447
Reserves balance	\$ 79 M
Loans due	\$1.38 M

Please refer to the compilation report

OPERATING ACTIVITIES
NOTE 10
CASH RESERVES

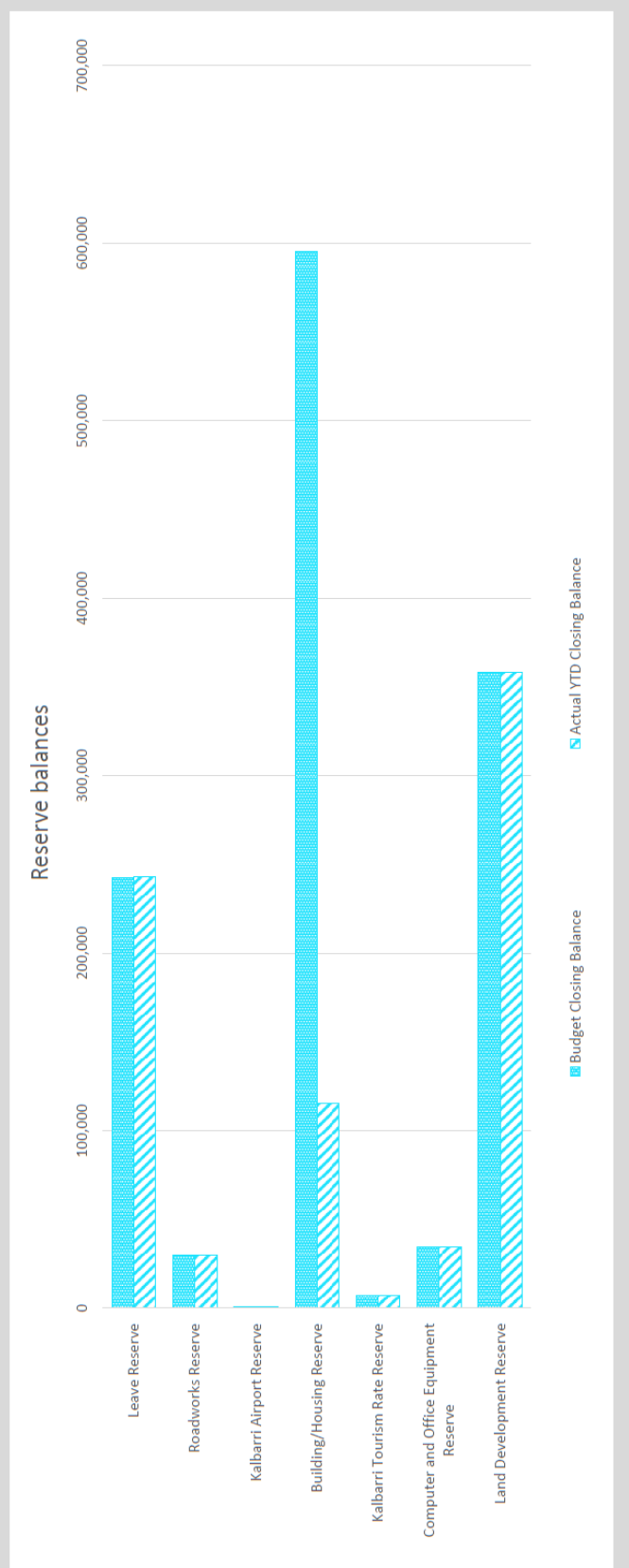
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	236,560	1,250	1,365	5,000	5,000	0	0	242,810	242,925
Roadworks Reserve	29,456	500	545	0	0	0	0	29,956	30,001
Kalbarri Airport Reserve	205,535	100	110	0	0	(205,000)	(205,000)	635	645
Building/Housing Reserve	114,710	500	545	480,000	0	0	0	595,210	115,255
Kalbarri Tourism Rate Reserve	6,975	0	0	0	0	0	0	6,975	6,975
Computer and Office Equipment Reserve	33,861	250	275	0	0	0	0	34,111	34,136
Land Development Reserve	355,506	2,500	2,733	0	0	0	0	358,006	358,239
	982,603	5,100	5,573	485,000	5,000	(205,000)	(205,000)	1,267,703	788,176

Please refer to the compilation report

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

OPERATING ACTIVITIES
NOTE 11
OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2022	Liability Increase	Liability Reduction	Closing Balance 30 November 2022
		\$	\$	\$	\$
Provisions					
Annual leave		265,551			265,551
Long service leave		467,173			467,173
Total Provisions		732,724	0	0	732,724
Total other current assets		732,724			732,724
Amounts shown above include GST (where applicable)					

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present 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.

Employee benefits

Short-term employee benefits

Provision is made for the Shire'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 Shire'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 calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

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 Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire 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
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**NOTE 12
OPERATING GRANTS AND CONTRIBUTIONS**

Description/Provider	Unspent operating grant, subsidies and contributions liability				Operating grants, subsidies and contributions revenue		
	Liability 1 Jul 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 30 Nov 2022	Current Liability 30 Nov 2022	Adopted Budget Revenue	YTD Revenue Actual
	\$	\$	\$	\$	\$	YTD Budget	\$
Operating grants and subsidies							
General purpose funding							
Grants Commission - General/	0	0	0	0	0	280,291	140,144
LRCI Phase 1/2/3 Revenue 20/21,21/22,22/23						0	0
Grants Commission - Roads/	0	0	0	0	0	173,134	86,566
Law, order, public safety							
Emergency Services Levy - BFB	0	0	0	0	0	47,221	19,675
Emergency Services Levy - SES	0	0	0	0	0	38,667	16,110
Education and welfare							
NCCA Operational Grant/Fundraising	0	0	0	0	0	32,500	32,500
Transport							
MRD - Maintenance	0	0	0	0	0	201,476	201,476
	0	0	0	0	0	773,289	496,471
							1,162,592

Please refer to the compilation report

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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022

NOTE 13
NON-OPERATING GRANTS AND CONTRIBUTIONS

Description/Provider	Unspent non operating grants, subsidies and contributions liability				Non operating grants, subsidies and contributions revenue			
	Liability 1 Jul 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 30 Nov 2022	Current Liability 30 Nov 2022	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	(b) \$
Non-operating grants and subsidies								
Transport								
ROADS TO RECOVERY FUNDING				0		453,484	188,950	158,484
LRCI - LITTLE BAY ROAD & PORTER ST CARPARK				0		290,302	120,955	0
WA BIKE NETWORK GRANT				0		61,000	25,415	20,000
REGIONAL ROAD GROUP FUNDING				0		92,000	38,335	41,333
RUNWAY RESEAL - LRCI GRANT				0		200,000	83,330	0
	0	0	0	0	0	1,096,786	456,985	219,817

Please refer to the compilation report

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SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

NOTE 14
BONDS AND DEPOSITS

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 30 Nov 2022
	\$	\$	\$	\$
Transportable House Bonds	4,500	1,000	0	5,500
Footpath Bonds	28,007	5,000	(3,000)	30,007
RSL Hall Retention	0	0	0	0
Jake Point Ablutions Retention	0	0	0	0
Building Levies (BCITF & BRB)	265	26,816	(8,279)	18,801
Community Bus Bond	5,200	800	(400)	5,600
Unclaimed Monies - Rates	5,179	0	0	5,179
Special Series Plates	3,520	310	(200)	3,630
Northampton Child Care Association	23,654	61	0	23,715
Horrocks Memorial Wall	515	1,250	(664)	1,102
One Life	940	0	(591)	349
Rubbish Tip Key Bond	1,800	0	0	1,800
Horrocks - Skate/Pump Park	0	2,000	0	2,000
RSL - Kalbarri Memorial	16,130	0	0	16,130
DOT - Department of Transport	0	142,839	(142,839)	0
Cyclone Seroja Donations	47,259	0	0	47,259
Rates - Overpaid	30,761	0	0	30,761
Sale of Land	0	0	0	0
Miscellaneous Deposits	0	0	0	0
	168,160	183,805	(157,641)	194,324

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**NOTE 15
TRUST**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 30 Nov 2022
Trust				
Nomination Deposits	0	0	0	0
Public Open Space	0	0	0	0
				0

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2022**

**NOTE 16
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2022-23 year is \$5,000 or 0.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Governance	11,524	18.98%	▲ Timing	Variance associated budget profile/payment of LGIS member experience credit
General purpose funding	730,914	14.70%	▲ Permanent	Variance due to LRCI 3 & LRCI 2 final component
Housing	(7,001)	(23.46%)	▼ Timing	Short term variance due to housing rent and reimbursement for utilities
Community amenities	26,969	2.90%	▲ Timing	Variance due to scrap metal sales
Recreation and culture	44,974	357.36%	▲ Timing	Variance includes BEN sign revenue and Midwest Development Cyclone Seroja assistance
Transport	(41,412)	(14.02%)	▼ Timing	Variance associated with Profit on disposal
Economic services	34,224	19.86%	▲ Timing	Var due to additional building permit fees and budget profile for LIA unit lease fees
Other property and services	724,167	67.97%	▲ Permanent	Var due to Insurance Payment for building repairs = \$750,000
Expenditure from operating activities				
Governance	15,897	3.45%	▲ Timing	Positive short term variance only, actuals and budget will reconcile as the year progresses
General purpose funding	(9,021)	(7.45%)	▼ Timing	Variance associated with ABC cost allocation
Education and welfare	(31,194)	(53.24%)	▼ Timing	Var due to final NCCA payroll costs and workers compensation employee payments.
Community amenities	147,502	18.02%	▲ Timing	Var due to lag in rubbish removal invoices and refuse site maintenance.
Recreation and culture	(32,768)	(4.46%)	▼ Timing	Budget profile variance actuals and budget will reconcile
Transport	124,587	7.71%	▲ Timing	Variance partly due to muni roads underspend
Economic services	85,879	39.01%	▲ Timing	Budget variance associated Visitor Center operational payments
Other property and services	(317,987)	(222.74%)	▼ Timing	Var partly associated with Cyclone Seroja Expenses and Public Works Overheads
Investing activities				
Non-operating grants, subsidies and contributions	(237,168)	(51.90%)	▼ Timing	Budget profile variance actuals and budget will reconcile
Capital acquisitions	1,300,345	59.76%	▲ Timing	Budget profile variance actuals and budget will reconcile
Financing activities				
Transfer from reserves	136,667	200.00%	▲ Timing	Further Transfer's to be processed Jan/Feb 2023
Repayment of debentures	9,799	14.51%	▲ Timing	Will reconcile, budget timing situation only
Transfer to reserves	152,794	93.53%	▲ Timing	Further Transfer's to be processed Jan/Feb 2023

Please refer to the compilation report

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7.4.3 CYCLONE SEROJA DONATIONS

FILE REFERENCE:	5.1.8
DATE OF REPORT:	9th December 2022
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton
APPENDICES:	1. Cyclone Seroja Donations Sheet 2. Kalbarri Foreshore design & location 3. Hampton Gardens design & location

SUMMARY

Council to authorise the allocation of funds donated for Cyclone Seroja relief and recovery.

BACKGROUND:

Following cyclone Seroja Council received a number of donations from individuals, community and sporting groups. The nett value of donations held in Councils "Bonds and Deposits" account is currently \$47,259.04 with a portion of the donated funds having conditions in relation to the allocation of the funds.

Council has reviewed the donation information and proposed a number of allocations that reflect both the communities needs and respect the wishes of the individuals, community and sporting groups that donated the funds.

The "Cyclone Seroja Donations" document provided at appendix 1 has a proposed distribution format per the following:

1. Pastoral Care – Pay \$7,565.54 for Pastoral Care expenses over an 18 month period for Reverend Ric Payne.
2. Kalbarri Foreshore – Utilise \$16,500 provided by the Gingin Golf Club, Kalbarri SES and Great Northern Rural services to construct a colour bond and steel shelter at the Kalbarri Foreshore adjacent to the Nature Playground. This shelter will be similar in construction to the existing shelters at Sally's Tree. The shelter will cost approximately \$14,000 to purchase, transport to Kalbarri and erect. The remaining \$1,600 will be utilised to install a new concrete pad. The existing table and bench seating will be utilised in the new shelter. Refer Appendix 2.
3. Northampton Townsite – Utilise \$7,340 provided by the Gingin Golf Club and the Batavia Rockers to install a shade Shelter at Hampton Gardens in Northampton adjacent to the toilet block. The shelter will be similar in design to the structure located opposite the Northampton Newsagency on Mary Street. The Hampton Gardens location currently has a table and bench seats in place, subsequently the funds will be used to purchase and install the structure and modify the existing paving as required. Refer Appendix 3.

4. RSL Memorial – Transfer \$15,753.50 provided by the Westside Two Up fundraiser to the RSL Memorial fund. The transfer will increase the RSL memorial fund to an amount of \$31,883.50 which will be retained for improvements to the memorial and the surrounds.

5. Kalbarri Childcare – Pay \$100 to the Kalbarri Childcare Committee in accordance with the funds donated by J & M Currie.

FINANCIAL & BUDGET IMPLICATIONS:

As the funds are held in Councils Bonds and Deposits structure the allocation or payment of the donated funds will not impact on Councils budget position.

POLICY IMPLICATIONS:

N/A

VOTING REQUIREMENT:

Absolute Majority Required:

OFFICER RECOMMENDATION – ITEM 7.4.3

That Council approve the allocation of the Cyclone Seroja donations in the following manner.

- 1. Payment of \$7,565.54 to Ric Payne for further Pastoral Care within the Shire of Northampton.**
- 2. Allocation of \$16,500 for the purchase and installation of a shade shelter and concrete pad at the Kalbarri foreshore adjacent to the nature play area.**
- 3. Allocation of \$7,340 for the purchase and installation of a shade shelter at Hampton Gardens in Northampton adjacent to the toilet block.**
- 4. Transfer \$15,753.50 to the Kalbarri RSL Monument “Bonds and Deposit” account**
- 5. Donate \$100 to the Kalbarri Childcare**

SHIRE OF NORTHAMPTON
FINANCE AND ADMINISTRATION REPORT – 16 DECEMBER 2022

APPENDIX 1

Cyclone Seroja Donations and Proposed Distribution of Funds

Date	Name	Description/Details	Income Amount	Expense Amount	Conditions	Status	Donation Distribution					Total
							Pastoral Care	Kalbarri Foreshore	Northampton Townsite	RSL Memorial	Kalbarri Childcare	
19-04-2021	Anonymous	Cyclone donation	\$ 50.00		No	Complete	\$ 50.00					\$ 50.00
22-04-2021	Cyclone donation - Lia Westbrook for Pharmacy customers	Cyclone donation	\$ 1,015.54	\$ 1,015.54	Yes		\$ 1,015.54					\$ -
28-04-2021	Airing of the Quilts	Cyclone Seroja donation	\$ 1,015.54		No		\$ 1,015.54					\$ 1,015.54
30-04-2021	Tardis Station - JF HM Foulkes-Taylor	Cyclone donation for relief fund	\$ 1,000.00		No		\$ 1,000.00					\$ 1,000.00
30-04-2021	Donation from Chessi	Cyclone donation	\$ 100.00		No		\$ 100.00					\$ 100.00
17-05-2021	Donation from Chessi	Cyclone donation	\$ 300.00		No		\$ 300.00					\$ 300.00
30-04-2021	Westside Two Up	Donation to Northampton and Kalbarri. (RSL/Park/Boat Ramp etc)	\$ 15,753.50		No				\$ 15,753.50			\$ 15,753.50
25-06-21	Northampton Community News	Request - For People in need	\$ 5,000.00		Yes		\$ 5,000.00					\$ 5,000.00
		Total 2020/2021	\$ 23,319.04	\$ 100.00								\$ -
06-07-21	Batavia Rockers	Funds for the Northampton townsite	\$ 840.00		Yes			\$ 840.00				\$ 840.00
16-07-21	Australian Order of Old Bastards	Funds for "Support the Kalbarri Rebuild Fund" to be received into trust and paid to Echo International and the	\$ 12,500.00	\$ 12,500.00	N/A	Complete						\$ -
19-07-21	Gingin Golf Club	Cyclone Donation	\$ 13,000.00		No		\$ 6,500.00	\$ 6,500.00				\$ 13,000.00
30-08-21		Cyclone Donation	\$ 100.00		No		\$ 100.00					\$ 100.00
20-09-21	Jeff & Michelina Currie	Donation post cyclone Seroja child related area	\$ 100.00		Yes						\$ 100.00	\$ 100.00
12-10-21	Kalbarri SES	Cyclone Donation - Kalbarri SES (Town Rebuild)	\$ 8,000.00		Yes			\$ 8,000.00				\$ 8,000.00
29/4/2022	Great Northern Rural Services	Cyclone Donation for the LRCG - Kalbarri Golf Day	\$ 2,000.00		No		\$ 2,000.00					\$ 2,000.00
		Total 2021/2022	\$ 36,540.00	\$ 12,500.00			\$ 7,565.54	\$ 16,500.00	\$ 7,340.00	\$ 15,753.50	\$ 100.00	\$ 47,259.04
		TOTAL	\$ 59,859.04	\$ 12,600.00								
		FUNDS AVAILABLE FOR DISTRIBUTION			\$ 47,259.04							

APPENDIX 2



APPENDIX 3



7.4.4 BUDGET VARIATIONS

FILE REFERENCE:	1.1.2
DATE OF REPORT:	9th December 2022
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton
APPENDICES:	Budget Review

SUMMARY:

Council to approve budget variations associated with the following projects:

1. Install SynergySoft Purchasing Module
2. Additional budget allocation for outdoor shower installation
3. Additional budget allocation for Heritage consultancy costs

BACKGROUND:

1. Synergy Soft Purchasing Module

A budget allocation of \$15,000 is requested to cover the installation costs associated with the SynergySoft Purchasing Module.

Staff have been struggling with procurement issues in recent years. This has been highlighted in successive audit processes and our Financial Management Regulation 17 review process. Both external reviews have identified deficiencies with our current system. The solution is to move to the SynergySoft Purchasing Module which will provide a system based approach rather than the manual paper based purchasing order format currently used. Most local governments of our size and smaller have a electronic purchasing module in place.

The module will provide significant efficiency gains for the Shire and the extended security solution will help coordinate the procurement process, remove redundant processes and manual hard copy purchase books while offering transparency and flexible for governance controls which will enable us to comply with audit requirements.

2. Outdoor shower Installation

An additional budget allocation of \$5,000 is requested to cover the installation costs associated with outdoor showers in Kalbarri.

The 2022/2023 Budget has \$16,000 allocated (GL 3344) for the purchase and installation of the outdoor showers. As \$15,400 was utilised to purchase the shower units the remaining \$600 wasn't considered adequate to pay for concrete works and plumbing. The Manager of Works and Technical Services has determined that an additional \$5,000 would be required to complete the installation. It is anticipated that the outdoor showers will be operational for the upcoming school holiday period.

3. Heritage Advisor costs

An additional budget allocation of \$11,000 is requested to fund Heritage consultancy services provided by Tanya Henkel.

The 2022/2023 Budget has \$4,000 allocated (GL 5572) for advice in relation to historical projects and heritage sites. This advice provided by the consultant assists the planning area assess applications and also provide guidance for Councils heritage buildings and sites as required. Post cyclone Seroja there has been an increase in applications and the requirement for heritage type services. It is anticipated that the requirement for heritage services will reduce and return to normal levels in the next 6-12 months. The budget increase will cover the additional costs to date and further costs expected this financial year. Additionally, staff will investigate if DRFAWA funding is available to assist with costs associated with heritage consultancy work that was directly related to cyclone Seroja.

COMMENT/RECOMMENDATION:

As the Deputy Chief Executive Officer will cover for Chief Executive Officer (CEO) relief during January 2023 staff have determined that the savings from not having a CEO during this period will save approximately \$15,000 plus further savings of \$5,000 from the vacant creditors officer position will adequately fund the budget request for the SynergySoft Purchasing Module and the Outdoor showers.. Additionally the savings associated with CEO relief during October, November and December of approximately \$11,000 can be utilised to fund the Heritage Services consultancy costs.

The installation of the SynergySoft Purchasing Module was not considered when the 2022/2023 budget was adopted whereas the costs to install the outdoor shower units was included in the 2022/2023 budget however it is considered that the allocation was not adequate to complete the associated works. Also the budget allocation of \$4,000 for Heritage consultancy support is not considered adequate for the level of activity currently being experienced.

All of the variations below are considered to be a priority in nature and need to be funded this financial year.

COA/Job No.	COA/Job Description	Adopted Budget	Proposed Revised Budget	Budget Variance	Comments
102720.01	Salaries	\$675,490	\$655,490	-\$20,000	Reduced budget allocation, No CEO in January 2023, savings Creditors Position
105020.08	Computer Expenses	\$12,262	\$27,262	+\$15,000	Funds required to Install SynergySoft Purchasing Module

13344.08	Public Amenities (Kalbarri Foreshore)	\$16,000	\$21,000	+\$5,000	Additional funds required to complete the installation of the outdoor showers
102720.01	Salaries	\$655,490	\$644,490	-\$11,000	Reduced salaries costs associated with CEO relief
155720.08	Historical Projects/ Heritage Sites	\$4,000	\$15,000	+\$11,000	Additional funds required to fund works for remainder of 22/23

FINANCIAL & BUDGET IMPLICATIONS:

There will be no overall change to the 2022/2023 budget provision to accommodate the revised budget allocations listed above. Additionally, the budget revision will not impact on the Long Term Financial Plan (LTFP).

STATUTORY IMPLICATIONS:

Local Government Act 1995 – Section 6.8, authorising unbudgeted expenditure.

Local Government Act (1995) – Section 6.8. - Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) is authorised in advance by resolution*; or*
- (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

(1a) In subsection (1):

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

VOTING REQUIREMENT:

Absolute Majority Required: - As there will be a change to the 2022/2023 Budget Council is required to approve the expenditure by an absolute majority as per Section 6.8 of the Local Government Act 1995.

OFFICER RECOMMENDATION – ITEM 7.4.4

1. That Council approve of the following Budget Variations and this be declared authorised expenditure.

GL 102720.01	Salaries	-\$20,000
GL 105020.08	Computer Expenses	+\$15,000
GL 133440.08	Public Amenities	+ \$5,000
GL 102720.01	Salaries	-\$11,000
GL 155720.08	Historical Projects/Heritage Sites	+\$11,000

APPENDICES 1 Budget Review



To: Shire of Northampton PO BOX 61 NORTHAMPTON WA 6535 Tel: Attn: Grant Middleton		Fax: NHM	
		Quotation Quote: 9052 Date: 09/10/2022 Quotation Valid To: 08/12/2022	

From: IT Vision PO Box 881 CANNING BRIDGE WA 6153 ABN 34 309 336 904 Attn: Jo-Anne Arpin Email: sales@itvision.com.au		Tel: 08 9315 7000 Fax: 08 9315 7088 www.itvision.com.au	
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We are pleased to provide the following quotation. We hope that it is acceptable, and look forward to receiving your Purchase Order to proceed.

SynergySoft Purchase Ordering	UNIT	1.00	\$2,803.00
Implementation and Training Services	DAY	4.00	\$7,440.00
SynergySoft Email RA functionality	UNIT	1.00	\$1,158.00
Email Purchase Orders	UNIT	1.00	\$1,158.00
SynergySoft Purchase Requisitions/ Extended Security	UNIT	1.00	\$1,617.00

Cost Ex GST	\$14,176.00
GST	\$1,417.60

Total **\$15,593.60**

Annual License Fees (inc GST) for the above are: \$1,509.20

Terms & Conditions:

This quotation is valid for a period of 60 days.

Any necessary Travel and Living expenses will be charged at cost, and may include:

- 1) Travel - flights plus taxis or mileage allowance for travel to & from airport; and/or hire car, tolls, petrol & parking charges; or mileage allowances (\$0.66/km) if using own car to travel to site;
- 2) Meal allowances - \$97.40 per full day at the ATO 16/17 reasonable travel allowance amount;
- 3) Accommodation;
- 4) Any other expenses directly associated with travel to your site.

The Annual License Fee (if quoted) entitles you to ongoing use of the software, unlimited telephone support and upgrades to the software as these become available. The Annual License Fee will be charged pro rata in the first year from date of installation to 30th June.

Acceptance of this Quotation constitutes the SynergySoft Supply Agreement as detailed in the SynergySoft License Agreement that can be located on the IT Vision website (<https://client-portal.itvision.com.au/documents/it-vision-supply-agreement-and-software-licence>).

Cancellation Fees:

If this quotation contains any training, implementation, or assistance and dates have been agreed, the following charges will be incurred in the event of cancellation.

Cancellation prior to 3 days before the event: 25% of the quoted fees
Cancellation 3 days or less before the event: 50% of the quoted fees

7.4.5 CREDIT CARD LIMIT INCREASE

FILE REFERENCE:	3.1.3
DATE OF REPORT:	9th December 2022
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton

SUMMARY:

Council to consider the request to increase the credit card limits from \$5,000 to \$10,000 for the Chief Executive Officer and the Deputy Chief Executive Officer.

BACKGROUND:

The Shire currently has two credit cards allocated to the Chief Executive Officer and the Deputy Chief Executive Officer with a limit of \$5,000. The cards are predominately used for airfares, accommodation and other expenses that cannot be paid via the normal purchasing arrangements.

COMMENT:

The Chief Executive Officers credit card is generally the main card used for conference expenses and other purchases. The Deputy Chief Executive Officer card is used for monthly IT, telecommunications, licences, office related costs and emergency situations where the Chief Executive Officers credit card is unavailable.

The number of suppliers demanding payment via credit card rather than the traditional Purchase Order method is increasing. The recent ALGA and WALGA conferences maxed out both credit cards with payments for accommodation providers and airline costs having to be paid on-line by credit card. Therefore, it is considered prudent to increase the limit of both cards from \$5,000 to \$10,000.

This increase will also be advantageous in the next 3-4 months whilst the CEO recruitment process is being undertaken and the only credit card available for use will be the DCEO credit card.

FINANCIAL & BUDGET IMPLICATIONS:

The following provisions of the Local Government Act 1995 (the Act) and associated regulations impact on the use and control of corporate credit cards:

Section 2.7(2) (a) and (b) of the Act requires the council to oversee the allocation of the local government's finances and resources and to determine the policies of the local government.

Section 6.5(a) of the Act requires the Chief Executive Officer (CEO) to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.

Local Government (Financial Management) Regulation 11(1)(a) requires local governments to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisations in place for the use of credit cards.

POLICY IMPLICATIONS:

The following is an extract from Council's Policy Manual that covers the credit card usage.

2.9 CORPORATE CREDIT CARD POLICY

Policy reviewed by Council 17 June 2022

INTRODUCTION

A corporate credit card will be issued to the Chief Executive Officer and Deputy Chief Executive Officer of the Shire of Northampton to expedite authorised business expenditures on behalf of the shire, therefore improving administrative practices and the effective cash management of the shire.

2.9.2 Definitions

Credit Cards – Is defined as a facility allowing the card holder to pay for goods and services on credit.

Business Expenses – Is defined as any expense necessary to the conduct of the business or is allowed under the terms of the employee's contractive employment with the shire or relevant Council policies.

Personal Expense – Is defined as any expense not of a business nature.

2.9.3 Corporate Credit Card Purchasing

The Chief Executive Officer and Deputy Chief Executive Officer are only to use the corporate credit card for business expense purchasing of goods and services on behalf of the Shire of Northampton.

2.9.3.1 Cash withdrawals are strictly prohibited.

2.9.3.2 The corporate credit card credit limit will be set by Council and reviewed at least once a year at the time all policies and procedures are reviewed. The current limit on the Shire of Northampton corporate credit card is \$10,000 with \$5,000 allocated to the Chief Executive Officer and \$5,000 allocated to the Deputy Chief Executive Officer.

2.9.3.3 Personal expenditure on the Shire of Northampton's corporate credit card is strictly prohibited.

2.9.3.4 All purchases by the Shire of Northampton corporate credit card must be accompanied by an appropriate tax invoice/receipt to ensure the shire is able to claim all input tax credits in accordance with the requirements with the Australian Taxation Office.

2.9.3.5 In the event individual invoices/receipts are not available then the corporate credit card statement of expenditure is to be utilised to claim income tax credits under the condition that this statement complies with the Australian Taxation Office requirements.

2.9.4 Reporting Requirements

2.9.4.1 The Shire of Northampton corporate credit card statement of expenditure is to be endorsed by the Chief Executive Officer and/or Deputy Chief Executive Officer as all expenditure items listed on the statement being authorised and undertaken by them.

2.9.4.2 An expenditure report detailing credit card expenditure is to be included within the monthly financial reports presented to Council in the Agenda for the ordinary meetings of Council.

2.9.5 General Conditions

2.9.5.1 The Chief Executive Officer and Deputy Chief Executive Officer must surrender the Shire of Northampton credit card upon termination of his/her services within the Shire of Northampton or when resolved to do so by Council.

2.9.5.2 All Corporate credit card incentives (e.g. fly buys) are not to be acquired or accumulated by the Chief Executive Officer and Deputy Chief Executive Officer for their personal use or gain.

Any such credit card incentives associated with the Shire of Northampton corporate credit are to be utilised for the benefit of the Shire of Northampton's business expense operations only.

2.9.5.3 All expired Shire of Northampton corporate credit cards are to be destroyed by the Chief Executive Officer and Deputy Chief Executive Officer upon receipt of a new or replacement card.

2.9.5.4 Any breach of this policy is to be reported to Council for information and action if deemed necessary.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 7.4.5

- 1. That Council authorises the allocation of a \$10,000 credit card limit for the Chief Executive Officer and the Deputy Chief Executive Officer.**
- 2. That Council authorises the amendment of the “Corporate Credit Card Use Policy” and changes section 2.9.3.2 as follows: “The current limit on the Shire of Northampton credit cards is \$20,000 with \$10,000 allocated to the Chief Executive Officers credit card and \$10,000 allocated to the Deputy Chief Executive Officer.”**

ADMINISTRATION & CORPORATE REPORT

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7.5.1	MURCHISON RIVER FORESHORE (KALBARRI) – DOG & HORSE EXERCISE AREAS								
	<table> <tr> <td>FILE REFERENCE:</td><td>5.3.2</td></tr> <tr> <td>DATE OF REPORT:</td><td>16 December 2022</td></tr> <tr> <td>REPORTING OFFICER:</td><td>Maurice Battilana, Acting CEO</td></tr> <tr> <td>APPENDICES:</td><td> 1. Public Consultation Period Advert & Plans 2. Submissions Received 3. Local Government Property Local Law, 2017 4 . Revised/Recommended Foreshore Plan </td></tr> </table>	FILE REFERENCE:	5.3.2	DATE OF REPORT:	16 December 2022	REPORTING OFFICER:	Maurice Battilana, Acting CEO	APPENDICES:	1. Public Consultation Period Advert & Plans 2. Submissions Received 3. Local Government Property Local Law, 2017 4 . Revised/Recommended Foreshore Plan
FILE REFERENCE:	5.3.2								
DATE OF REPORT:	16 December 2022								
REPORTING OFFICER:	Maurice Battilana, Acting CEO								
APPENDICES:	1. Public Consultation Period Advert & Plans 2. Submissions Received 3. Local Government Property Local Law, 2017 4 . Revised/Recommended Foreshore Plan								

SUMMARY:

As a result of reported conflicts between dog and horse owners exercising these animals on the Murchison River Foreshore in Kalbarri a trial period was put in place to determine if designated areas separating and controlling these animals would be a solution.

Determination is now required on establishing these designated areas and conditions of use.

BACKGROUND/COMMENT:

There was some confusion with the closure date being either the 9th or 16th December so the submissions included in this Report (as attachments) are those received at 9 December 2022. If any additional submissions are received after this date they will be presented as a late/separate attachment.

I have made comments on some of the matters raised in the submissions below. All submissions have been scanned and provided in full as attachments.

Objection Submissions – ACEO Comments
The Dog Exercise area (off lead) has only been reduced marginally in area and will now not have horses in the same area so this should be an improvement. Dog can still be walked on the area designated for horses, yet are to be on a lead, which has always been the case.
Comment stating “..long term residents are going to be instructed to change their practices...” is refuted. The Dog Exercise area (off lead) has only been reduced marginally in area and will now not have horses in the same area so this should be an improvement. Dog can still be walked on the area designated for horses, yet are to be on a lead, which has always been the case.
The comment “..Owners exercising horses must not allow their activity to impinge upon the comfort and safety of others..” is valid and is the basis of trying to reach

an arrangement where this is the case.
Concerns raised could be solved by horses on town side of river foreshore only being permitted to walk and swim in this area.
Degradation of vegetation could be monitored and permits withdrawn if the horses using an area result in this becoming an issue. I would have thought vehicles on the foreshore would threaten the vegetation/environment more than horses
The comment "...no thought has been given to everyone else.." is refuted as the trial period and request for comment and feedback is actually giving thought to the whole community.
Strong concerns about how the horses will adversely affect the pelican feeding which occurs (or the birds start to arrive) during the morning (same time as horses being allowed up to 8am).
Strong comments on the horses staying up river (opposite the Ranch) for training/exercising.
Supportive Submissions – ACEO's Comments
Clear Signage with Plan Boards located along the foreshore should remove any confusion.
Examples provided where horses co-exist at other beached (Pages Beach Geraldton was an example given)
The comments of horses on beach being a tourist attraction may be correct, yet probably not galloping and training. Walking and swimming may be considered a safer activity.

Some of the concern being expressed (verbally and written) is the horses galloping along the designated river foreshore amongst people and through the pelican feeding area. This could be a genuine concern as it may put the general public at risk. The submissions received refer to moving the horse exercise area to the river foreshore on the other side of the river and not where it has been designated to ensure the safety of the public and to not disturb the pelican feeding area. Perhaps the condition could be horses on the town side of the river can only be walked or swam (i.e. no trotting, catering or galloping permitted in this area). Horses could be allowed to use the opposite side of the river foreshore for trotting, catering or galloping exercises. I have spoken to the horse trainer and they appear comfortable with this amended arrangement.

Plans provided during the public consultation period of the proposed exercise areas are shown at **Attachment 1** (dog area marked in yellow and horse area marked in red).

An alternative plan which restricts the horse use on the town side river foreshore and unrestricted use on the opposite side of the river is provided as **Attachment 4** for Council consideration.

There are areas within the river foreshore of Kalbarri where dogs and horses were mixing without control or conditions, creating some conflicts. It is proposed to introduce controlled areas of use along the river foreshore under Part 4 of the Shire's "*Local Government Property Local Law, 2017*" to reduce/remove conflicts and to accommodate all users of this section of the river foreshore.

Restrictions currently exist where dogs are permitted to be exercised off-leash and are permitted on-leash. Persons in charge of a dog or a horse in a public area are required to continually look out for, and comply with, all existing signs and notices relating to the control of animals and be conscious of other foreshore users.

The conditions during the trial period and included in the Public Advertisement were as follows:

Horse Exercise Area

1. Horses are permitted in this area up until 8-00am.
2. Horses are not permitted in this area during school holidays, public holidays and weekends associated with public holidays.
3. Dogs in this area must be on-leash at all times.
4. Horse owner/rider, or the person in control of the horse, is to clear up all horse litter.
5. Whilst exercising of horses is permitted in this area, this is not an exclusive use of the area.

Dog Exercise Area

1. Horses are prohibited in this area.
2. Dogs are permitted to exercise off-leash in this area.
3. There remains a legal obligation for dogs off-leash to be controlled by the dog owner at all times.
4. Dog owner, or the person in control of the dog, is to clear up all dog litter.
5. Whilst exercising dogs is permitted in this area, this is not the exclusive use of the area.

The Officer Recommendation differs from the trial period area use conditions for horses to:

- Restricted use on town side river foreshore; and
- Unrestricted use on opposite side river foreshore

An **Alternative Officer Recommendation** is also provided below:

“Council prohibit horses from the town side river foreshore in accordance with the Shire’s Local Government Property Local Law, 2017 other than for them to be waded across to the foreshore on the opposite side of the river.”

FINANCIAL & BUDGET IMPLICATIONS:

There may be some minor costs associated with signage and bollards to delineate the specific dog & horse exercise areas. This expenditure can be covered within the current budget.

STATUTORY IMPLICATIONS:

Shire of Northampton “*Local Government Property Local Law, 2017*”

Part 4 of the Shire’s Local Law covers “*Behaviour on and Interference with Local Government Property*”. This sections refers to animals (which includes dogs and horses). This Part also gives the Shire the ability to erect signs on the property specifying any conditions of use(s), which apply to that property.

Council may introduce a permit system for horses using the river foreshore under Part 3 of the Local Law. This could be a mechanism to control the number of horses on the foreshore at any one time and stipulate conditions for such use. A licence could also stipulate undisputed termination of the permit to use the area at the discretion of the Shire, an annual permit fee, etc.,

A permit system would not be relevant or necessary for dogs using the area as this would be covered under the “*Dog Act, 1976*” and the Shire’s “*Dog Local Law 2017*”.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATIONS – ITEM 7.5.1

Council introduce the following in accordance with the Shire’s *Local Government Property Local Law, 2017*:

1. **Designated dog and horse use areas on the Murchison River Foreshore in Kalbarri as provided at Attachment 4.**

2. **Set the following conditions for the use of these areas:**

Horse Exercise Areas

- a) **Restricted use permitted in Zone "A" Horse Area (walking and swimming only).**
- b) **Unrestricted use permitted in Zone "B" Horse Area.**
- c) **Horses are not permitted in Zone "A" Horse Area during school holidays, public holidays and weekends associated with the public holiday.**
- d) **Dogs in Zones "A" Horse Area must be on-leash at all times.**
- e) **Horse owner/rider or the person in control of the horse is to clear up all horse litter in both Zones.**
- f) **Whilst exercising of horses is permitted in these areas, this is not to be considered an exclusive use of the area.**

Dog Exercise Area

- a) **Horses are prohibited in this area.**
- b) **Dogs are permitted to exercise off-leash in this area only.**
- c) **Dog owner, or the person in control of the dog, is to clear up all dog litter.**
- d) **Whilst exercising dogs is permitted in this area, this is not to be considered an exclusive use of the area**

3. **The designated areas and conditions can be amended, adjusted or removed by Council at its discretion at any time and without dispute.**
4. **Horse owners will be required to apply annually to the Shire for a permit to use the designated Zone "A" Horse Area with an annual fee being introduced, commencing 1 July 2023 for the permit. This fee will be considered as part of the 2023/2024 Budget Adoption process.**

The Shire will establish permit conditions for horses using the designated area(s), which can be amended by Council at its discretion at any time and without dispute. Permit holders will be notified of all amendments as they are introduced.

If required, the Chief Executive Officer is to seek legal advice on the compilation of the Permit and associated conditions.

5. **The Chief Executive Officer may use the prescribed offences stipulated under the Shire's *Local Government Property Local Law, 2017* at his/her discretion for any non-compliance.**



INVITATION TO COMMENT

HORSE AND DOG EXERCISE AREAS - KALBARRI

There are areas within the foreshore areas of Kalbarri where dogs and horses are prohibited, where they are permitted, where dogs are permitted to be exercised off-leash and where dogs are permitted on-leash. Persons in charge of a dog or a horse in a public area should look out for and comply with all signs and notices relating to the control of dogs and horses and be conscious for other foreshore users.

Plans of the proposed exercise areas are shown (dog area marked in yellow and horse area marked in red). You are invited to provide comment on the proposed areas and associated provisions, as outlined in this notice.

Copy of this notice and plans are available at the Kalbarri office or electronically from the Shire of Northampton and all comments are to be forwarded to the Chief Executive Officer, either by post, PO Box 61 Northampton, or by email ceo@northampton.wa.gov.au and are to be received by 30th November 2022.



Horse Exercise Area

Horses are permitted in the area between 6-00am and 8-00am.

Horses are not permitted in this area during school holidays.

Dogs in this area must be on-leash at all times.

Horse owners/riders are to clear up all horse litter

Whilst exercising of horses is permitted in this area, this is not the exclusive use of the beach



Dog Exercise Area

Horses are prohibited in this area.

Dogs are permitted to exercise off-leash in this area.

There remains a legal obligation for dogs off-leash to be controlled by the dog owner at all times.

Whilst exercising of dogs is permitted in this area, this is not the exclusive use of the beach.



OBJECT

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

**INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE**

Name: ANDREW BROOKMAN

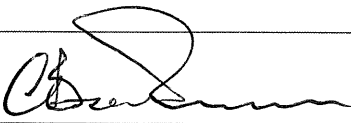
Postal Address: PO Box 480 KALBARRI

Phone Number: 0433775185 Email: ANDREW.BROOKMAN@gmail.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

please see attached

Signature:  Date: 13/11/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

16 NOV 2022

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

NORTHAMPTON SHIRE COUNCIL				
File:				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Submissions Close: 4:00pm Friday 9th December 2022

The small area which is proposed for dog exercise is the same area which is allocated to four-wheel drives, it is already cut up and is soft to walk on, horses in this area would not impact anymore than vehicles have.

The area that has been proposed for horses is pristine, I and many others have been walking our dogs here for many years collecting glass bottle tops and plastic along the way to help maintain this beautiful Riverbank.

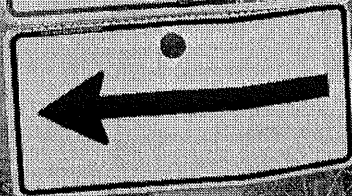
My dog is now 11 years of age and has never been outside Kalbarri having never seen a horse before, he was very anxious and upset, and proceeded to chase the horses causing a dangerous situation. We had not seen or heard the horses galloping on the soft sand behind us and took us by surprise as normally you would not be overtaken so wouldn't be aware.

The sign from the car park close to the IGA states dog exercise area whereas the foreshore grassed area sign states dogs must be on leash as has always been the rule. On the riverbank You always have a Clear view ahead of you so you always know when other dogs are approaching at which time you can put your dog back on the leash.

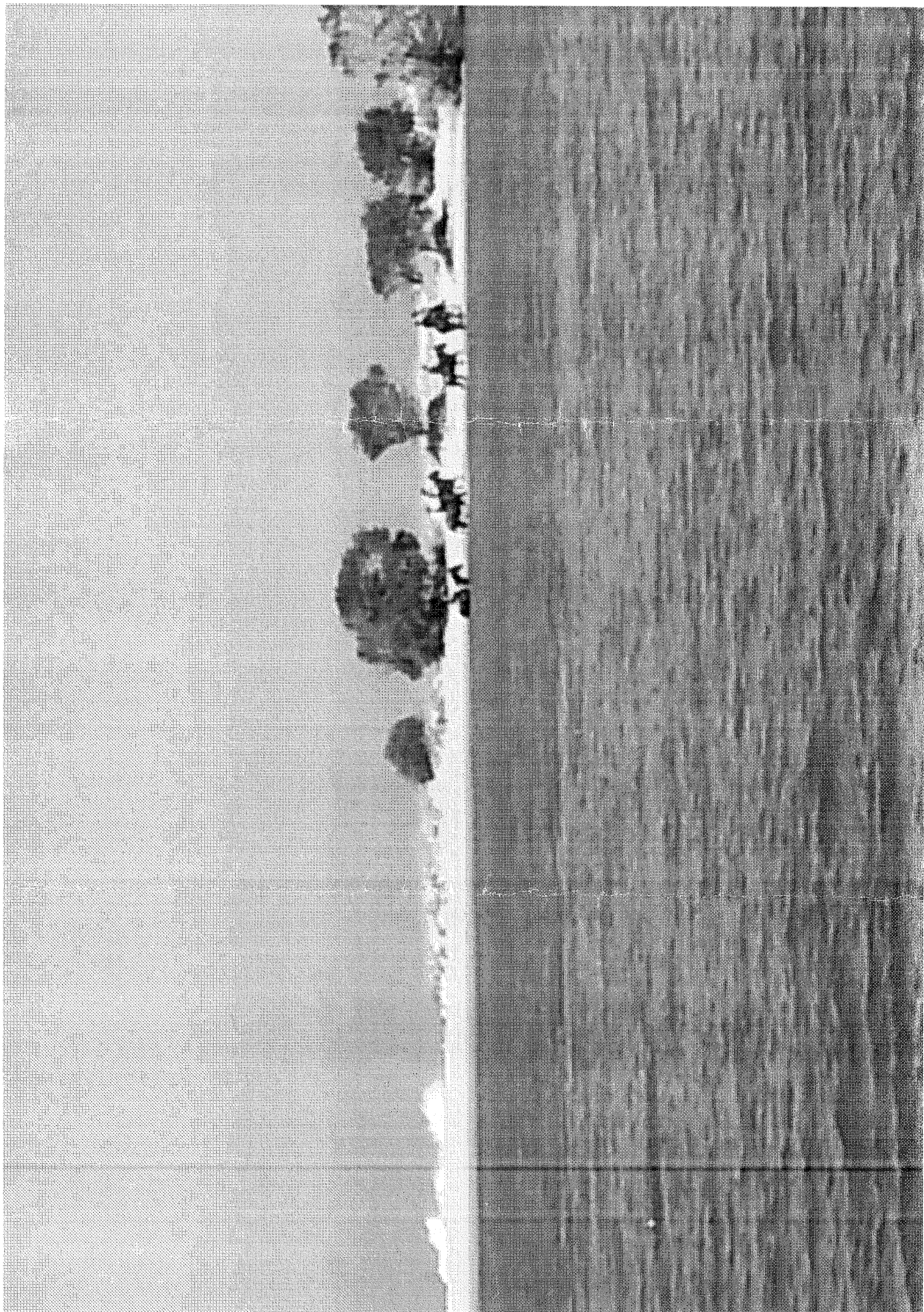
This is the only place he can run, the 4WD area is too soft and rutted.

The horses have been in the main area only three times to date, the first time leaving behind droppings which broke down over time but still not a good look for our visitors. As a dog owner I am very aware of my duty in picking up after my dog.

May I suggest as the horse range has done for many years cross over the river in the shallows and Gallop for miles without impacting on anyone. Horses are nice to see and safe from a distance, dogs and Horses don't always mix.









SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: THEO STEWART
Postal Address: PO Box 253
Phone Number: 0817742016 Email: kalbarri@stewart.p.baygon!-c

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I DON'T THINK IT'S
A GOOD IDEA, THAT IS OUR DOGS WALKING
AREA. IT WILL HELP WITH REASON, HORSE SI
PROPER RESUME, IF THEY WANT TO DO THAT
GO ACROSS THE RIVER
THIS IS A BAD IDEA.

Signature: L. STEWART Date: 26/11/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Kalbarri
SHIRE OF NORTHAMPTON
RECEIVED
25/11/2022
Date SF

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: KEITH MOORE

Postal Address: 10 RALPH STREET (PO BOX 626)

Phone Number: 0459 30 1551 Email: moore-less@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

SEE ATTACHED

Phoned

Signature: [Signature] Date: 25/11/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Ref: 10.6.1.3 / 10.6.8 / R25307 – Planning Department, Northampton Shire Council

We refer to the proposed Council ruling in relation to canine access to the river front beach area in Kalbarri.

We are long-term permanent residents (10 years) in Kalbarri and prior to that, long-term part time residents. During this whole period, we have always owned a dog and utilised the river front beach area for walking and exercising of our pets.

Our dogs have always been well behaved, clean, appropriately vaccinated, social and fun loving. Generally, they have mixed well with other dogs and their owners. We have also made a point of utilising the Council provided “doggy poo bags” and appropriate disposal of the same. We would add that, in our lengthy experience, any conflict between dogs that may have occurred on the beach, has always been quickly nipped in the bud by their owners by isolating and controlling the animals. This issue has always been, in the main, of a minor nature.

Now, after all this time, a few horses have joined the mix on the popular foreshore and it would appear that all of the many long-term regulars are going to be being instructed to change their own practices to accommodate them. It would seem from the proposal that dogs cannot run free along the majority of the foreshore, but are to be restrained on a lead whilst the horses are able to gallop along the beach/water’s edge (and “yes” this equine practice has been observed).

There is at present a large contingent of dog owners/walkers who utilise the foreshore in an appropriate and enjoyable manner. The proposal that they be relegated to the area south of the land backed wharf (and the proposed horse exercise area (with leads on)) is not acceptable. The area proposed also forms part of the area with allocated access for 4 wheel drive vehicles! This is not a good mix.

If there is a perceived conflict between horses and dogs on the foreshore, then the horses should be isolated in a safer area away from the main foreshore. In reality and especially in public areas, horses (magnificent as they are) are large and potentially dangerous creatures (even when controlled).

We have noted that during our years in Kalbarri, horses and their riders/trainers have usually utilised the beach on the northern side of the river. Why has this changed in recent times and/or why does it need to change now? Is this a case of one or two equine enthusiasts having delusions of grandeur?

We strongly object to and do not support this proposal.

Keith & Barbara Moore

Maurice Battilana

From: Linda Davis <lindadavis993@gmail.com>
Sent: 30 November, 2022 7:00 PM
To: Maurice Battilana

The invasion of the reserve by a commercial horse trainer will cause issues for

- 1 Public safety: this is dangerous as the beach is narrow , fast moving and highly strung horses and recreational users could lead to people being injured. Will they have to pay a Public Liability Insurance in case an injury occurs
- 2 While this area has been set aside as areas for the exercising of horses, this is not the exclusive use of the beach. Owners exercising horses must not allow their activity to impinge upon the comfort and safety of others and must remain in control of their horse at all times will this be enforced to the owners of the horses. And how will it be monitored?
- 3 The clean up of horse feces is the owners responsibility so when will this happen? after the exercise session has happened or after the horse has finished doing its Poop !! as i am sure beach users would not want to walk into or around this.
- 4 Horse riding has always been done on the other side of the Murchison River in view of the public and yes it's lovely to see also safe and no interruption to the public, why now does it have to change ? Is there a reason for this?

Regards
Linda Davis
P.O Box 700
Kalbarri 6536
Mobile : 0448951371



SUBMISSION FORM

**INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE**

SUPPRESSED AT RESPONDENT'S REQUEST

Name: _____

Postal Address: _____

Phone Number: _____ Email: _____

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

PLEASE SEE ATTACHED.

Signature: _____

Date: *2nd December 2022*

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

The proposed exercise area for horses is the most utilised part of the beautiful Kalbarri Foreshore, both by residents and visitors alike.

The area is most used early in morning by walkers, swimmers, stand up board users, fishers and kyakers etc, especially in the warmer months before the wind comes up or it gets too hot.

For instance, there is a group of older ladies that swim religiously every morning, from the boat hire area to the recreational jetty. They utilise the beach to meet and converse before and after their morning exercise. A bit confronting to be met by horses in or out of the water.

I believe, as a community we have a duty of care to these ladies, families with small children and all users to ensure that they can enjoy the ambiance of this area, at any time, free from harm and/or fear.

The horses, although beautiful, are large and intimidating. No one should have to make a conscious decision, not to use this area at the best time of the day, especially when the horses can be exercised further up river or on the other side of the river, at any time away from the general public.

Maurice Battilana

From: Jacki Lawson <kalphysio@bigpond.com>
Sent: 5 December, 2022 9:38 AM
To: Maurice Battilana
Subject: Resubmission

Good Morning,

Just a quick email regarding the invitation to respond to the proposal to allow horses to exercise along the foreshore - I've read the proposal, the times, and the restrictions and I do not believe its in the best interests of the community as a whole. Personally I use that beach to walk my dog at various times throughout the day and I would be terrified If there were horses being trained along there. Im not adverse to the idea of a passageway that the horses are allowed to be lead down to the river for a swim, however im not sure if that would have a negative impact on the river (clarity of water, vegetation ect)

Kind Regards,

Jacki Lawson
Practice Manager



ABN 69093349729
7 Kaiber Street Kalbarri
T: (08) 99371111

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: DARREN BYRNE
Postal Address: 6A GRANADA COURT KALBARRI 6536
Phone Number: 0429420942 Email: darren.byrne@westnet.com.au

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I object to the horses having precedent on the Foreshore. Early in the morning my kids fish, tourists use the river for walking, there are boat owners who launch boats/canoes from the beach. The river foreshore is for everyone. the Pelicans also come early for feeding

Signature: [Signature] Date: 25/11/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: DEAN ROBINS
Postal Address: P/O Box 252 KALBARRI
Phone Number: 0437318441 Email: _____

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I DON'T THINK THAT
HORSES SHOULD BE ALLOWED ANYWHERE ALONG
THE FORESHORE, A LOT OF DOG INCLUDING OURS
ARE FRIGHTENED WHEN THEY COME ACROSS THE HORSES,
WE THEN HAVE TO TAKE OUR DOG UP TO THE WALK
PATH AWAY FROM THEM, THEY SHOULD JUST EXERCISE
THE HORSES BEHIND THE RANCH, CROSS THE RIVER ON THE NTH SIDE

Signature: [Signature] Date: 2/12/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Date

2/12/22

SHIRE OF NORTHAMPTON
RECEIVED

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department

SHIRE OF NORTHAMPTON
RECEIVED

9 DEC 2022



Date

SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Anthony

Postal Address: P.O. Box 412 Kalbarri

Phone Number: 0428635864 Email: ant-fish-wa@yahoo.com.au

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Keep the horses of the main beach, townside.
The horses are transported into town, so they can
be unloaded up river past the marina. They
can run upriver, then across the river as they
now do. They then can run on opposite side of
the river without ~~causing~~ causing any objections

Signature: [Signature] Date: 30-11-22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

<p align="center">INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE</p>
--

Name: PAUL JOHNSON
 Postal Address: PO BOX 232 KALBARRI
 Phone Number: 0405112377 Email: _____

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Everyone uses the river foreshore between 6 to 8am before it gets too hot. This is not an area for horses & should be preserved for future generations. Who pays when someone is hurt by them they will destroy the vegetation on the riverbank by galloping there when the tide is in. What about the Pelicans

Signature: [Signature] Date: 3/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
 Shire of Northampton
 PO Box 61
 NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Kia-rose McKrill

Postal Address: P.O. Box 342

Phone Number: 0421236540 Email: KiaRoseMcKriill@gmail.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I believe having horses frequent this area of the beach will destroy the pristine water & sand. It will also heavily impact the Volunteer Pelican feeding that takes place daily. As such the community will lose donations that the Pelican feeders acquire.

Signature: KR McKrill Date: 1.12.2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

NORTHAMPTON SHIRE COUNCIL				
Date: 6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: MARTIN MULLEN

Postal Address: Box 382 KALBARRI WA 6536

Phone Number: 0458 205564 Email: martinmullen1951@gmail.com

SUBMISSION:

☐

Support



Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Why are the horses been given access to the river foreshore when they already have access from the horse ranch + have done so for over 30 years. Everyone else using the foreshore will have to give way to galloping horses. Who will be liable when someone, especially kids, gets hurt. THIS IS FOR HER OWN COMMERCIAL BUSINESS + WILL NOT BENEFIT THE TOWN IN ANY WAY. Allowing horses to train in this area is utter madness + no thought has been given to everyone else.

Signature: [Signature]

Date: 3.12.22

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

OBJECT

NORTHAMPTON SHIRE COUNCIL				
File				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: MARK THOMPSON

Postal Address: 10 GLIDDEN AVE

Phone Number: 0417552671 Email: mark@westnet.com.au

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

THIS IS NOT A GOOD
IDEA. OUR FORESHORE SHOULD REMAIN FOR
THE USE OF LOCAL PEOPLE, TOURISTS AND WILDLIFE
WITHOUT BEING ENDANGERED BY LARGE ANIMALS
IE HORSES OR CATTLE. NOT TO MENTION OUR ICONIC
PEHECANS WHICH WILL BE IN DANGER. BY
THIS ACTIVITY, NO GO ZONE CARS GOVDS
AND HORSES.

Signature: [Signature] Date: 4/12/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Kalbarri
SHIRE OF NORTHAMPTON
RECEIVED

1/12/22

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: FRANCIS GRATHAM

Postal Address: PO BOX 115 KALBARRI

Phone Number: 0418 922 911 Email: fg@wn.com.au

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I originally signed one of the petitions
in favour of this. Having thought it
through, I have changed my mind!

(see attached)

Signature: [Signature] Date: 1/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

I understand the horses have been given permission to exercise on the beach until 8am.

- There are people fishing and dog walking at that time as well. No room for both, particularly if the horses are galloping.
- The pelicans often start arriving on that beach before 8am. Dogs keep them away – horses will really spook them! The pelican feeding is a popular tourist attraction and I do not think we should stymie that for the sake of one person exercising her horses.
- Galloping horses churn up the sand. We have enough trouble with the four-wheel drive vehicles on the beach in front of IGA – have a look at the sand there – rutted and very soft.

I think this person should be asked to swim her horses across the river – the same as the Horse Ranch people do. There is a wonderful sandy beach across there and very few PEOPLE, HORSES or PELICANS.



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: BONITA MORGAN

Postal Address: PO BOX 314, KALBARRI

Phone Number: 0417966625 Email: bonitamorgan@m.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

THIS NEEDS TO BE
ADVERTISED FOR
CONCERN

LOCALS ARE NOT
AWARE OF THIS

Signature: B Morgan Date: 6/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

7/12/22 KS
Date

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: MARTIN & SAVORIA SILVER

Postal Address: 132 GREY ST KALBARRI

Phone Number: 0411495096 Email: silcomholdings@hotmail.com

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

WE DO NOT BELIEVE THAT HORSES
SHOULD BE EXERCISED ON THIS PART OF
THE BEACH. THERE IS PLENTY OF ROOM
ON THE OTHER SIDE OF RIVER.

~~HORSES~~, DOGS, WALKERS, CHILDREN
& THE ELDERLY DO NOT MIX WITH
HORSES.

Signature: _____

Date: 1/12/22

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

KEEP THE BEACH AS IS.

SHIRE OF NORTHAMPTON
RECEIVED

6/12/2022

K9

Date

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: TERRY LEVETT

Postal Address: 4 CALLION AVENUE KALBARRI

Phone Number: 0401157675 Email: N/A

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

COMMON SENSE SAYS NO HORSES TO BE ON THE
DESIGNATED RIVER FRONT FROM 6AM TO 8AM.

Signature: T. Levett

Date: 26/11/2022

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

SHIRE OF NORTHAMPTON

RECEIVED

6/12/2022

Date

KG

Ref: 10.6.1.3/10.6.8/R25307

Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: MARIE LEVETT

Postal Address: P.O. BOX 730 KALBARRI

Phone Number: 0435085665 Email: marielevett1@msn.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

WE LOVE TO SEE THE HORSES ON THE
OTHER SIDE OF THE RIVER
THEY HAVE NOT BEEN ALLOWED ON THIS SIDE
TO MANY DOGS + TOURISTS PLEASE KEEP IT
THAT WAY.

Signature: [Signature] Date: 29-11-22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

6/12/2022

K5

Date

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

**INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE**

Name: MARIL WELLS
Postal Address: P.O. BOX 194 KALBARRI 6536
Phone Number: 0414 431795 Email: marilwells@icloud.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

It seems that the most prominent stretch
of river foreshore may be used for private
gain. Surely there is another area that
is less important and still appropriate for
horse use.

Signature: M. Wells Date: 6/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

ceo@northampton.wa.gov.au

SHIRE OF NORTHAMPTON

RECEIVED

6/12/2022

Date

K5

Ref: 10.6.1.3/10.6.8/R25307

Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name:

Jenny Traill

Postal Address:

P.O. Box 194 Kalbarri WA 6536.

Phone Number:

0439987969

Email:

jennytraill@icloud.com

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

This is the most popular area for children to play and families to spend relaxing on the river front in Kalbarri, there are so many other open areas for horses to be exercised. Lets keep this area for the families.

Signature:

JM Traill

Date:

6-12-22.

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

ceo@northampton.wa.gov.au

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Range

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: MAX MACINTYRE
 Postal Address: P.O. 505 KALBARRI P.O.
 Phone Number: BOX 7 94372097 Email:
SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

the river foreshore should be
for everyone to enjoy - not horses. let them have
access the river as they already do. Locals + tourists love
the river beach. Don't change it. What if someone
hurt by galloping horses. Who Pays!!

Signature: [Signature] Date: 5-12-22

Please return to: Acting Chief Executive Officer, Maurice Battilana
 Shire of Northampton
 PO Box 61
 NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

ceo@northampton.wa.gov.au

NORTHAMPTON SHIRE COUNCIL				
File:				
6 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Range

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: CHRIS BARRETT
Postal Address: SITE 89, KALBARRI TUDOR HOLIDAY PARK
Phone Number: 0828647565 Email: n.cbarrett@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I UNDERSTOOD HORSES ALWAYS EXERCISED NORTH OF THE MARANA OR OVER ON THE WEST SIDE ACROSS THE RIVER, I HAVE ALWAYS WALKED MY DOG LEAD OFF FROM THE PELICAN FEEDING UP TO THE BEACH ACCESS. WE NEED EASY ACCESS OFF LEAD PLACES!!
REASON:- THE REASON BEING THAT MOST TIMES AFTER VEHICLES HAVE BEEN ON THE FORESHORE & HIGH TIDE YOU CAN'T WALK ALONG HERE AS IT IS TOO BOGGY!!

Signature: [Signature] Date: 7th DEC 2022.

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

WE CAN'T WALK OUR DOGS EVERYDAY ALONG THIS
AREA AS IT BECOMES VERY BOGGY AFTER CARS HAVE
HERE AND THE TIDES HAVE BEEN HIGH. !!! THANKYOU.
Dog Exercise Area

Horses are prohibited in this area.

Dogs are permitted to exercise off-leash in this area.

There remains a legal obligation for dogs off-leash to be controlled by the dog owner at all times.

Whilst exercising of dogs is permitted in this area, this is not the exclusive use of the beach.



NORTHAMPTON SHIRE COUNCIL				
File:				
16 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: JOHN M^CCARTHY

Postal Address: BOX 414 KALBARRI 6536

Phone Number: _____ Email: _____

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

THIS IS AN INTERNATIONAL RESORT
NO PLACE FOR HORSES TO BE THAT CLOSE
WHEN YOU HAVE ALL THIS LAND AROUND

Signature: [Signature] Date: 2-12-2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Reg

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: L. ANNE PAGE-SHARP

Postal Address: Box 136 P.O.

Phone Number: 0447 887 836 Email: anne.pagessharp@hotmail.com

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

4 CAN THE EXERCISE AREA FOR HORSES BE
ON THE OTHER SIDE OF THE RIVER? I CAN
SEE HOW IT WOULD WORK IN THE AREA
SHOWN DURING A BUSY HOLIDAY PERIOD
WITH PEOPLE FISHING ALONG THAT AREA

Signature: AP Sharp

Date: 6/12/22

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: STAN & BARB SUTHERLAND

Postal Address: P.O. BOX 126, KALBARRI, WA 6536

Phone Number: 0417559363 Email: bags.01@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

WE THINK THERE IS AMPLE ROOM AVAILABLE
DOWN THE RIVER AND ALSO ON THE OTHER
SIDE OF THE RIVER WHERE THERE IS
BARELY PEOPLE WALKING THEIR DOGS.
EVERYONE NEED TO BE ABLE TO USE THIS
STRETCH OF THE RIVER AT ANY TIME!

Signature: [Signature] Date: 5/12/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

ceo@northampton.wa.gov.au

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Chelsee Dawe

Postal Address: P.O Box 519, KALBARRI 6536

Phone Number: 0400611040 Email: chelseadawe@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐
Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I object to the proposed horse exercise area. Jackie Henderson is a very aggressive person. I live on Ranch Court and have the horse trail ride past my back fence twice a day. Jackie has reported us to the police saying that we deliberately make loud noises when the horses go past this is untrue we make a normal amount of noise on our property. There is plenty of sandy beach area opposite castle rock where they already ride.

Signature: c/leawe Date: 27-11-22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

NORTHAMPTON SHIRE COUNCIL				
File:				
Submissions Close: 4:00pm Friday 16 December 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: PETER PERKINS

Postal Address: 12 STARFIRE CLOSE

Phone Number: 0472595449 Email: kalbarripoolso@gmail.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I do not want to lose $\frac{1}{2}$ dog beach
for 2 horses. It is unfair and not
good for the environment. Horses
stir up the black mud and destroy
the seagrass. They also interfere
with fishing. She can take her
horses \rightarrow North

Signature: P Perkins Date: 8/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Tracy Perkins
Postal Address: PO Box 237, Kalbarri, 6536
Phone Number: 0408800785 Email: tracylumo@hotmail.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I object to the proposed horse and dog exercise area.
A major concern is environmental issues with horses
damaging the delicate ecosystem in this area.
The horses disrupt the fragile seagrass and
stir up the mud in the river shallows. Their
manure is introducing weeds such as lupin into this
delicate environment and primary dune system.
(continued next page)

Signature: [Signature] Date: 8/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Kalbarri
SHIRE OF NORTHAMPTON
RECEIVED

8/12/2022
Date SE

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Kellie Law

Postal Address: PO Box 8 KALBARRI

Phone Number: 0409670907 Email: kellie.law@yahoo.com.au

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

See attached.

Signature: [Signature]

Date: 5.12.22

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Proposed Horse and Dog Exercise Area

My reasons as to why I have objected to the Shared dog and horse exercise area.

1. The space is not big enough to train a racehorse, walk dogs and just attend the beach. It's a very narrow stretch of beach, this will cause issues and at some point, injuries – who is going to be responsible for this, The Shire of Northampton?
2. If its not allowed in holidays, why would it be allowed at other times, Kalbarri is busy most of the year now, we do not have off times like we used to have.
3. Horse droppings - when will these be picked up? Will they sit on the beach for the full 2 hours the horse is allowed to train on the beach, or will they be picked up immediately, like dog droppings?
4. I'm not entirely sure why this has been changed from where they have exercised for many years – across the river? This is a much better place to train a racehorse.

Kalbarri
SHIRE OF NORTHAMPTON
RECEIVED
8/12/2022
Date SF

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Natasha Browne

Postal Address: PO Box 314 Kalbarri WA 6536

Phone Number: 0439371304 Email: contash@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I feel its not necessary as the horses have access
to the other side of the river.

Who is going to be responsible for picking up the
poos. I have been down the river after they have
been there and it hasn't been picked up.

Signature: N Browne Date: 1/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

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Submissions Close: 4:00pm Friday 9th December 2022

Kalbarri
SHIRE OF NORTHAMPTON
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8/12/2022
Date SF

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: SHEREE HOWE

Postal Address: PO BOX 148 KALBARRI

Phone Number: 0438975036 Email: shereehowe@outlook.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Don't think it necessary for horses
to be on town beach as its a
potential danger to others and also
destructive to foreshore. Not to
mention faecal matter left behind

Signature: [Signature] Date: 8-12-22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

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Submissions Close: 4:00pm Friday 9th December 2022

Kalbarri
SHIRE OF NORTHAMPTON
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8/12/2022
Date SF

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Brendan Diggins
Postal Address: PO Box 8 KALBARRI
Phone Number: 0828858619 Email: _____

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Please keep horse exercise area where
it has always been, across the
river.

They are still visible if its for advertising
purposes.

I believe this is the safest area.

Signature: [Signature] Date: 5.12.22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

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SHIRE OF NORTHAMPTON
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8/12/2022
Date SF

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Michelle DeBoick
Postal Address: PO BOX 205 KALBARRI
Phone Number: 0437286488 Email: _____

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I am concerned by the possible damage it may cause to our beautiful foreshore area. There is a big difference between a dog and a horse. Would they just be walked or fully exercised as a large horse galloping at speed is frightening and would scare some people and their dogs. Also are they going to pick up the horse shit like dog owners have to?

Signature: M DeBoick Date: 6/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

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Submissions Close: 4:00pm Friday 9th December 2022

Kalbarri
SHIRE OF NORTHAMPTON
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8/12/2022
Date SF

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: CRESTA VIEWARIS
Postal Address: PO Box 523
Phone Number: 0417178767 Email: crestaleev@yahoo.com.au
SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

THIS IS A DANGEROUS PROPOSAL MIXING HORSES
ON OUR BEACH WITH COMMUNITY MEMBERS
ESPECIALLY CHILDREN. THE ADVENTURE PLAYGROUND
IS LOCATED JUST OFF THE BEACH IN THE
SAME AREA. ~~THE~~ IF THIS GOES AHEAD IT WILL
RUIN OUR FORESHORE.

Signature:  Date: 8/12/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

ceo@northampton.wa.gov.au



SUBMISSION FORM

**INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE**

Name: BRIAN P. NUTSFORD

Postal Address: P.O. Box 642 KALBARRI W.A. 6536

Phone Number: 0437846858

Email: ollie47@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I strongly object to the proposal of allowing horses to exercise in the newly designated area. For over 50 years this area has been naturally frequented by Pelicans coming to the daily "feeding" provided as a tourist attraction for Kalbarri. The introduction of an alien species such as proposed would have an adverse affect on this activity and add to the already poorly maintained existing regulations. The addition of horses would also damage the foreshore, churning up the surface destroying the natural habitat of marine life.

Signature: *B. P. Nutsford* Date: 08/12/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Maurice Battilana

From: Jude Phyland <judmart@live.com.au>
Sent: 8 December, 2022 11:51 AM
To: Maurice Battilana
Subject: Horses

To whom it may concern,

I have walked our river with my dog for many years early in the mornings.

I would find the horses would interfere with me and many regular users, not to mention the stir up of the sand.

Regards, Judy



SUBMISSION FORM

**INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE**

Name: GLENN BANGAY
Postal Address: PO Box 707 KALBARRI WA 6536
Phone Number: 0407 056 707
Email: G.BANGAY@NODE1.COM.AU

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

- KALBARRI IS A TOURIST TOWN AND DOES NOT NEED HORSES ON THE TOWN SIDE FORESHORE, LET THE HORSES USE THE FORESHORE ON THE OTHER SIDE OF THE RIVER.
- MANY ELDERLY RESIDENTS USE THE FORESHORE TO SWIM AND OR EXERCISE IN THE MORNINGS AND WOULD NOT BE COMFORTABLE WITH HORSES EXERCISING (GALLUPING) ALONG THE FORESHORE.
- THIS PROPOSAL WOULD BENEFIT VERY FEW AND DISADVANTAGE MANY RESIDENTS AND VISITORS (TOURISTS)

Signature:  Date: 8TH DECEMBER 2022.

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

Maurice Battilana

From: PETER PERKINS <kalbarripools@gmail.com>
Sent: 6 December, 2022 4:00 PM
To: Maurice Battilana
Subject: Loss of half of dog beach

Dear Shire, I object to the loss of half of our dog beach that i have been using for over 40 years because of 2 horses. If the horses cant coexist with the dogs then they should not use the beach. To ban the dogs is unfair. The horses stir up the black mud on the bottom and kill the fragile sea grass that is fighting to take a hold. I also enjoy whiting fishing along that section and do not want horses disturbing my line and fish. I for one will not be changing my habbits because of 2 race horses.

To a clear clean and healthy river ,yours respectfully
Peter Perkins, ratepayer

Maurice Battilana

From: martin mullen <jumar1951@gmail.com>
Sent: 6 December, 2022 1:35 PM
To: Maurice Battilana
Subject: Horse and Dog Exercise Areas - Kalbarri Foreshore

Acting Chief Executive Officer

I STRONGLY OBJECT

I am a resident of Kalbarri and have lived here for over 16 years. I am utterly amazed that a proposal is being considered to allow horses on the town side of the river.

I am a volunteer Pelican feeder which is free to tourists and holiday makers all year round. All the donations that we raise from them are fed back into the community to support the local projects. We are not talking about hundreds of dollars but our funds raised run into the thousands. The Pelicans congregate on the foreshore from early in the morning waiting to be fed at 8.45am, a tourist attraction that has been operating for close to 50 years, every day of the year. By allowing horses to gallop along the foreshore at any time in the morning will only upset the Pelicans and they may cease to come to the feeding. This is a great tourist attraction to people from all over the world and would be a tremendous loss to Kalbarri.

The Pelicans only come to this area for the feeding, the horses have plenty of other choices.

I believe that for over 30 years the horses that are corralled at the horse ranch are taken down to the river by well worn tracks where they have access to sand and water alike. Why is it now extended to the foreshore on the town side where everyone enjoys the river especially around 6am to 8am to avoid the heat of the day.

Not to mention the environmental impact to the growth on the sand dunes. At high tide the horses would have to gallop on the dunes and the damage would be severe to the grasses growing here.

No other consideration has to be given to everyone else using the foreshore in the morning other than the horses and dogs which is not the issue here. Galloping horses and everyone else do not mix. Who is liable if anyone is hurt by the horses. Are children expected to keep away from them. Surely not. Kalbarri is a very popular holiday town and we thrive and survive on tourism. Families have been holidaying here for years because of the safe environment of the beaches and town. Let's not put them at risk.

The way the river is being used currently by everyone works very well. Why do we need to jeopardise everyone else for the sake of a few horses. Why don't they use the other side of the river where they will not disrupt everyone else. I believe the horses are currently corralled out by the horse ranch so why transport them into town when they can be exercised from there. I have spoken to other horse owners in town and they cannot understand why the foreshore will be made available to horses when the established tracks from the horse ranch are an ideal training track for race horses.

The horse trainer wanting this part of the river has a commercial interest which is of benefit to her. Is it not the duty of the Councillors to act in the best interests of the entire community? This does not seem to be the case.

Jude Anderson
Box 382 Kalbarri WA 6536
Mobile 0409 107 278



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: STAN & BARB SUTHERLAND
Postal Address: P.O. BOX 126, KALBARRI, WA 6536
Phone Number: 0417559363 Email: bags.01@bigpond.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

WE THINK THERE IS AMPLE ROOM AVAILABLE
DOWN THE RIVER AND ALSO ON THE OTHER
SIDE OF THE RIVER WHERE THERE IS
BARELY PEOPLE WALKING THEIR DOGS.
EVERYONE NEED TO BE ABLE TO USE THIS
STRETCH OF THE RIVER AT ANY TIME!

Signature: [Signature] Date: 5/12/2022

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

ceo@northampton.wa.gov.au

Kalbarri
SHIRE OF NORTHAMPTON
RECEIVED
9.12.2022
Date SF.

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Mark Hancock

Postal Address: PO Box 740 Kalbarri

Phone Number: 0473551323 Email: markdenish@hotmail.com

SUBMISSION: ☐ Support ☒ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

children & adults, dogs, horses and pelicans are all put at
risk by this ridiculous proposal. When the
inevitable 'accident' occurs who will be held
responsible? Clearly the shire would be sued for
allowing/supporting this proposal.

Signature: M. Hancock Date: 7/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

SUPPORT

NORTHAMPTON SHIRE COUNCIL				
File:				
29 NOV 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Peter mawer
 Postal Address: P O Box 93. Northampton 6535
 Phone Number: 0427 613 262 Email: petermawer55@bigpond.com
 SUBMISSION: ☒ Support ☐ Object ☐
 Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets).

As a race horse owner
 myself, I understand the importance of taking horses to the beach. I own several race horses that are trained regularly at the beaches in Geraldton, where there are no issues sharing the beach with horses, dogs and other beach users. I see no issues with horses being able to use the beach at Kalbarri also.

Signature: [Signature] Date: 29/11/22
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
 Shire of Northampton
 PO Box 61, NORTHAMPTON WA 6535

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Submissions Close: 4:00pm Friday 16 December 2022

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Raylene Hindle
Postal Address: 32 Porter Street Kalbarri
Phone Number: 0424969409 Email: raylenehindle@hotmail.com
SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I support the horses being on the
beach at stated times, I feel there is no
harm in this as only the horses benefit
from the exercise and salt water. It
is a beautiful sight to see in the morning
Our clients at Kalbarri edge have enjoyed
watching the horses at different times in the
morning

Signature: R B Hindle Date: 30.11.2022
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

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Submissions Close: 4:00pm Friday 16 December 2022

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department**SUBMISSION FORM**INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRIName: Malcolm MacKenzie
Postal Address: 38 BORDER DRIVE Deepdale.
Phone Number: 0827855199 Email: _____SUBMISSION:
Indifferent☒ Support☐ Object☐

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Horses access beaches all over Australia without drama or any incidents.
If the beach is well signed and the public are aware, there would be less compassion. I've lived in the area all my life and horses have always been allowed on the beach.

Signature: [Signature] Date: 1/12/2022
ceo@northampton.wa.gov.auPlease return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535**NOTE:** The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Amanda Josephs
Postal Address: 99 Falls Rd Falls Creek NSW.
Phone Number: 0428 785 145 Email: amanda.josephs@gmail.com

SUBMISSION:



Support



Object



Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I'm a horse owner and ride all the
time on the beach where I live
It was great to see them working out
while I was visiting Mum

Signature:

A Josephs

Date:

30-11-22

ceo@northampton.wa.gov.au

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

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Submissions Close: 4:00pm Friday 16 December 2022

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Christine Josephs
Postal Address: 47 Glass St Kalbarri
Phone Number: 0413 744 737 Email: christinejosephs@ymail.com

SUBMISSION:



Support



Object



Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

they should be allowed to
ride their horses on the
beach dogs are allowed all the
way from supermarket to Jacques
excluding chinaman & blue holes in saying
that I have seen dogs at blue holes
the horses are asking for a very small area

Signature: [Signature] Date: 30-11-22

ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

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Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Glenn Ackwell
Postal Address: 18/47 Glass st. Kalbarri 2530
Phone Number: 0428132975 Email: acky56@hotmail.com

SUBMISSION:



Support



Object



Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

It would give pleasure for older & younger
strolling on the ~~shore~~ shore line or
even in the water. I feel there are
a few unhappy people around that don't
like seeing people enjoying themselves with
their animals or just enjoying themselves
in general.

Signature:

Glenn Ackwell
ceo@northampton.wa.gov.au

Date:

30/11/22

Please return to:

Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Peter Martin
Postal Address: 1 RANCH COURT : KALBARRI
Phone Number: 0947 649 613 Email: hugbocker01@gmail.com
SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Much better too see beautiful animals such as horses that have been along side humans since time began as companions, sources and basis of burden, on the beach rather than cars and people destroying the habitat and leaving their rubbish behind.

" People that complain about this sort of thing need to find something a little more meaningful to focus their attention on."

Signature: Peter Martin Date: 01-12-22

ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
07 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Kalbarri Town Talk

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Wendy Gilbert
Postal Address: PO Box 580
Phone Number: 0417 660558 Email: _____

SUBMISSION: ☒ Support ☐ Object ☐
Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: W Gilbert Date: 2/12/22

ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

November 2022 20

NORTHAMPTON SHIRE COUNCIL				
File:				
07 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Barry Chen
 Postal Address: Po Box 477
 Phone Number: 0432012111 Email: 1stbarry@gmail.com

SUBMISSION:



Support



Object



Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: Maurice Battilana Date: 02/12/22
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
 Shire of Northampton
 PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
0 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Kalbarri Town Talk

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Jean Chale

Postal Address: 2 Malver Crescent

Phone Number: _____ Email: _____

SUBMISSION: ☒ Support ☐ Object ☐
Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: Jean Chale Date: 12 12 22

Please return to: ceo@northampton.wa.gov.au
Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

November 2022 20

NORTHAMPTON SHIRE COUNCIL				
File:				
0 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Kalbarri Town Talk

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: DAVE BROWN
Postal Address: ANCROMA C/PARK
Phone Number: 0417526302 Email: _____

SUBMISSION:
Indifferent

☒ Support

☐ Object



Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: [Signature] Date: 6/12/22
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
07 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Maryanne Stilling
Postal Address: Po Box 41
Phone Number: 0420235952 Email: _____

SUBMISSION:
Indifferent

☒ Support

☐ Object



Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: M. Stilling Date: 1/12/2022
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
0 DEC 2022				
Admin	Eng	Hlth Bldg	Tow Plan	Range

Kalbarri Town Talk

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Lyn Campbell
Postal Address: PO Box 255
Phone Number: _____ Email: _____

SUBMISSION:
Indifferent

☒ Support

☐ Object

☐

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: Date: 30.11.22
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
07 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Range

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Linda Day
Postal Address: PO Box 698 Kalbarri
Phone Number: 0400 550 392 Email: _____

SUBMISSION:
Indifferent



Support



Object



Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: *Linda Day* Date: 30/11/22

ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
07 DEC. 2022				
Admin	Eng	Hlth Bldg	Town Plan	Range

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department

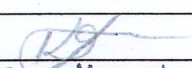


SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: KYLIE JOHANSON
 Postal Address: 1 RUBY TEE KALBARRI
 Phone Number: 0428861689 Email: Kylie-Johanson1990@gmail.com
 SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature:  Date: 30/11/22
ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
 Shire of Northampton
 PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
07 DEC 2022				
Admin	Eng	Hlth Bldg	Town Plan	Rang

Ref: 10.6.1.3/10.6.8/R25307
Attention: Planning Department



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI

Name: Toni TRINKA
Postal Address: PO BOX 627 KALBARRI
Phone Number: 0448464567 Email: tonitbsn@westnet.com.au

SUBMISSION:



Support



Object



Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Signature: *Toni Trinka* Date: 30.11.22.

ceo@northampton.wa.gov.au

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61, NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 16 December 2022



SUBMISSION FORM

INVITATION TO COMMENT
PROPOSED HORSE AND DOG EXERCISE AREAS - KALBARRI FORESHORE

Name: Lucie Gatti
Postal Address: P.O Box 163 Kalbarri W.A 6536
Phone Number: 0497796811 Email: Lucieshayed@gmail.com

SUBMISSION: ☒ Support ☐ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

There are plenty of places to take dogs
to the beach. 6AM-8AM for horses still
doesn't feel very fair I feel it should be
longer eg: 5AM-8AM. Or horse allowed
specific days anytime eg Tuesday all
day. All animals deserve access to the
water.

Signature: Lucie Gatti Date: 5/12/22

Please return to: Acting Chief Executive Officer, Maurice Battilana
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 4:00pm Friday 9th December 2022

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

SHIRE OF NORTHAMPTON
LOCAL GOVERNMENT PROPERTY LOCAL LAW 2017

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SCHEDULE 1 - PRESCRIBED OFFENCES

Local Government Act 1995

**SHIRE OF NORTHAMPTON
LOCAL GOVERNMENT PROPERTY LOCAL LAW 2017**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Northampton resolved on 16 June 2017 to make the following local law.

PART 1 -PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Northampton Local Government Property Local Law 2017*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Definitions

In this local law unless the context otherwise requires—

Act means the *Local Government Act 1995*;

applicant means a person who applies for a permit under clause 3.2;

assistance animal means an animal who is being used as an assistance animal as defined in the *Disability Discrimination Act 1992* (Commonwealth);

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

bait means food, or some substance, used as a lure in fishing;

berth means –

- (a) to lie alongside the jetties; or
- (b) to be connected or tied to a vessel lying alongside the jetties;

boat means any ship, vessel or structure capable of being used in navigation by water, however propelled or moved, and includes a jet ski;

building means any building which is local government property and includes a –

- (a) hall or room;
- (b) corridor, stairway or annexe of any hall or room; and
- (c) jetty;

CEO means the Chief Executive Officer of the local government;

children's playground means an area set aside for use by children and noted by the presence of dedicated children's playground equipment and the presence of either sand or other form of soft fall surface;

commencement day means the day on which this local law comes into operation;

Council means the council of the local government;

date of publication means, where local public notice is required to be given of a matter under this local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district;

determination means a determination made under clause 2.1;

district means the district of the local government;

fish has the meaning given to it by section 4 of the *Fish Resources Management Act 1994*;

fishing has the meaning given to it by section 4 of the *Fish Resources Management Act 1994*;

function means an event or activity characterised by all or any of the following –

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;
- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place;

liquor has the same meaning as is given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Northampton;

local government property means anything except a thoroughfare –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

local public notice has the same meaning as given in section 1.7 of the *Local Government Act 1995*;

Manager means the person for the time being employed by the local government to control and manage a facility which is local government property and includes the person's assistant or deputy;

Mooring means something to which a vessel may be moored or fastened and includes an anchor, stake, ringbolts, fastenings, or mooring pile;

Mooring line means any line, rope, cable, chain or similar device used or capable of being used to fasten or secure a vessel to a mooring;

mooring pile means any pile used or capable of being used to secure a vessel;

owner means the person who is the lawful owner or the person entitled to possession of any vessel or vehicle;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

person does not include the local government;

prohibited drug is given its meaning under section 4 of the *Misuse of Drugs Act 1981*;

Regulations mean the *Local Government (Functions and General) Regulations 1996*;

Schedule means a schedule in this local law;

sign includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

trading means the selling or hiring, or the offering for sale or hire of goods or services, and includes displaying goods for the purpose of –

- (a) offering them for sale or hire;
- (b) inviting offers for their sale or hire;
- (c) soliciting orders for them; or
- (d) carrying out any other transaction in relation to them;

vehicle includes –

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven;

but excludes –

- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath;
- (d) a pram, a stroller, shopping trolley or a similar device; and
- (e) a boat;

vessel means any kind of vessel, whether licensed or unlicensed, used or being capable of being used in navigation by water, however being propelled or moved, and without limiting the generality of the foregoing, includes-

- (a) a barge, lighter, floating restaurant, dinghy, commercial vessel, tender vessel or other floating structure;
- (b) a jet-ski; and
- (c) an air-cushion vehicle, or other similar craft, used wholly or primarily in navigation by water,

but does not include structures used only for the purpose of walkways or storage; and

written law has the same meaning given to it by section 5 of the *Interpretation Act 1984* and includes this local law.

1.4 Interpretation

In this local law unless the context otherwise requires a reference to local government property includes a reference to any part of that local government property.

1.5 Application

- (1) This local law applies throughout the district.
- (2) Notwithstanding anything to the contrary in this local law, the local government may -
 - (a) hire local government property to any person; or

- (b) enter into an agreement with any person regarding the use of any local government property.

1.6 Repeal

- (1) This local law repeals the *Shire of Northampton Local Government Property Local Law* as published in the *Government Gazette* on 23 June 2000.
- (2) Where a policy was made or adopted by the local government under or in relation to a local law repealed by this local law, then the policy is to be taken to no longer have any effect on and from the commencement day.
- (3) The Council may resolve that notwithstanding subclause (2), specified policies continue, or are to be taken to have continued, to have effect on and from the commencement day.

1.7 Application as to assistance animals

This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992 (Commonwealth)* section 9(2).

PART 2 - DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY

Division 1 - Determinations

2.1 Determinations as to use of local government property

The local government may make a determination in accordance with clause 2.2—

- (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
- (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
- (c) as to the matters in clauses 2.7(2) and 2.8(2); and
- (d) as to any matter ancillary or necessary to give effect to a determination.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to –

- (a) consider those submissions; and
- (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

2.3 Discretion to erect sign

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person shall comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

Division 2 - Activities which may be pursued or prohibited under a determination

2.7 Activities which may be pursued on specified local government property

- (1) A determination may provide that specified local government property is set aside as an area on which a person may—
 - (a) bring, ride or drive an animal;
 - (b) take, ride or drive a vehicle, or a particular class of vehicle;
 - (c) fly or use a motorised model aircraft;
 - (d) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;

- (e) launch, beach or leave a boat;
 - (f) take or use a boat, or a particular class of boat;
 - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
 - (h) play or practice –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (i) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device; and
 - (j) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
- (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
 - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
 - (e) may specify that the activity can be pursued by a class of persons or all persons; and
 - (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

(1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property—

- (a) smoking on premises;
- (b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
- (c) taking, riding or driving a vehicle or a particular class of vehicle on the property;
- (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
- (e) taking or using a boat, or a particular class of boat;
- (f) the playing or practice of -
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;

- (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
 - (h) the traversing of sand dunes or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
- (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.
- (3) In this clause—

premises means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

Division 3 - Transitional

2.9 Signs taken to be determinations

- (1) Where a sign erected on local government property has been erected under a local law of the local government repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

PART 3 - PERMITS

Division 1 - Preliminary

3.1 Application of Part

This Part does not apply to a person who uses or occupies local government property under a written agreement with the local government to do so.

Division 2 - Applying for a permit

3.2 Application for permit

- (1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law shall -
 - (a) be in the form determined by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and

- (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may require an applicant to give local public notice of the application for a permit.
- (5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

3.3 Decision on application for permit

- (1) The local government may—
 - (a) approve an application for a permit unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application for a permit, it is to issue to the applicant, a permit in the form determined by the local government.
- (3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.

Division 3 - Conditions

3.4 Conditions which may be imposed on a permit

- (1) Without limiting the generality of clause 3.3(1)(a), the local government may approve an application for a permit subject to conditions relating to -
 - (a) the payment of a fee;
 - (b) compliance with a standard or a policy of the local government adopted by the local government;
 - (c) the duration and commencement of the permit;
 - (d) the commencement of the permit being contingent on the happening of an event;
 - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
 - (f) the approval of another application for a permit which may be required by the local government under any written law;
 - (g) the area of the district to which the permit applies;
 - (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage; and
 - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by the local government.
- (2) Without limiting clause 3.3(1)(a) and subclause (1), the following paragraphs indicate the type and content of the conditions on which a permit to hire local government property may be issued –
 - (a) when fees and charges are to be paid;
 - (b) payment of a bond against possible damage or cleaning expenses or both;

- (c) restrictions on the erection of material or external decorations;
- (d) rules about the use of furniture, plant and effects;
- (e) limitations on the number of persons who may attend any function in or on local government property;
- (f) the duration of the hire;
- (g) the right of the local government to cancel a booking during the course of an annual or seasonal booking, if the local government sees fit;
- (h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Control Act 1988*;
- (i) whether or not the hire is for the exclusive use of the local government property;
- (j) the obtaining of a policy of insurance in the names of both the local government and the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer; and
- (k) the provision of an indemnity from the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer.

3.5 Imposing conditions under a policy

- (1) In this clause—

policy means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 3.3(1)(a).

- (2) Under clause 3.3(1)(a) the local government may approve an application subject to conditions by reference to a policy.
- (3) The local government shall give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 3.3(2).
- (4) An application for a permit shall be deemed not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy shall be deemed to be information within section 5.94(u)(i) of the Act.

3.6 Compliance with and variation of conditions

- (1) Where an application for a permit has been approved subject to conditions, the permit holder shall comply with each of those conditions.
- (2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

Division 4 - General

3.7 Duration of permit

A permit is valid for one year from the date on which it is issued, unless it is—

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 3.11.

3.8 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.
- (2) The provisions of this Part shall apply to an application for the renewal of a permit as though it were an application for a permit.

3.9 Transfer of permit

- (1) An application for the transfer of a valid permit is to—
 - (a) be made in writing;
 - (b) be signed by the permit holder and the proposed transferee of the permit;
 - (c) provide such information as the local government may require to enable the application to be determined; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by the CEO.
- (4) Where the local government approves the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

3.10 Production of permit

A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

3.11 Cancellation of permit

- (1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a –
 - (a) condition of the permit; or
 - (b) determination or a provision of any written law which may relate to the activity regulated by the permit.
- (2) On the cancellation of a permit the permit holder –
 - (a) shall return the permit as soon as practicable to the CEO; and
 - (b) is to be taken to have forfeited any fees paid in respect of the permit.

Division 5 - When a permit is required

3.12 Activities needing a permit

- (1) A person shall not without a permit—
 - (a) subject to subclause (3), hire local government property;
 - (b) advertise anything by any means on local government property;
 - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on local government property;

- (d) teach, coach or train, for profit, any person in a indoor recreation facility which is local government property;
 - (e) plant any plant or sow any seeds on local government property;
 - (f) carry on any trading on local government property unless the trading is conducted -
 - (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit; or
 - (ii) by a person who has a licence or permit to carry on trading on local government property under any written law;
 - (g) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose -
 - (i) drive or ride or take any vehicle on to local government property; or
 - (ii) park or stop any vehicle on local government property;
 - (h) conduct a function on local government property;
 - (i) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
 - (j) light a fire on local government property except in a facility provided for that purpose;
 - (k) parachute, hang glide, abseil or base jump from or on to local government property;
 - (l) erect a building or a refuelling site on local government property;
 - (m) make any excavation on or erect or remove any fence on local government property;
 - (n) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
 - (o) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property; or
 - (p) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly.
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.
 - (3) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.13 Permit required to camp outside a facility

- (1) In this clause—

facility has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

- (2) This clause does not apply to a facility operated by the local government.
- (3) A person shall not without a permit -
 - (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property; or

- (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.
- (4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

3.14 Permit required for possession and consumption of liquor

- (1) A person, on local government property, shall not consume any liquor or have in her or his possession or under her or his control any liquor, unless –
 - (a) that is permitted under the *Liquor Control Act 1988*; and
 - (b) a permit has been obtained for that purpose.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

Division 6 - Responsibilities of permit holder

3.15 Responsibilities of permit holder

A holder of a permit shall in respect of local government property to which the permit relates -

- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) leave the local government property in a clean and tidy condition after its use;
- (c) report any damage or defacement of the local government property to the local government; and
- (d) take all reasonable action to prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the *Liquor Control Act 1988* for that purpose.

PART 4 - BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY

Division 1 - Behaviour on and interference with local government property

4.1 Behaviour which interferes with others

A person shall not in or on any local government property behave in a manner which—

- (a) is likely to interfere with the enjoyment of a person who might use the property; or
- (b) interferes with the enjoyment of a person using the property.

4.2 Behaviour detrimental to property

- (1) A person shall not behave in or on local government property in a way which is or might be detrimental to the property.
- (2) In subclause (1) –

detrimental to the property includes –

- (a) removing any thing from the local government property such as a rock, a plant or a seat provided for the use of any person; and
- (b) destroying, defacing or damaging any thing on the local government property, such as a plant, or a seat provided for the use of any person or a building.

4.3 Taking or injuring any fauna

(1) A person shall not take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property, unless that person is authorised under a written law to do so.

(2) In this clause –

animal means any living thing that is not a human being or plant; and

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

- (a) any class of animal or individual member;
- (b) the eggs or larvae; or
- (c) the carcass, skin, plumage or fur.

4.4 Intoxicated persons not to enter local government property

A person shall not enter or remain on local government property while under the influence of liquor or a prohibited drug.

4.5 No prohibited drugs

A person shall not take a prohibited drug on to, or consume or use a prohibited drug on, local government property.

Division 2 - Signs

4.6 Signs

- (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

PART 5 – MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY

Division 1 - Beaches

5.1 Powers of surf lifesaving club members

- (1) Subject to subclause (2), the local government may authorise under section 9.10 of the Act the members of a surf lifesaving club to perform all or any of the following functions in relation to a beach –
 - (a) patrol any beach;
 - (b) carry out any activity on any beach;
 - (c) erect signs designating bathing areas and signs regulating, prohibiting or restricting specified activities on the whole or any part of a beach or in or on the water adjacent to the beach and to direct persons on the beach or in or on the water to comply with such signs;
 - (d) temporarily enclose any area with rope, hessian, wire or any other means for the conduct of surf lifesaving club activities; and

- (e) direct persons to leave the water adjacent to a beach during dangerous conditions or if a shark is suspected of being in the vicinity of a beach.
- (2) Under subclause (1), the local government shall authorise only those members who have been recommended by the surf lifesaving club as competent to perform the functions referred to in that subclause in respect of which they are authorised.
- (3) Under subclause (1), the local government may authorise members generally, or in relation to particular times, days or months.

5.2 Authorising other persons

- (1) A local government may authorise, under section 9.10 of the Act, a person to perform all or any of the functions referred to in clause 5.1(1) in relation to a beach.
- (2) Under subclause (1), the local government shall authorise only those persons who, in the reasonable opinion of the local government, are competent to perform the functions referred to in clause 5.1(1) in respect of which they are authorised.
- (3) Under subclause (1), the local government may authorise a person generally, or in relation to particular times, days or months.
- (4) Where the local government has authorised members of a surf lifesaving club under clause 5.1(1) and a person under subclause (1) in relation to the same beach, so that they can perform all or any of the functions referred to in clause 5.1(1) contemporaneously, the local government is to specify which authorisation is rendered ineffective when both are exercised.

5.3 Persons to comply with signs and directions

A person shall—

- (a) not act in contravention of any sign erected on a beach under clause 5.1(1)(c);
- (b) not enter an area which has been temporarily closed with rope, hessian, wire or any other means for the conduct of surf lifesaving club activities, unless he or she is a member of the club or has obtained permission to enter from the club; and
- (c) comply with any direction given under clause 5.1(1)(c) or 5.1(1)(e),

notwithstanding that the sign or the direction was erected or given, as the case may be, by a person referred to in clause 5.4(1).

Division 2 - Fenced or closed property

5.4 No entry to fenced or closed local government property

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the local government.

Division 3 - Toilet blocks and change rooms

5.5 Only specified gender to use entry of toilet block or change room

- (1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by—
 - (a) females, then a person of the male gender shall not use that entry of the toilet block or change room; or
 - (b) males, then a person of the female gender shall not use that entry of the toilet block or change room.
- (2) Paragraphs (a) and (b) of subclause (1) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is —

- (a) under the age of 8 years; or
- (b) otherwise permitted by an authorised person to use the relevant entry.

PART 6 - FEES FOR ENTRY ON TO LOCAL GOVERNMENT PROPERTY

6.1 No unauthorised entry to function

- (1) A person shall not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except –
 - (a) through the proper entrance for that purpose; and
 - (b) on payment of the fee chargeable for admission at the time.
- (2) The local government may exempt a person from compliance with subclause (1)(b).

PART 7 - JETTIES AND BRIDGES

Division 1 - Preliminary

7.1 Interpretation

- (1) This Part only applies to bridges and jetties which are local government property.
- (2) In this Part –

jetty means—

- (a) any jetty, pier, wharf, quay, grid, slip, landing place, stage, platform (other than a platform that is a vessel for the purposes of the *Western Australian Marine Act 1982*) over any waters, and
- (b) any ramp or supporting structure for the launching, landing or retrieving of a vessel;

bulk cargo means bulk produce, such as grain, coal, oil or mineral ore, which is not packaged.

Division 2 - Consents and fees

7.2 Application for consent and application fee

- (1) Where a person is required to obtain the consent of the local government under this Part, the person is to apply for that consent in the manner required by the local government or an authorised person.
- (2) The local government or an authorised person, may require an application for consent made under subclause (1) to be accompanied by a fee.
- (3) If an application for consent is not made in the manner required by the local government or the fee which is to accompany that application is not paid, the local government or an authorised person, may refuse to consider the application for consent.
- (4) The local government or an authorised person, shall give its decision on an application for consent, in writing to the person who applied for that consent.
- (4) Where a fee is referred to in this Part, the fee must be imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

Division 3 – Prohibitions on use of jetty

7.3 Obstruction of jetties

- (1) A person shall not, without the written consent of the local government or an authorised person –

- (a) cause any obstruction on or under or near a jetty; or
 - (b) interfere with the free movement of a vessel approaching, leaving or passing a jetty.
- (2) A person shall not obstruct or hinder any local government employee, authorised person or contract or engaged by the local government, who is engaged in the repair, maintenance or construction of a jetty.

7.4 Animals

(1) A person shall not, without the written consent of the local government or an authorised person –

- (a) tether an animal to a jetty;
 - (b) take an animal onto a jetty; or
 - (c) permit an animal to enter or stray upon a jetty.
- (2) Subclause (1) does not apply to –
- (a) an assistance animal;
 - (b) bait; or
 - (c) fish taken from a jetty in accordance with this local law.

7.5 Local government may close a jetty or regulate activities

The local government may–

- (a) close or cause to be closed a jetty or anypart thereof;
- (b) exclude or cause to be excluded the public and all persons or so many of the public or so many persons as in the discretion of the local government or an authorised person shall be deemed necessary from a jetty or the local government property;
- (c) regulate, prohibit or restrict access to a jetty or the local government property or any part thereof;
- (d) regulate, prohibit or restrict:
 - (i) jumping or diving from a jetty; or
 - (ii) swimming in the water within the local government property within the vicinity of a jetty;
- (e) direct persons to leave a jetty or the local government property within the vicinity of a jetty or any part thereof, for purposes of-
 - (i) a function or public convenience at or on a jetty or in or on the water on local government property;
 - (ii) repair, maintenance or construction of a jetty;
 - (iii) public safety; or
 - (iv) other operational reasons.

7.6 When use of a jetty is prohibited

A person shall not land at, use or go on any part of a jetty which is -

- (a) under construction or repair; or
- (b) closed,

unless that person has first obtained the consent of the local government or an authorised person.

Division 4 - Mooring boats to jetties

7.7 Mooring of vessels

- (1) A person shall not moor to or berth a vessel at a jetty or moor or berth a vessel on local government property unless the mooring or berthing of the vessel is authorised or permitted by the local government or an authorised person either by way of a sign affixed by the local government to a jetty or by written consent of the local government or an authorised person.
- (2) Subclause (1) does not apply to -
 - (a) a person who needs to moor to or berth a vessel at a jetty or on local government property in an emergency;
 - (b) a vessel in distress such as that repairs are required and then only to effect the minimum repairs necessary to enable the vessel to be moved elsewhere;
 - (c) a person who uses a jetty under and in accordance with a written agreement with the local government; and
 - (d) a person who has been exempted from subclause (1) by the local government or an authorised person.
- (3) A person shall not -
 - (a) moor a vessel to a jetty or any part of a jetty except to such moorings or mooring piles as are provided; or
 - (b) permit a vessel to remain alongside a jetty unless the vessel is so moored or fastened.

Division 5 - Vehicles on jetties

7.8 Vehicles on jetties

- (1) A person shall not take on to or drive or ride a vehicle on a jetty or allow a vehicle to remain on a jetty without the written consent of the local government or an authorised person.
- (2) Subclause (1) does not apply when –
 - (a) the vehicle is driven by a local government employee, authorised person or contractor engaged by the local government who is engaged in providing a service, maintaining or making a delivery in connection with a jetty; or
 - (b) the person is driving an emergency vehicle in the course of his or her duties.
- (3) A person must not drive a vehicle or allow a vehicle to be driven on a jetty at a speed exceeding 10km per hour or in such a manner to cause danger to a person.

7.9 Local government may order removal of vessel or vehicle or attendance

Not with standing anything to the contrary in this local law, a person shall, upon being directed to do so by the local government or an authorised person, immediately remove–

- (a) a vessel moored to or berthed at a jetty or moored or berthed on local government property; or
- (b) a vehicle from a jetty.

Division 6 - Launching of boats

7.10 Restrictions on launching

A person shall not launch a boat from or over any jetty (other than a boat ramp) unless she or he has first obtained the consent of the local government or an authorised person.

Division 7 - Cargo or other goods

7.11 Loading and discharging

A person in control of a boat or vessel shall not allow the boat or vessel to come alongside or be moored or made fast to a jetty for the purpose of loading or discharging cargo or other goods-

- (a) until the cargo or other goods are ready to be loaded or discharged; or
- (b) without the consent of the local government or an authorised person –
 - (i) between the hours of 6.00pm to 6.00am on the next day; or
 - (ii) for longer than 2 consecutive hours.

7.12 Outgoing cargo not to be stored on jetty

A person in control of cargo or other goods intended for loading on to a boat or vessel shall -

- (a) not allow them to be stored or placed on a jetty unless and until the boat is moored or fastened to or alongside the jetty; and
- (b) load them on to the boat or vessel as soon as practicable after the boat is moored or fastened to or alongside the jetty.

7.13 Removal of incoming cargo from jetty

Any person unloading cargo or other goods from a boat on to a jetty shall remove them, or cause them to be removed from the jetty as soon as practicable, but not later than 6.00pm on the day on which they were placed there.

7.14 Handling of bulk cargo

Except with the prior consent of the local government or an authorised person, a person shall not place or deposit bulk cargo from a vehicle, boat, vessel or container on to a jetty.

7.15 Petroleum and explosives

A person shall not without the written consent of the local government -

- (a) store or handle or let off explosives on the jetties;
- (b) store petroleum on the jetties; or
- (c) discharge petroleum from the jetties.

Division 8 - Fishing from jetties and bridges

7.15 Limitations on fishing

- (1) In this clause—

attend has the meaning given to it by regulation 64B of the *Fish Resources Management Regulations 1995*.

- (2) A person fishing from a jetty or bridge using a fishing line or drop net must attend that line or net.
- (3) Subject to subclause (2), a person shall not –
 - (a) fish from a jetty or bridge so as to obstruct or interfere with the free movement of a vessel approaching, leaving or passing a jetty or bridge;
 - (b) fish from a jetty or bridge so as to cause a nuisance or danger to a person on or near a jetty or bridge;
 - (c) hang or spread a fishing net, other than a drop net, on, over, under or from a jetty or bridge;
 - (d) when fishing from a jetty or bridge, use more than 2 fishing lines or 4 drop nets at a time; or

- (e) fish from a jetty or bridge so as to interfere with scheduled vocational swimming classes.

Division 9 - General Provisions

7.17 General provisions

- (1) A person on local government property must obey any lawful direction of an authorised person and must not in any way obstruct or hinder an authorised person in the execution of their duties.
- (2) If the local government or an authorised person considers that a person has behaved in a manner contrary to this local law or where the local government or an authorised person reasonably suspects that a person has contravened a provision of any written local law, the local government or an authorised person may-
 - (a) refuse to allow that person to enter local government property or any part thereof; and
 - (b) if the person is on local government property, direct that person to leave the local government property or any part thereof.
- (3) A person who has been refused entry or who has been directed to leave under subclause (1) must immediately leave the local government property, or, if the direction applies to a part of the local government property, that part of the local government property quickly and peaceably.
- (4) If a person fails to comply with subclause (2), the local government or an authorised person may remove that person, or arrange for that person to be removed, from the land.
- (5) A person shall not charge admission or seek payment for entering or using the jetties without having first obtained the written consent of the local government or an authorised person.
- (6) A person shall not enter upon or use the jetties without first having paid –
 - (a) the fees and charges which may apply to such entry or use, as determined by the local government from time to time; or
 - (b) admission charged by a person who obtained written consent pursuant to subclause (2).

PART 8 - OBJECTIONS AND APPEALS

8.1 Application of Division 1, Part 9 of the Act

When the local government makes a decision as to whether it will -

- (a) grant a person a permit or consent under this local law; or
- (b) renew, vary, or cancel a permit or consent that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulations 32A and 33 of the Regulations apply to that decision.

PART 9 - MISCELLANEOUS

9.1 Authorised person to be obeyed

A person on local government property shall obey any lawful direction of an authorised person and shall not in any way obstruct or hinder an authorised person in the execution of her or his duties.

9.2 Persons may be directed to leave local government property

An authorised person may direct a person to leave local government property where she or he reasonably suspects that the person has contravened a provision of any written law.

9.3 Disposal of lost property

An article left on any local government property, and not claimed within a period of 3 months, may be disposed of by the local government in any manner it thinks fit.

9.4 Liability for damage to local government property

- (1) Where a person unlawfully damages local government property, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of—
 - (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that property.
- (2) On a failure to comply with a notice issued under subclause (1), the local government may recover the costs referred to in the notice as a debt due to it.

PART 10 - ENFORCEMENT

Division 1 - Notices given under this local law

10.1 Offence to fail to comply with notice

Whenever the local government gives a notice under this local law requiring a person to do any thing, if a person fails to comply with the notice, that person commits an offence.

10.2 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 10.1, the local government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing.

Division 2 - Offences and penalties

Subdivision 1 - General

10.3 Offences and general penalty

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

Subdivision 2 - Infringement notices and modified penalties

10.4 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
- (3) Before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that—
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straight forward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

10.5 Form of notices

- (1) For the purposes of this local law -
- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
 - (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
 - (a) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

Division 3 – Evidence in legal proceedings

10.6 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a certified copy of an extract from the register.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

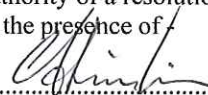
SCHEDULE 1

PRESCRIBED OFFENCES (Clause 10.4)

	CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
1	2.4	Failure to comply with determination	125
2	3.6	Failure to comply with conditions of permit	125
3	3.12(1)	Failure to obtain a permit	125
4	3.13(3)	Failure to obtain permit to camp outside a facility	125
5	3.14(1)	Failure to obtain permit for liquor	125
6	3.15	Failure of permit holder to comply with responsibilities	125
7	4.2(1)	Behaviour detrimental to property	125
8	4.4	Under influence of liquor or prohibited drug	125
9	4.6(2)	Failure to comply with sign on local government property	125
10	5.3	Failure to comply with sign or direction on beach	125
11	5.4	Unauthorised entry to fenced or closed local government property	125
12	5.5	Gender not specified using entry of toilet block or change room	125
13	6.1(1)	Unauthorised entry to function on local government property	125
14	7.3	Obstruction of jetties	125
15	7.7	Mooring of boats in unauthorised manner	125
16	7.10	Launching of boat from jetty without consent	125
17	7.11	Removing goods from jetty during other than permitted hours	125
18	7.12	Unlawful storing of goods on jetty	125
19	7.13	Removal of incoming cargo from jetty	125
20	7.15(3)	Fishing from jetty or bridge so as to obstruct a boat or another person	125
21	10.1	Failure to comply with notice	250

Dated 16.6 2017

The Common Seal of the
Shire of Northampton was affixed by
authority of a resolution of the Council
in the presence of



CRAIG SIMKIN
President



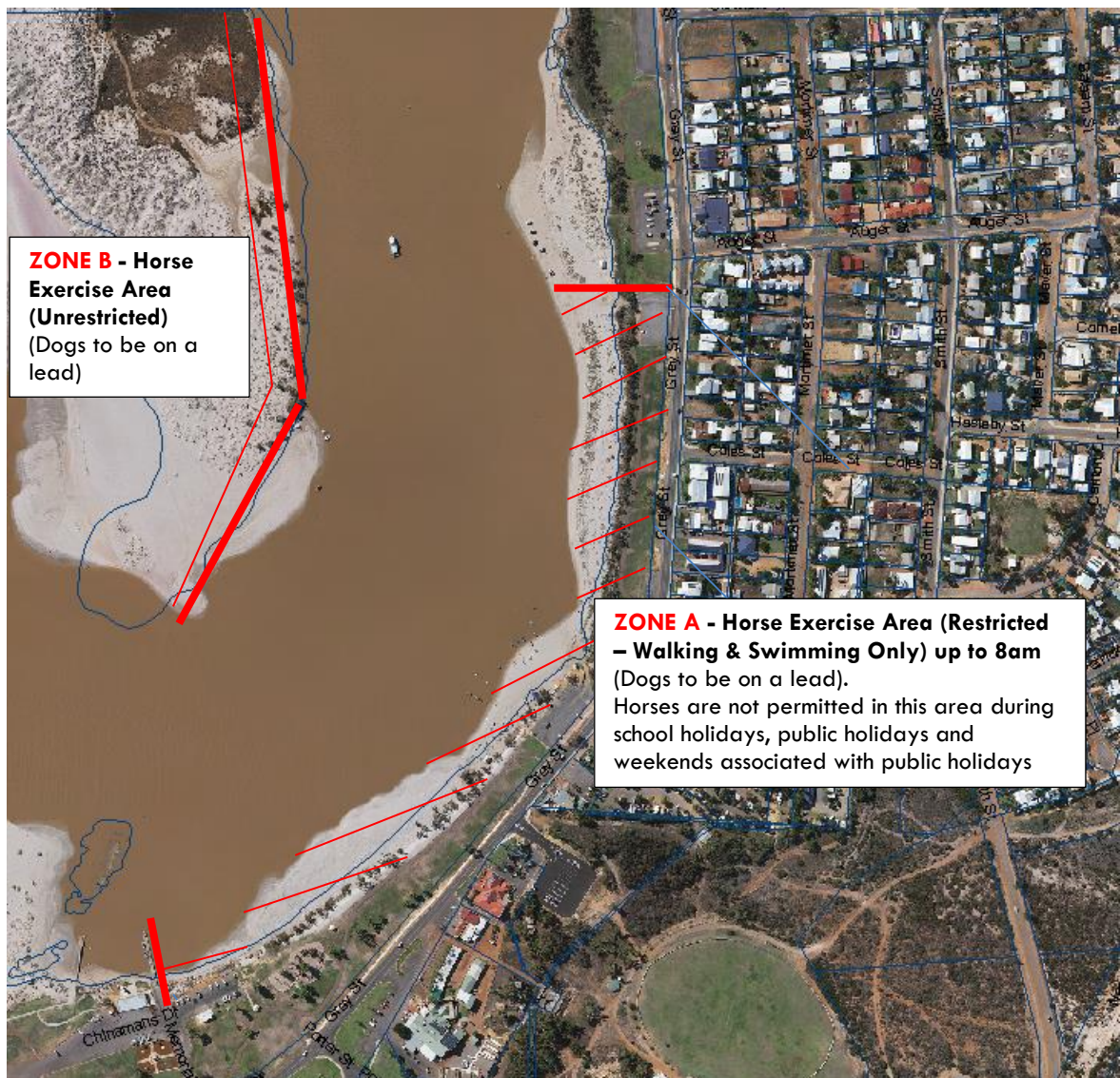


GARRY KEEFFE
Chief Executive Officer



DOG EXERCISE AREA





ZONE B - Horse Exercise Area (Unrestricted)
(Dogs to be on a lead)

ZONE A - Horse Exercise Area (Restricted – Walking & Swimming Only) up to 8am
(Dogs to be on a lead).
Horses are not permitted in this area during school holidays, public holidays and weekends associated with public holidays

7.5.2 2023 COUNCIL MEETING DATES

FILE REFERENCE:	4.1.1
DATE OF REPORT:	16 December 2022
REPORTING OFFICER:	Maurice Battilana, Acting CEO

SUMMARY:

Council to formally resolve/determine meeting dates for the 2023 calendar year to allow advertising of the dates and times.

BACKGROUND:

As per the provisions of Section 5.25(g) Regulation 12 of the Local Government Act 1995, Council must at least once each year give local public notice of the dates and the time and place at which ordinary Council meetings are to be held within the next 12 months. Currently all Council meetings are held on the third Friday of each month. Easter Friday in 2023 is the 7th April so the Easter period should not affect the April Council meeting which will be the 21st April.

The following dates would apply for Friday meetings in 2023:

No meeting January	July 21 st
February 17 th	August 18 th
March 17 th	September 15 th
April 21 st	October 20 th
May 19 th	November 17 th
June 16 th	December 15 th

Place of meetings are also to be advised within the notice and Council must decide venues for each meeting. It is recommended that the status quo remain.

STATUTORY IMPLICATIONS:

State: Local Government Act 1995 - Section 5.25(g) Regulation 12 of the Local Government Act 1995. Council must at least once each year give local public notice of the dates and the time and place at which ordinary Council meetings are to be held within the next 12 months.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 7.5.2**1. Council holds their ordinary meetings on the following dates for 2023:**

February 17th	August 18th
March 17th	September 15th
April 21st	October 20th
May 19th	November 17th
June 16th	December 15th
July 21st	

2. All meetings commence at 1.00pm.**3. The February, May, August and November meetings be held at the Allen Centre in Kalbarri with all other meetings to be held at the Northampton Council Chambers.**

7.5.3 WALGA - BEST PRACTICE GOVERNANCE REVIEW

FILE REFERENCE:	4.1.4
DATE OF REPORT:	16 December 2022
REPORTING OFFICER:	Maurice Battilana, Acting CEO
APPENDICES:	1 – WALGA Consultation Paper – Model Options

SUMMARY:

The Western Australian Local Government Association's (WALGA) Best Practice Governance Review Steering Committee has distributed a Consultation Paper to Member Local Governments seeking Council endorsed feedback by 23 December 2022.

- The Consultation Paper contains five governance models, including current arrangements.
- The Governance Review represents an opportunity to review WALGA's governance model to ensure the organisation continues to deliver value to members through development of clear policy positions, positive advocacy outcomes, relevant services, and agile decision making.
- A [website](#) and [Background Paper](#) contain further information, and the Secretariat is available to provide briefing presentations to assist in deliberations.

BACKGROUND:

The WALGA website states the following:

The WALGA Best Practice Governance Review is an opportunity for WALGA to review our Governance model to ensure it is contemporary and agile. The organisation wants to be well-placed to represent, respond and delivered results to Members through:

- *Strong, clear policy positions on matters of importance to the Local Government sector that drive positive advocacy outcomes for Local Governments and the communities they serve*
- *Relevant, quality services and programs that support Local Governments' operations and build capacity across the sector*
- *Agile and timely decision-making that responds to Members' needs, ensuring they are met with maximum effectiveness and efficiency*
- *Being the collective, credible voice of the Local Government sector in WA, inclusive of all Members and the diverse communities they represent.*

COMMENT:

Rather than repeat the content of the Consultation Paper I refer Councillors to ***Attachment 1.***

FINANCIAL & BUDGET IMPLICATIONS:

No financial or budget implications envisaged.

STATUTORY IMPLICATIONS:

Not applicable

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATIONS – ITEM 7.5.3 (2 x Options)

Council decline to comment on the WALGA Consultation Paper – Model Options.

- **OR** -

Council advise WALGA their preference is Model _____ and provide the following comments on the Consultation Paper:

- 1.
- 2.
- 3.
- 4.
- 5.

Best Practice Governance Review

Consultation Paper – Model Options

Contents

Item	Section	Page
1	Introduction	<u>3</u>
2	Governance Principles	<u>5</u>
3	Options and Current Model	<u>7</u>
4	Alignment to Principles	<u>14</u>
5	Consultation Process and Next Steps	<u>20</u>

Best Practice Governance Review

1. Introduction

Introduction

Background

The Western Australian Local Government Association (WALGA) developed its Corporate Strategy 2020-25, and in doing so identified a key strategic priority, to undertake a Best Practice Governance Review. The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members.

Other drivers for the review included: misalignment between key governance documents; constitution amendments for State Councillors' Candidature for State and Federal elections; and legislative reforms for the *Local Government Act 1995*, and for the *Industrial Relations Act 1979*.

In March 2022, State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review.

The BPGR Steering Committee had five meetings between 5 May 2022 and 10 August 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change. Key outputs from the BPGR Steering Committee meetings included:

- Agreement on five comparator organisations – Australian Medical Association (AMA) WA, Chamber of Commerce and Industry (CCI) WA, Chamber of Minerals and Energy (CME), Australian Hotels Association (AHA) WA and the Pharmacy Guild (PG).
- Review of governance models of Local Government Associations in other Australian States and Territories, and New Zealand.
- Drafting of governance principles that will underpin future governance models.
- Finalisation of governance principles and principle components across the domains of: **Representative, Responsive and Results Oriented**.

These activities are outlined in more detail in the Background Paper.

This document

This document outlines:

Principles: The governance model principles and principle components across the domains of: Representative, Responsive and Results Oriented. The principles were endorsed at the WALGA AGM on 3 October 2022.

Governance model options: Presents four potential governance model options and the structure and roles associated with each option. The four options are:

- **Option 1:** Two tier model, existing zones
- **Option 2:** Board, regional bodies
- **Option 3:** Board, amalgamated zones
- **Option 4:** Member elected board, regional groups
- **Option 5:** Current model

Alignment to principles: Each of these options are then assessed as to whether they align with the principles and their components. The assessment considers the option and whether it meets, partially meets or does not meet the principle component. Alongside this assessment are some discussion points. An example of this relates to diversity.

Diversity is a component of the governance model being representative. Diversity here may include consideration of whether the governance model comprises an appropriate diversity of skills and experience. It also provides opportunity to consider whether the governance model provides opportunity for members of diverse backgrounds e.g. people of Aboriginal and Torres Strait Islander descent, people with Culturally and Linguistically Diverse backgrounds.

Within all the model options, direct relationship with WALGA and regional / subregional collaboration would continue to be encouraged.



Best Practice Governance Review

2. Governance Principles

Governance Principles

The following Governance Principles were endorsed by members at the 2022 AGM

	Principle	Principle component	Component description	Governance implications
Representative	WALGA unites and represents the entire local government sector in WA and understands the diverse nature and needs of members, regional communities and economies.	Composition	The composition of WALGA's governance model represents Local Government members from metropolitan and country councils.	The governing body will maintain equal country and metropolitan local government representation.
		Size	An appropriate number of members/representatives oversees WALGA's governance.	Potential reduction in the size of the overarching governing body.
		Diversity	WALGA's governance reflects the diversity and experience of its Local Government members.	Potential for the introduction of a mechanism to ensure the governance model comprises an appropriate diversity of skills and experience.
		Election Process	Considers the processes by which WALGA's governance positions are elected and appointed.	Consideration of alternative election and appointment arrangements, with the President to be elected by and from the governing body.
Responsive	WALGA is an agile association which acts quickly to respond to the needs of Local Government members and stakeholders.	Timely Decision Making	WALGA's governance supports timely decision making.	WALGA's governance model facilitates responsive decision making.
		Engaged Decision Making	WALGA's Local Government members are engaged in decision making processes.	WALGA's governance model facilitates clear and accessible processes for Local Government members to influence policy and advocacy with consideration to alternatives to the existing zone structure.
		Agility	Considers the flexibility of WALGA's governance to adapt to changing circumstances.	WALGA's governance model is agile and future proofed for external changes.
		Focus	Considers the clarity and separation of responsibilities and accountabilities of WALGA's governance.	Governance bodies have clearly defined responsibilities and accountabilities, with the capacity to prioritise and focus on strategic issues.
Results Oriented	WALGA dedicates resources and efforts to secure the best outcomes for Local Government members and supports the delivery of high-quality projects, programs and services.	Value Added Decision Making	Facilitates opportunities for value to be added to decision making.	Adoption of best practice board processes, and introduction of governance structures that are empowered to inform decisions.
		Continuous Improvement	Considers regular review processes for components of the governance model, their purpose and achieved outcomes.	WALGA's governance is regularly reviewed every 3 to 5 years to ensure the best outcomes are achieved for Local Government members.

Best Practice Governance Review

3. Options and Current Model




Options and Current Model

Five options, including the Current Model, with details of each of their key governance bodies

Option 1 – Two tier model, existing Zones	Option 2 – Board, Regional Bodies	Option 3 – Board, Amalgamated Zones	Option 4 – Member elected Board, Regional Groups	Option 5 – Current Model
<div data-bbox="85 423 162 495"></div> <div data-bbox="189 407 343 536"> <p>Board (11 members) 8 elected from Policy Council, incl. Board elected President Up to 3 independents</p> </div> <hr/> <div data-bbox="85 598 162 670"></div> <div data-bbox="189 587 343 707"> <p>Policy Council (25 members) 24 members plus President</p> </div> <hr/> <div data-bbox="85 779 162 851"></div> <div data-bbox="189 779 314 863"> <p>Zones (5 metro, 12 country)</p> </div>	<div data-bbox="426 423 504 495"></div> <div data-bbox="531 401 685 549"> <p>Board (11 members) 8 elected from Regional Bodies, incl. Board elected President Up to 3 independents</p> </div> <hr/> <div data-bbox="426 598 504 670"></div> <div data-bbox="531 592 643 705"> <p>Regional Bodies (4 metro, 4 country)</p> </div> <hr/> <div data-bbox="426 779 504 851"></div> <div data-bbox="531 779 681 860"> <p>Policy Teams / Forums / Committees</p> </div>	<div data-bbox="786 430 863 502"></div> <div data-bbox="890 407 1045 538"> <p>Board (15 members) 12 elected from Zones, incl. Board elected President Up to 2 independents</p> </div> <hr/> <div data-bbox="786 598 863 670"></div> <div data-bbox="890 603 1002 689"> <p>Zones (6 metro, 6 country)</p> </div> <hr/> <div data-bbox="786 779 863 851"></div> <div data-bbox="890 779 1041 860"> <p>Policy Teams / Forums / Committees</p> </div>	<div data-bbox="1132 430 1209 502"></div> <div data-bbox="1242 407 1396 538"> <p>Board (11 members) 8 elected via direct election, incl. Board elected President Up to 3 independents</p> </div> <hr/> <div data-bbox="1132 598 1209 670"></div> <div data-bbox="1242 603 1392 685"> <p>Policy Teams / Forums / Committees</p> </div> <hr/> <div data-bbox="1132 779 1209 851"></div> <div data-bbox="1242 794 1344 847"> <p>Regional Groups</p> </div>	<div data-bbox="1485 430 1562 502"></div> <div data-bbox="1595 426 1750 519"> <p>State Council (25 members) 24 State Councillors 1 President</p> </div> <hr/> <div data-bbox="1485 598 1562 670"></div> <div data-bbox="1595 592 1721 674"> <p>Zones (5 metro, 12 country)</p> </div> <hr/> <div data-bbox="1485 779 1562 851"></div> <div data-bbox="1595 765 1746 847"> <p>Policy Teams / Forums / Committees</p> </div>

Option 1 – Two Tier Model, Existing Zones




A description of the governance body structure and role for Option 1

Governance Body	Structure	Role
 Board	11 members: 8 representative members elected from and by the Policy Council (4 Metro, 4 Country). The Board then elect the President from the representative members. The Board will appoint up to 3 independent, skills or constituency directors.	Meet 6 times per year. Responsible for governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy priorities, employment of CEO, etc.
 Policy Council	24 members plus President. Members elected by and from the Zones (12 from 5 Metro Zones, 12 from 12 Country Zones).	Meet at least 2 times per year to contribute to policy positions and advocacy for input into Board, and to liaise with Zones on policy and advocacy. The Policy Council can form Policy Teams, Policy Forums and Committees, which would have responsibility for specific functions, such as policy development.
 Zones	5 Metro, 12 Country.	Meet at least 2 times per year to raise policy issues, elect representatives to the Policy Council, and undertake regional advocacy and projects as directed by the Zone.



Option 2 – Board, Regional Bodies




A description of the governance body structure and role for Option 2

Governance Body	Structure	Role
 Board	11 members: 8 representative members elected from and by the Regional Bodies (4 Metro, 4 Country). The Board then elect the President from the representative members. The Board will appoint up to 3 independent, skills or constituency directors.	Meet 6 times per year responsible for governance of WALGA including strategy, financial oversight, policy development, advocacy priorities, employment of CEO, etc.
 Regional Bodies	Metro: North, South, East and Central. Country: Mining & Pastoral, Agricultural, Peel/South West/Great Southern, Regional Capitals. <i>Note: Local Governments can nominate their preferred regional body, with membership of the regional bodies to be determined by the board.</i>	Meet at least 2 times per year to contribute to policy development and advocacy, and to elect Board members (1 from each of the Metro Regional Bodies and 1 from each of the Country Regional Bodies).
 Policy Teams / Forums / Committees	Membership drawn from the Board and Regional Bodies with some independent members.	Responsible for specific functions – such as policy development – as determined by the Board.



Option 3 – Board, Amalgamated Zones




A description of the governance body structure and role for Option 3

Governance Body	Structure	Role
 Board	15 members: 12 elected from the Zones (6 from Metro/Peel, 6 from Country). President to be elected by the Board. The Board will appoint up to 2 independent, skills or constituency directors.	Meet 6 times per year. Responsible for the governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy priorities, employment of CEO, etc.
 Zones	<p>Metro/Peel:</p> <ul style="list-style-type: none">• Central Metropolitan• East Metropolitan• North Metropolitan• South Metropolitan• South East Metropolitan• Peel <p>Country*:</p> <ul style="list-style-type: none">• Wheatbelt South• Wheatbelt North• Mid West / Murchison / Gascoyne• Pilbara / Kimberley• South West / Great Southern• Goldfields / Esperance <p><i>*indicative, re-drawing required</i></p>	Meet at least 2 times per year to contribute to policy development and advocacy, and to elect Board members.
 Policy Teams / Forums / Committees	Membership drawn from Board with some independent members.	Responsible for specific functions – such as policy development – as determined by the Board.



Option 4 – Member Elected Board, Regional Groups




A description of the governance body structure and role for Option 4

Governance Body	Structure	Role
 Board	11 members: 8 representative members elected via direct election, with each member Local Government to vote (4 elected by and from Metropolitan Local Governments, 4 elected by and from Country Local Governments). President elected by the Board from among the representative members. The Board will appoint up to 3 independent, skills or constituency directors.	Meet 6 times per year and responsible for governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy priorities, employment of CEO, etc.
 Policy Teams / Forums / Committees	Membership drawn from Board with some independent members.	Meet at least 2 times per year. Responsible for specific functions – such as contributing to policy development – as determined by the Board.
 Regional Groups	Determined by members to suit needs. E.g. Regional Capitals, GAPP, VROCs, CEO Group, existing Zones.	Feed into policy development processes and undertake advocacy and projects as determined by the groups.



Option 5 – Current Model

A description of the governance body structure and roles for the Current Model

Governance Body	Structure	Role
 State Council	24 members plus the President. Members elected by and from the Zones (12 from 5 Metropolitan Zones, 12 from 12 Country Zones).	Responsible for the governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy, employment of CEO, etc.
 Zones	5 Metro, 12 Country.	Consider the State Council Agenda, elect State Councillors, and undertake regional advocacy / projects as directed by the Zone.
 Policy Teams / Forums / Committees	Membership drawn from State Council with some independent members.	Responsible for specific functions – such as contributing to policy development, financial oversight etc. – as determined by State Council.






Best Practice Governance Review

4. Alignment to Principles

Option 1 – Two Tier Model, Existing Zones

Option 1 and its alignment to the principles

Option 1 – Two tier model, existing Zones

	Board (11 members) 8 elected from Policy Council, incl. Board elected President Up to 3 independents
	Policy Council (25 members) 24 members plus President
	Zones (5 metro, 12 country)




	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Meets	<ul style="list-style-type: none"> Board will have equal metropolitan and country membership
	Size	Meets	<ul style="list-style-type: none"> Board is smaller
	Diversity	Meets	<ul style="list-style-type: none"> Consideration of appointment processes for independent members
	Election Process	Meets	<ul style="list-style-type: none"> Board to be elected from Policy Council
Responsive	Timely Decision Making	Meets	<ul style="list-style-type: none"> Meeting frequency aligned to governing body roles
	Engaged Decision Making	Meets	<ul style="list-style-type: none"> Board meetings are not dependent on other governing body meetings
	Agility	Partial	<ul style="list-style-type: none"> Board is future-proofed from external changes Zone structures still underpin Council
	Focus	Partial	<ul style="list-style-type: none"> Prioritisation and focus may be a challenge
Results Oriented	Value Added Decision Making	Meets	<ul style="list-style-type: none"> Best practice board approaches will be adopted
	Continuous Improvement	Meets	<ul style="list-style-type: none"> Board would be responsible for ongoing reviews of governance body roles in consultation with members



Option 2 – Board, Regional Bodies

Option 2 and its alignment to the principles

Option 2 – Board, Regional Bodies

	Board (11 members) 8 elected from Regional Bodies, incl. Board elected President Up to 3 independents
	Regional Bodies (4 metro, 4 country)
	Policy Teams / Forums / Committees

	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Meets	<ul style="list-style-type: none"> Board will have equal metropolitan and country membership How to establish regional body membership is a consideration
	Size	Partial	<ul style="list-style-type: none"> Board is smaller Number of regional bodies is a consideration
	Diversity	Meets	<ul style="list-style-type: none"> Consideration of appointment processes for independent members
	Election Process	Meets	<ul style="list-style-type: none"> Board election from regional bodies
Responsive	Timely Decision Making	Meets	<ul style="list-style-type: none"> Meeting frequency aligned to governing body roles
	Engaged Decision Making	Meets	<ul style="list-style-type: none"> Board meetings are not dependent on regional body meetings
	Agility	Meets	<ul style="list-style-type: none"> Board and regional bodies are future proofed from external changes
	Focus	Partial	<ul style="list-style-type: none"> There may be challenges defining accountabilities and responsibilities of regional bodies
Results Oriented	Value Added Decision Making	Meets	<ul style="list-style-type: none"> Best practice board approaches will be adopted
	Continuous Improvement	Meets	<ul style="list-style-type: none"> Board will be responsible for ongoing reviews of governing body roles in consultation with members



Option 3 – Board, Amalgamated Zones

Option 3 and its alignment to the principles

Option 3 – Board, Amalgamated Zones

	Board (15 members) 12 elected from Zones, incl. Board elected President Up to 2 independents
	Zones (6 metro, 6 country)
	Policy Teams / Forums / Committees

Principle & component		Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Partial	<ul style="list-style-type: none"> Board will have equal metropolitan and country membership There may be composition challenges for amalgamated zones
	Size	Partial	<ul style="list-style-type: none"> Board is smaller Amalgamation of zones to 12 in total
	Diversity	Meets	<ul style="list-style-type: none"> Consideration of appointment processes for independent members
	Election Process	Meets	<ul style="list-style-type: none"> Board election from zones
Responsive	Timely Decision Making	Meets	<ul style="list-style-type: none"> Meeting frequency aligned to governing body roles
	Engaged Decision Making	Meets	<ul style="list-style-type: none"> Board meetings are aligned to zone meetings
	Agility	Meets	<ul style="list-style-type: none"> Board is future proofed from external changes
Results Oriented	Focus	Partial	<ul style="list-style-type: none"> Prioritisation and focus may be a challenge
	Value Added Decision Making	Meets	<ul style="list-style-type: none"> Best practice board approaches will be adopted
	Continuous Improvement	Meets	<ul style="list-style-type: none"> The Board would be responsible for ongoing reviews of governance body roles in consultation with members



Option 4 – Member Elected Board, Regional Groups

Option 4 and its alignment to the principles

Option 4 – Member elected Board, Regional Groups



Board
(11 members)
8 elected via direct
election, incl. Board
elected President
Up to 3 independents



Policy Teams
/ Forums /
Committees



Regional
Groups




	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Partial	<ul style="list-style-type: none"> Board will have equal metropolitan and country membership Membership of regional groups dynamic and ad hoc
	Size	Partial	<ul style="list-style-type: none"> Board is smaller
	Diversity	Meets	<ul style="list-style-type: none"> Consideration of appointment processes for independent members
	Election Process	Meets	<ul style="list-style-type: none"> Board election from a general meeting
Responsive	Timely Decision Making	Meets	<ul style="list-style-type: none"> Meeting frequency aligned to governing body roles
	Engaged Decision Making	Meets	<ul style="list-style-type: none"> Board meetings are not dependent on policy teams / regional group meetings
	Agility	Meets	<ul style="list-style-type: none"> Board is future-proofed from external changes
Results Oriented	Focus	Partial	<ul style="list-style-type: none"> Policy teams / Regional Group meetings to influence priorities
	Value Added Decision Making	Meets	<ul style="list-style-type: none"> Best practice board approaches will be adopted
	Continuous Improvement	Meets	<ul style="list-style-type: none"> Board would be responsible for ongoing reviews of governing body roles in consultation with members



Option 5 – Current Model

Current model and its alignment to the principles

Option 5 – Current Model

	State Council (25 members) 24 State Councillors 1 President
	Zones (5 metro, 12 country)
	Policy Teams / Forums / Committees

Principle & component		Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Meets	<ul style="list-style-type: none">State Council has equal metropolitan and country membership
	Size	Partial	<ul style="list-style-type: none">State Council will retain 25 members
	Diversity	Partial	<ul style="list-style-type: none">No control of diversity of State Council
	Election Process	Meets	<ul style="list-style-type: none">State Council election from zones
Responsive	Timely Decision Making	Partial	<ul style="list-style-type: none">Meeting frequency aligned to governing body roles
	Engaged Decision Making	Meets	<ul style="list-style-type: none">State Council meetings are aligned to zone meetings
	Agility	Partial	<ul style="list-style-type: none">State Council is not future proofed from external changes
	Focus	Partial	<ul style="list-style-type: none">Prioritisation and focus may remain a challenge
Results Oriented	Value Added Decision Making	Partial	<ul style="list-style-type: none">Best practice board approaches will not be adopted
	Continuous Improvement	Meets	<ul style="list-style-type: none">State Council would continue to be responsible for ongoing reviews of governance body roles in consultation with members



Best Practice Governance Review

5. Consultation Process and Next Steps

WALGA Best Practice Governance Review

Consultation Process and Next Steps

Consultation Process

Council Position

Member Local Governments are asked to consider this paper and the governance model options put forward and provide a Council endorsed position to WALGA.

It is suggested that Councils endorse a preferred model (which could be the Current Model) and provide a ranking in terms of an order of preference.

Submissions to WALGA are sought by **23 December 2022**.

Supplementary Market Research

An independent market research company has been engaged to ascertain insights from Elected Members and Chief Executive Officers about WALGA's governance model. Qualitative interviews and a quantitative survey will be undertaken to supplement Council positions.

Workshops and Forums

Requests for presentations on the work undertaken by the Steering Committee and the model options, as well as facilitation of workshops and discussions will be accommodated where practicable.

Next Steps

Timetable

- Consultation and engagement with Members on this paper and governance model options will be undertaken from October 2022 until 23 December 2022.
- The Steering Committee will consider the outcomes of the consultation process during January 2023.
- A Final Report with a recommended direction will be the subject of a State Council Agenda item for the March 2023 State Council meeting.

Thank you

For more information, visit our [website](#) or contact Tim Lane,
Manager Association and Corporate Governance, at
tlane@walga.asn.au or 9213 2029.

7.5.4	MURCHISON RIVER CARAVAN PARK – LEASE (LOT 588 KALBARRI)
FILE REFERENCE:	13.2.4
DATE OF REPORT:	16 December 2022
REPORTING OFFICER:	Maurice Battilana, Acting CEO
APPENDICES:	1. Site Plan 2. Landgate Crown Land Title (Lot 588) 3. Letter of Request

SUMMARY:

An approach has been made by lawyers representing the current Lessee (Ronald William Allen) seeking variations to the lease they have with the Shire of Northampton for Lot 588 Grey Street, Kalbarri being used by them for the Murchison River Caravan Park.

BACKGROUND/COMMENT:

The Lessee's are seeking to have the existing lease with Ronald William Allen for Lot 588 surrendered and re-issued to Murchison View Pty Ltd ATF The Allen Family Trust due to the following:

- Mr. Allen's (the Lessee) current illness;
- Assist with any possible future sale of the business and the ability to reassign the Lease to any new owner in the event of a sale (subject to the consent of the Shire and the Minister for Lands) ; and
- the current Lease expires in 2024 and renewal would be sought then anyway.

The lease of the adjacent Lot 589 was renewed a year or two years ago in the name of Murchison View Pty Ltd ATF The Allen Family Trust. So this is simply aligning the two leases.

The Lessee is enquiring (via their lawyer) into whether the Shire will agree to lease variation and this to be for a further 21 year period.

FINANCIAL & BUDGET IMPLICATIONS:

Council currently charges an annual lease fee for both Lots 588 and 589 which is reviewed annually as part of the budget deliberations. The 2022/2023 lease fees are:

- Lot 588 - \$22,527 (GST Exclusive);
- Lot589 - \$13,933 (“ “)

It is not intended to amend these lease fees until the next Shire budget cycle and will be in accordance with the Rent Review Clause stated in the current lease agreement

STATUTORY IMPLICATIONS:

Land Administration Act, 1997

Legislation determines the purpose of the vesting of Crown Land under a Management Order. In regard to Lot 588 (on Deposited Plan 184647 and Certificate of Title Volume LR3044 Folio 475) the Crown Land Title (see **Attachment 2**) states the Management Order purpose as being “Caravan Park”.

There is also a requirement under the Management Order to obtain Ministerial approval to lease the land, which can be for a maximum period of 21 years.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.5.4

Council approve the Lessee's request to:

- 1. Surrender of the current lease for Lot588 Grey Street, Kalbarri with Ronald William Allen and re-issue the lease to Murchison View Pty Ltd ATF The Allen Family Trust;**
- 2. Request Ministerial approval for the re-issued lease to be for a period of 21 years;**



Lot 588

WESTERN



AUSTRALIA

REGISTER NUMBER

588/DP184647DUPLICATE
EDITION**N/A**

DATE DUPLICATE ISSUED

N/AVOLUME
LR3044FOLIO
475

**RECORD OF QUALIFIED CERTIFICATE
OF
CROWN LAND TITLE
UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997
NO DUPLICATE CREATED**

The undermentioned land is Crown land in the name of the STATE OF WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 588 ON DEPOSITED PLAN 184647

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: SHIRE OF NORTHAMPTON OF PO BOX 61, NORTHAMPTON
(XE K851797) REGISTERED 12/2/2009

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)**

1. RESERVE 37445 FOR THE PURPOSE OF CARAVAN CAMPING AMENITIES
 - K851796 CHANGE OF RESERVE PURPOSE. PURPOSE CHANGED TO CARAVAN PARK REGISTERED 12/2/2009.
 - K851797 MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS, SUBJECT TO THE CONSENT OF THE MINISTER FOR LANDS. REGISTERED 12/2/2009.
2. I606547 LEASE TO RONALD WILLIAM ALLEN OF MURCHISON CARAVAN PARK, GREY STREET, KALBARRI EXPIRES: SEE LEASE. REGISTERED 28/8/2003.
 - L521279 MORTGAGE OF LEASE I606547 TO NATIONAL AUSTRALIA BANK LTD REGISTERED 31/12/2010.

Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.
(2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
(3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE
QUALIFIED

REGISTER NUMBER: 588/DP184647

VOLUME/FOLIO: LR3044-475

PAGE 2

SKETCH OF LAND: DP184647
PREVIOUS TITLE: LR3044-475
PROPERTY STREET ADDRESS: 92 GREY ST, KALBARRI.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NORTHAMPTON
RESPONSIBLE AGENCY: DEPARTMENT OF PLANNING, LANDS AND HERITAGE (SLSD)

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF KALBARRI TOWN LOT/LOT 588 (OR THE PART
THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 588 ON
DEPOSITED PLAN 184647 ON 22-JUL-04 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE
OF TITLE.
NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE
OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
NOTE 3: K851797 CORRESPONDENCE FILE 2391-1981-02RO

Our Ref: 008108 GB
Contact: Gabrielle Bracks
gaby@gclawyerswa.com.au

7 December 2022

Mr Maurice Battilana
Acting CEO
Shire of Northampton
Post Office Box 61
NORTHAMPTON WA 6535

By Email: ceo@northampton.wa.gov.au

Dear Maurice

Murchison River Caravan Park

I refer to my emails to you on 21 and 22 November 2022 and to our telephone discussion on 22 November 2022 in relation to the Murchison River Caravan Park in Kalbarri.

As discussed, I act for Ronald, Dreda and Anthony Allen and Murchison View Pty Ltd as trustee for the Allen Family Trust who together own and operate the Murchison River Caravan Park (**Caravan Park**).

Of the 6 lots comprising the Caravan Park, 2 lots are leased from the Shire of Northampton, which is the primary interest holder in the leased lots. The leased lots are Lots 588 & 589 on Deposited Plan 184647 and are part of the land at 92 Grey Street, Kalbarri.

Lot 589 is leased from the Shire by Murchison View Pty Ltd as trustee for the Allen Family Trust, with the Lot 589 lease having been renewed in 2021 for a further 21-year period.

Lot 588 is leased from the Shire by Ronald Allen. The lease of Lot 588 expires in 2024. The land comprising Lot 588 is Lot 588 on Deposited Plan 184647 and Certificate of Title Volume LR3044 Folio 475. A copy of the Certificate of Title and an unsigned copy of the Lot 588 Lease are **attached**.

My clients have been approached by a third party that wishes to purchase the business of Murchison River Caravan Park. As part of the sale, the land and assets of the business will be transferred to the buyer. Where the Lot 588 lease is due to expire in early 2024, the Buyer's offer to purchase requires that the lease of Lot 588 be renewed and extended for a period of 21 years before completion of the sale.

As indicated above, the Lot 588 lease is in the name of Ronald Allen. The lot 589 lease I understand also used to be in the name of Ronald Allen but was renewed in the name of Murchison View Pty Ltd as trustee for the Allen Family Trust when it was renewed last year.

Ronald Allen is in his eighties and is suffering poor health. It is the wish of the Allen family, therefore, that the Lot 588 lease be renewed in the name of their related entity Murchison View

Liability limited by a scheme approved under the Professional Standards Legislation.

Pty Ltd as trustee for the Allen Family Trust, so that both the Lot 588 and the Lot 589 lease are in the name of Murchison View Pty Ltd as trustee for the Allen Family Trust.

In light of the above circumstances, my clients are seeking to have the lease of Lot 588 surrendered now and reissued to Murchison View Pty Ltd as trustee for the Allen Family Trust for a period of 21 years to enable the sale of the caravan park to proceed and the assignment of the new Lease to the purchaser to occur, subject to the approval of the Shire and the Minister for Lands.

In circumstances where the Lease expires in 2024 and a renewal would be sought by my clients then, my clients are hopeful that the Shire will be happy to surrender the existing lease and issue a new lease for a further 21 years now.

My clients will cover any costs associated with the process.

I would be grateful if you could please have my clients' request for the surrender and reissue of the Lot 588 Lease to Murchison View Pty Ltd as trustee for the Allen Family Trust for a period of 21 years considered at the next meeting of council on 16 December 2022. Could you please confirm that the matter can be considered at this meeting?

I appreciate your assistance with this matter. If you have any queries at all or require further information for the council meeting on 16 December 2022, please contact me on 9964 6206 or by email at gaby@gclawyerswa.com.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gaby Bracks', written in a cursive style.

Gabrielle Bracks
GC Lawyers

7.5.5 GLANCE COVE STRATA ACCESS

LOCATION:	Lot 17 Glance Cove, Horrocks
FILE REFERENCE:	12.1.3 & 10.5.3
CORRESPONDENT:	Glance Cove Cottages
DATE OF REPORT:	3 July 2022
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Strata Group Submission 2. Strata Owners Responses

SUMMARY:

Council to determine a request from the Glance Cove Cottages for an access to their Lot 17.

BACKGROUND:

Council resolved the following at the July 2022 meeting:

Moved Cr SUCKLING, seconded Cr HORSTMAN

That Council instructs Management to:

- a) *Progress with investigating options that include purchase of the land or creation of an easement by Glance Cove Strata with options to be discussed with the Strata and then bought back to Council.*
- b) *Allow access as across a portion of Lot 19 as per access option 2 submitted by the Glance Cove Strata, effective as from 15 July 2022 to assist in the determination of the suitability of the location and future tenure option of land purchase or easement.*

CARRIED 7/0

To assist Councillors (and myself) with history on this matter all text coloured **BLUE** in this Report was provided to the July 2022 Council meeting.

The Glance Cove Cottages Strata "the Strata" have now for a number of years been progressing with changes to their strata with the inclusion of an access easement at the rear of the strata shown above as Easement "B" outlined in green border. This easement will allow for the relocation of all the existing cottages forward of their lot which is what the cottage owners are seeking.

In 2004 the Council received a second request from the strata to allow access through Council owned Lot 19. The following is an extract from the officer's report to the May 2004 Council meeting:

The application would essentially involve the widening of Glance Cove by around 26m² and the cul-de-sac head of North Court by around 230m² to allow rear access to the strata lots via a 6m wide common internal driveway (which is proposed to be part of the strata lots but with a right of carriageway easement allowing access). The applicant has stated they would be willing to pay for the survey costs involved.

Council has already given 389m² from Lot 16 (now Lot 70) to accommodate a road widening at the request of the strata owners for underground power, however this also ensured that the existing gravel formation of Glance Cove was within the road reserve.

The process of re-subdivision of the strata lots to achieve the desired change in lot boundaries is subject to some uncertainty. It is considered that WAPC approval may be required for the re-subdivision however the applicant considers that the proposal can be achieved via a merger process under the Strata Titles Act. In either case the process required is not for consideration by Council.

What is for Council to decide is whether to support the road widening of Glance Cove and North Court to primarily benefit the owners of Lot 17 for changes to the internal access of the strata lots.

Council needs to be mindful of the objections received from the neighbouring owners and whether it wishes to become involved in the process and seen to be "taking sides". Bearing in mind that the re-subdivision/merger process can be dealt with internally by the strata owners and does not necessarily need the widening of roads to reconfigure the access. If the owners pursue this option, Council would be independent of the process.

Should Council entertain the road widening proposal, then consideration would need to be given as to whether the Shire should be financially compensated for the land required (approximately 255m²).

The Council at the May 2004 meeting resolved to defer the application from the Glance Street Strata to the next Ordinary Meeting of Council subject to both Strata's agreeing on a proposal for road widening/vehicle access.

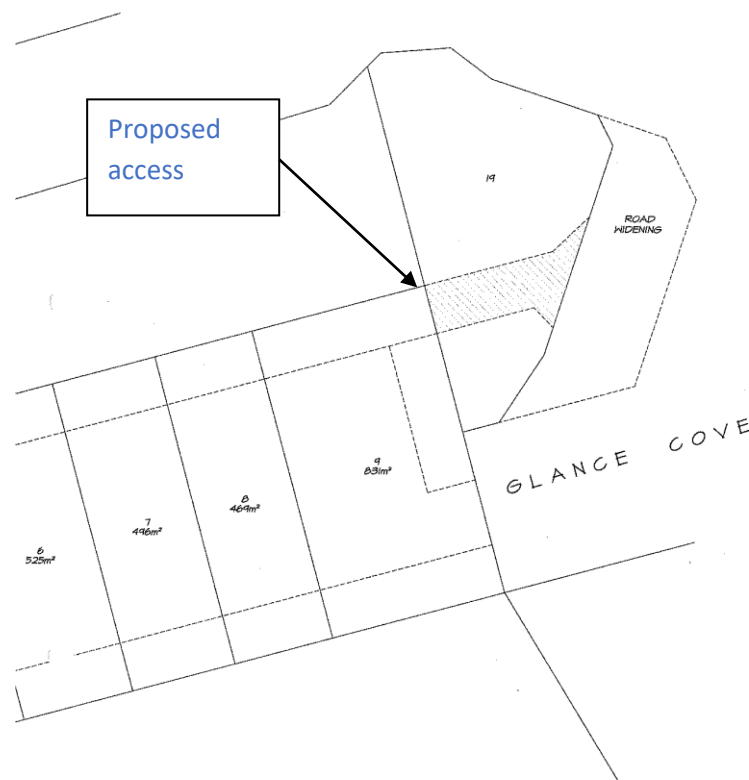
The matter was not discussed at the June 2004 meeting with a minute notation that the Council inspect the site before any decision is made.

In 2008 the subject arose again where the matter was referred to the then Department of Planning to seek their advice on the proposed road widening.

There were several factors to consider. At the time Lot 19 had significant land value. If the proposed road was progressed, then the closure of the balance of Glance Cove would need to be closed and incorporated into the balance of neighbouring Council owned Lot 16 which would come at a significant cost to the Council as the Council would be required to purchase the unused road reserve portion.

The Strata was requested to consider if they would purchase the portion of land required. To assist in this regard a valuation for the portion of land required, being 211.8m² was obtained being \$48,500. The matter did not progress.

The matter was again reported at the November 2017 meeting where the Strata requested Council to once again consider the provision of the access as proposed shown on the following plan.



Management suggested to the Council that it had two options, option 1 to subdivide the access out of Lot 19 and form part of the existing road access into Lot 19, option 2 create an access easement across Lot 19.

The creation of a new road reserve will come at a significant cost with survey fees, subdivision fees etc. and the downside of this road access is that it is likely that the unused portion of the road reserve, being predominantly gardens, will have to be purchased from the Department of Lands by Council as per the 2008 advice.

The best option recommended by Management was to create an access easement and then once the cottages have been located the boundaries of the road reserve, Lot 70, balance of lot 19 etc. can then be re-visited. The officer's recommendation was:

- 1. Lodge a request for an easement across Lot 19 Glance Cove as per the plan at Appendices 1 to allow a northern access to the Glance Cove Strata with all costs associated with the creation of this easement being the responsibility of the Glance Cove Strata.*
- 2. When the cottages of the strata have been re-located to the front of the individual strata lots then consideration be given to amending the road reserve that currently accesses the Lot.*

The Council resolved not to adopt the officer's recommendation and adopted the following:

"That Council not accept the request from the Glance Cove Strata Council for an access way across Council Lot 19 to access their strata easement."

During the debate on the matter, the Council determined that Lot 19 is considered to be of commercial value to Council and by allowing the access easement or other legal access, it further diminished the value of the lot.

CURRENT SITUATION

The strata have now once again submitted a request for a better access to the rear of their strata as per previous requests. Refer to their correspondence at Appendices 1.

The access recommended is not too dissimilar to what has previously been submitted to Council.

The Council is once again requested to determine if (a) if a portion of the lot is to be sold to allow access, (b) a further road widening to allow access be undertaken or (c) if an access easement is to be approved.

Either option will take time and come at a significant cost. The road widening is not preferred as it may require the Council to purchase the balance of the unmade Glance Street Road reserve as per previous advice, however what that value will be is unknown.

The purchase of the triangle portion required can be undertaken however will require a formal subdivision and a value for the portion of land to be excised from Lot 19 will need to be determined. However in recent subdivisions where property owners in Mitchell Street Horrocks purchased a portion of land at the rear of their properties, the land value was around \$200 yet cost was in excess of \$5,000 to undertake the subdivision process.

The access easement appears to be the simplest way to progress a legal access being requested.

COMMENTS

It appears the Strata owners have opted for the Easement option for access to the Glance Cove Strata across Lot 19 and not the purchase option.

The Easement is in accordance with the Council resolution in July 2022 (i.e. Option 2):



I have advised one Strata owner currently has a matter before the State Administrative Tribunal (SAT) requesting Strata purchases Lot 19 from the Shire to gain access to the land upon which the Strata is located. I am not sure how SAT could possibly rule on such a request as they do not have the power to force a land owner (in this case the Shire) to sell their land to another person, organisation.

I have advised the Strata representative (Brian Donegan) the Shire would not be comfortable in determining a position on this matter whilst a SAT determination was still in place. However, a resolution could be made subject to evidence being provided to the Shire of the SAT matter being either resolved or discontinued.

I have requested evidence of all Strata owners to provide written support of the Easement (Option 2), which has been provided (other than one which was still be supplied at time of writing the report). A copy of the written responses is provided at **(Attachment 2)**.

I have also had confirmed the Strata will agree to cover all costs associated with the establishment of the easement (Option 2) across Lot 19 . This confirmation is verbal only, yet part of the Officer Recommendation states this must be provided in writing, and paid in advance before the easement process is to commence.

FINANCIAL & BUDGET IMPLICATIONS:

Administrative, registration, legal and lodgment cost to implement the easement is still being obtained; however, it is my understanding the Strata Group will be required to cover all costs.

Survey costs (yet to be determined) will also be incurred, and the Strata will also be responsible for these costs as.

STATUTORY IMPLICATIONS – TOWN PLANNING:

The strata lots (Lot 18) and Lot 16 is zoned "Town Centre" under Town Planning Scheme No 10, with the southern portion of Lot 500 abutting North Court being a local scheme reserve for the purposes of "Foreshore Conservation & Dune Protection".

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.5.5

Council agree to the establishment of an easement across Lot 19 Glance Cove as indicated on the attached plan as Option 2 under the following conditions:

- 1. All costs associated with the establishment of the easement are to be paid in advance by the Glance Cove Strata Group.**
- 2. All Strata owners to provide written endorsement of the easement to the Shire before the establishment of the easement will commence.**
- 3. Evidence to be provided to the Shire of all State Administrative Tribunal actions being completed or discontinued before the establishment of the easement will commence.**

ATTACHMENT 1



Garry Keefe

From: Brian Donegan <dbdonegan@bigpond.com>
Sent: 9 May, 2022 7:17 AM
To: Garry Keefe
Subject: Glance Cove Strata - Request for access road amendment
Attachments: Signatures.pdf; Survey Strata Plan 15012.pdf; Document Covenant Plan J580587.pdf; Glance Cove - Existing.pdf

Dear Garry,

As the owners of the Glance Cove Strata situated on Lot 17, Horrocks, we wish to make an application for the relocation of the access road, Glance Cove.

The units making up the present Glance Cove Strata were originally provided in the 1970s on a lease-hold basis by the Shire, to replace some of the shacks removed from the beach side of Glance Street. The Shire organised an access road to the front of Lot 17, connecting to the Strata's private driveway. When the leases were due to expire, the properties were converted to Strata Title, with each owner owning a small area covering their individual cottage, and the remainder being common ground.

In 2004 the owners were given the option of converting to a Survey Strata, which would divide the common ground between the individual owners and, among other things, allow them to build larger houses if they desired. All aspects of the conversion process needed unanimous approval by all owners.

As part of the conversion the owners decided to look at relocating the internal driveway (Easement D) to the rear of the Strata (Easement B), partly for aesthetic reasons, but also to allow garaging at the rear of houses, if and when individual owners rebuilt.

The Shire was approached requesting that they adjust the Glance Cove Road reserve to provide access to a rear driveway. The Shire looked favourably on the proposal but advised that they could not consider it until the change to Survey Strata was approved by Landgate. Landgate, however, would not approve the change unless there first was access to the rear driveway!

After extended discussion the owners of Lot 9 (Bridgeman's) granted a temporary Easement (E) through their Lot, to satisfy Landgate requirements, with the understanding that the Easement would be dissolved when direct access was obtained



We believe this would be beneficial to the Shire as it will tidy up the land division in that it will provide more land around the rotunda. The relocated access road would occupy substantially less area of land. Glance Cove in the past has been widened from the standard ~20m width to 31m width. The reason for this expansion was that a garden was planted, and a rotunda was built alongside the road reserve thereby requiring widening of the reserve to allow unit holders to maintain access to their homes. Consequently, the current road reserve is 2-4 times larger than what is normally required. The proposed relocation of the access road would thereby free up prime beachside land for community use. Attached are photos depicting the general area for your convenience.

It We would welcome the opportunity to discuss the above with you and would welcome your suggestions as to how we could achieve access to Lot 17 in a favourable manner for the owners and the community.

Yours sincerely

Brian Donegan

mobile 0414 757393

Secretary

from the Shire (see attached Survey Strata Plan). The replacement Easement (B) came into effect in March 2006, the driveway changes came into effect in March 2021 (See attached Document Covenant Plan).

The Strata approached the Shire about relocating the access road twice, soon after the conversion to Survey Strata, and in 2017. Each time the approach failed, partly because some owners actively lobbied against it. These owners have since changed their mind and are now actively in favour. For this reason, we are now asking the Shire to reconsider our application again (see attached Unit Holders Signatures).

We believe it is to both our's and the Shire's benefit for the Glance Cove Road reserve to be altered to connect with the Southern end of our Eastern driveway. Below we have illustrated the existing and the proposed access to our properties for your consideration.



(Lot 1)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s A.J. Mitchell

Signature A.J. Mitchell

Unit/Lot 1 Glance Cove Strata

Date: 29/11/2022

(LOT 2)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s John Cripps & Lisa Cripps

Signature

John Cripps

Lisa Cripps

Unit/Lot 2 **Glance Cove Strata**

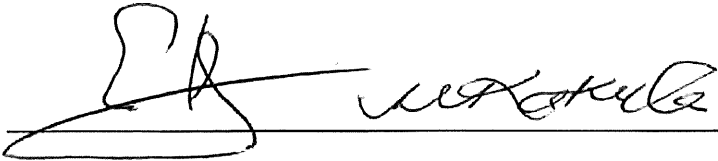
Date: 28 / 11 /2022

(Lot 3)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s MR & MRS EVAN & FIONA KAKULAS

Signature 

Unit/Lot 7/3 **Glance Cove Strata**

Date: 29/11/2022

(Lot 5)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s DIANE . G. DONEGAN

Signature Diane J. Donegan

Unit/Lot 5 Glance Cove Strata

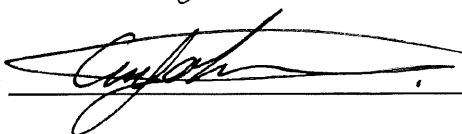
Date: 27 / 11 / 2022

(Lot 6)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s Cameron Johnson

Signature 

Unit/Lot 4/6 Glance Cove Strata

Date: 27 / 11 / 2022

(Lot 7)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s Richard Haskeby Kerry Haskeby

Signature R Haskeby K Haskeby

Unit/Lot 7 Glance Cove Strata

Date: 2 1/2 2022

(Lot 9)

GLANCE COVE STRATA ACCESS

I/we approve the Easement option for access to Glance Cove Strata over Lot 19.

Name/s BEVAN W BRIDGEMAN Marlene J. Bridgeman

Signature BW Bridgeman MJ Bridgeman

Unit/Lot 9 Glance Cove Strata

Date: 2 / 6 / 2022

NORTHAMPTON SHIRE COUNCIL				
File:				
Admin	Eng	Hlth Bldg	Town Plan	Rang

7.5.6	2021/22 ANNUAL ELECTORS MEETING & ANNUAL REPORT
	<p>FILE REFERENCE: 4.1.1</p> <p>DATE OF REPORT: 16 December 2022</p> <p>FILE NO: 1.1.3</p> <p>REPORTING OFFICER: Maurice Battilana</p> <p>APPENDICES: 1. Annual Report</p>

SUMMARY:

The purpose of this item is to accept the Shire of Northampton 2021/2022 Annual Report, receive the Auditors Report and Management Letter and set a date/time for the Annual General Meeting of Electors.

The Annual Report is provided under separate cover at Attachment 1.

BACKGROUND:

When considering setting a date for the Annual General Meeting of Electors it is a requirement of s5.27 'Electors General Meeting' of the Local Government Act 1995 this meeting can be no later than 56 days after accepting the Annual Report (this will be 10 February 2023 if Annual Report is accepted at today's meeting).

The Shire of Northampton last held the Annual General Meeting of Electors for 2021/2022 financial year on Thursday 18 March 2022 at the Council Chambers, Northampton commencing at 4.00pm.

The Officer Recommendation is suggesting the date, time and location to hold the next Annual General Meeting of Electors as being:

- ~ Thursday 9 February 2023
- ~ Commencing at 4:00pm
- ~ Council Chambers, Northampton

The Act stipulates the Annual General Meeting of Electors must be held not more than 56 days after the local government accepts the annual report for the previous financial year. Therefore, as mentioned, the latest date the meeting could be held is the 10 February 2023.

It is important to maximise attendances at the Annual General Meeting of Electors by constituents, hence the Officer Recommendation has suggested a date and time which is in the evening.

COMMUNITY CONSULTATION:

Advertising of the date, time and venue of the meeting must be undertaken.

STATUTORY IMPLICATIONS:

Local Government Act 1995

The Local Government Act 1995 states the following:

"5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.*
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) The matters to be discussed at general electors' meetings are to be those prescribed."*

5.29. Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving —*
 - (a) at least 14 days' local public notice; and*
 - (b) each council member at least 14 days' notice of the date, time, place and purpose of the meeting.*
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

5.32. Minutes of electors' meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*
 - (a) at the first ordinary council meeting after that meeting; or*
 - (b) at a special meeting called for that purpose, whichever happens first.*
 - (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*
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5.54. Acceptance of annual reports

(1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government

VOTING REQUIREMENT:

Officer Recommendation 1 - Absolute Majority

Officer Recommendation 2 – Simple Majority

OFFICER RECOMMENDATION 1 – ITEM 7.5.6 (Absolute Majority)

Council accepts the Annual Report for the 2021/2022 Financial Year as required by s5.54 of the Local Government Act 1995 as presented.

OFFICER RECOMMENDATION 2 – ITEM 7.5.6 (Simple Majority)**Council:**

- 1. Receives and accepts the Annual-Financial Report for 2021/2022;**
- 2. Receives and accept the Auditors Management Report 2021/2022;**
- 3. Set the date for the Annual General Meeting of Electors for the 9 February 2023, commencing 4.00pm at the Council Chamber, Northampton, and advertise this meeting accordingly.**
- 4. Request the CEO give local public notice of the availability of the Annual Report as required by s5.55 the Act:**
- 5. Publish the Report on the Shire Website within 14 days of Council acceptance in accordance with s5.55A of the Act;**
- 6. Provides a copy of the Shire of Northampton 2021/2022 Annual Report to the Director General of the Department of Local Government.**

7.5.7	PROPOSED MULTI PURPOSE COMMUNITY CENTRE – PUBLIC CONSULTATION CONCEPT PLANS
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LOCATION:	Kalbarri
FILE REFERENCE:	11.1.17/ 5.1.8
DATE OF REPORT:	11 November 2022
REPORTING OFFICER:	Michelle Allen, Planning Officer
REVIEWING OFFICER:	Maurice Battilana, Acting CEO

Appendix 1 - Concept Floor Plan
Appendix 2 - Concept Location Plan 1
Appendix 3 - Concept Location Plan 2
Appendix 4 - Concept Location Plan 3
Appendix 5 - Public Notice (Availability of Concept Plans)
Appendix 6 - Sample response to Submitters
Appendix 7 - Schedule of Submissions

SUMMARY:

Council to determine process for the proposed Multi-Purpose Community Centre following community consultation

BACKGROUND:

Council at their May 2021 meeting resolved as part of a review of damaged buildings from Cyclone Seroja and as a result of the demolition of the community hall at the Kalbarri Community Hall and Camp, Council at their meeting resolved to seek community feedback from Kalbarri residents in relation to the construction of a proposed Multi-Purpose Community Centre to be located at the Kalbarri Sport and Recreation Precinct.

At their August 2021 meeting, Council resolved to seek community feedback from Kalbarri residents in relation to the construction of a proposed Multi-Purpose Community Centre which was to include provision for seniors, children's gymnastics, arts and crafts facilities and general community use and be cyclone rated to allow for provision of an evacuation Centre for emergencies..

A Multi-Purpose Community Centre is a facility designed to provide space for a variety of activities and services that would benefit the entire community. As a consequence ideas were sought from the community for Council consideration to assist with the development of preliminary designs for further community consultation.

In November 2021 all community feedback was considered and Council resolved to call for Expressions of Interest from qualified architects/designers to develop concept plans for further Council and community consideration. Advertising was undertaken with EOIs closing on 10 February 2022 with only one Expression of Interest being received from Eastman, Poletti & Sherwood.

At the February 2022 Council meeting, Council appointed Eastman, Poletti & Sherwood to prepare concept plans for the proposed Kalbarri Multi-Purpose Community Centre at a cost of \$16,970 exclusive of GST and funds from the Building Reserve Fund were utilized for this expenditure.

Following receipt of concept plans for the proposed Kalbarri Multi-Purpose Community Centre, which included a concept floor plan and three proposed site plans, advertising was undertaken inviting submissions/comments by 30 September 2022.

COMMUNITY CONSULTATION

A concept floor plan and three proposed site plans (see **Appendices 1-4**) were received for the proposed Kalbarri Multi-Purpose Community Centre that was also to act as an emergency evacuation Centre.

The concept plans were made available for public comment on the Council website, at the Kalbarri and Northampton Shire Offices and by electronic means to any enquirers. A Public Notice was published (**See Appendix 1**) with submissions invited with each submission being acknowledged by email or by letter (**see Appendix 2**). At this time, notice was also given that it was the intention of Council to ensure the proposed facility did not impede existing buildings at the site and therefore changes to the plans would be required.

At the closing of the public advertising process on 30 September 2022 a total of 22 submissions were received with one late submission being received in November 2022. A Schedule of Submissions detailing comments provided is attached at **Appendix 7**.

FINANCIAL & BUDGET IMPLICATIONS:

There was no provision for the cost of preparing the concept plans, however insurance pay outs of demolished Council owned buildings that was held in the Building Reserve Fund was used to cover the cost to prepare the concept plans.

The use of Building Reserve Funds had not been provided for within the 2021/22 Budget and therefore Council approved this expenditure as authorised expenditure as per the provisions of Section 6.8 of the Local Government Act 1995.

No further funds are reserved for further development of the proposal.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Community Strategic Plan 2016-2026

Apart from the provision of services to the community there is no direct strategy in relation to a Community Centre in the Strategic Plan or the Corporate Business Plan.

COMMENT:

Due to the continuing recovery phase from the cyclone, formal community consultation took place for the concept proposal ending on 30 September 2022.

A Schedule of Submissions has been prepared and Council is now requested to consider what direction it wishes to take to progress the project

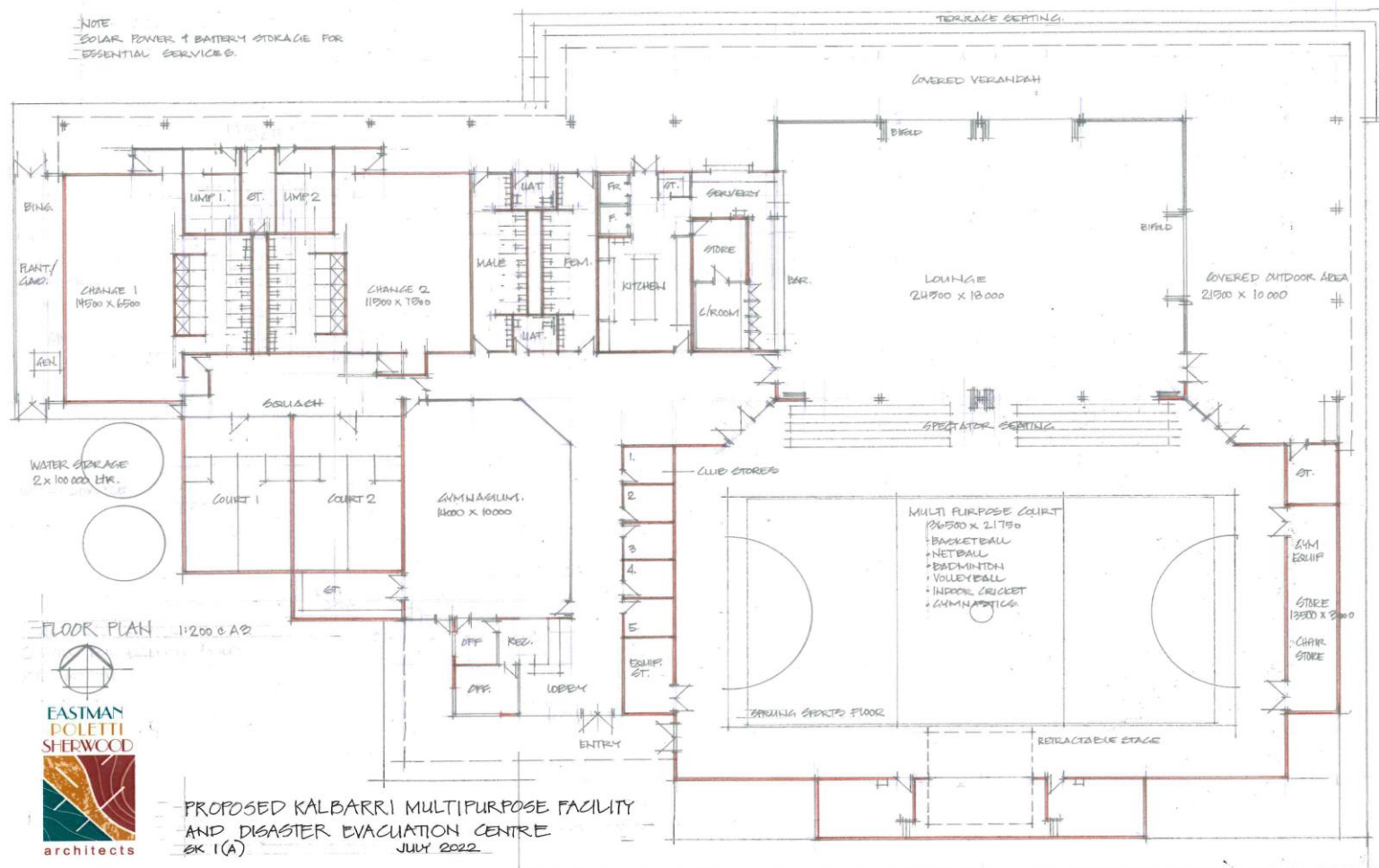
VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 7.5.7

No “Officer Recommendation” provided as this matter is presented for Council determination and direction to Staff on the next course of action to taken.

APPENDIX 1 - CONCEPT FLOOR PLAN



APPENDIX 2 - CONCEPT LOCATION PLAN 1



APPENDIX 3 - CONCEPT LOCATION PLAN 2



12.33

20

159.31

15.99

57.05

110.79

40.27

10.82

137.31

66.55

57.43

152.04

80.08

RELOCATED CRICKET WICKETS

RELOCATED PLAYGROUND

RELOCATED TENNIS

PROJECT KUMBHARI MULTIPURPOSE

APPENDIX 5 – PUBLIC NOTICE (AVAILABILITY OF CONCEPT PLANS)**PROPOSED KALBARRI MULTI-PURPOSE COMMUNITY CENTRE**

Council has received a concept floor plan and three proposed site plans for the proposed Kalbarri Multi-Purpose Community Centre that will also act as an emergency evacuation Centre. The concept plans are now available for public comment. The plans are available on the Council web site, for viewing at the Kalbarri and Northampton Shire Offices or can be sent by electronic means by contacting either office.

The plans are only concepts and will be further developed following the receipt of submissions from the community. It is the intention of Council to ensure that the proposed facility does not impede existing buildings at the site therefore changes to the plans will be required. All submissions will be considered by the Council to allow final detailed plans to then be prepared for further consideration by both Council and the community.

Submissions/comments are to be received in writing and sent to the undersigned by 30 September 2022 either by post to PO Box 61 Northampton or by email to ceo@northampton.wa.gov.au.

GARRY KEEFFE
CHIEF EXECUTIVE OFFICER

APPENDIX 6 – SAMPLE RESPONSE TO SUBMITTERS

Dear Sir/Madam

Thank you for your comments on the concept plans for the above.

As stated in the public notice, the plans provided are concept only and are provided as a starting point to generate discussion for the community and Council to look at all options in design and location and effects on existing infrastructure/buildings at the Kalbarri Recreation Ground site. The concept plans were developed to include all items that were received in the first round of community consultation.

Following the close of submissions on 30 September the Council will collate all comments and then have revised floor and site plans prepared for further consideration by both the community and Council. Once the Council has then adopted a final concept, detailed plans, including Hydraulic Engineering design (plumbing), Electrical Engineering designs, Structural Engineering designs, Evacuation Centre structural design requirements, Sport structural and equipment designs etc., will be developed to allow for accurate costings. Once an accurate total estimated cost has been received that will allow for a lifetime cost analysis and a Business Plan to be developed for grant funding application processes.

The Council has very minimal funds at this stage for such a facility and will be very reliant on grants and other funding for the project. If the required funding cannot be secured, then it may result in certain parts of the facility having to be deleted to make the project financially achievable or deferred until such time the required funds are available.

The community will be kept in form as this matter progresses.

Should you wish to further discuss the above please do not hesitate to contact me.

APPENDIX 7 – SCHEDULE OF SUBMISSIONS


1. 10/08/2022	Wendy Johnson	<p>SUPPORTS IDEA BUT POINTS OF OBJECTION</p> <p>Congratulations, what a wonderful and much needed sports centre (and cyclone proof as well) for our town. By the floor plan it certainly covers a multiple of sports well into the future needs of Kalbarri.</p> <p>Disagrees with the proposed positions of Plans of the entire building and with the actual position of the building:</p> <ul style="list-style-type: none"> • Not enough space for vehicle parking (particularly in an emergency situation) • Too close to Porter Street • Only one vehicle and pedestrian entrance being off and in to Porter Street. (have busy vehicle traffic businesses opposite including tourist buses) • Too close to “the Shed” Arts & Craft. Limited access for members. • Area is too confined for future extension or additions. 	
2. 12/08/2022	Joanna Karara	<p>OBJECTION</p> <p>Concern raised at the proposed site for the multipurpose/evacuation building. All three plans are unsuitable. As a member of Kalbarri Arts & Crafts Group and the Kalbarri Tennis Club it is considered that both organisations would be greatly impacted by any of the proposed plans.</p> <p>Has any thought been given to an alternative site?</p> <p>What about the existing cleared site where the PCYC used to be? Surely that is worth considering as since that facility/building was lost there is nowhere to play badminton or for the Kalbarri Gymnastics group to operate.</p> <p>If it does have to be in town perhaps it would be more cost effective to build a new building on a site already clear of buildings and infrastructure with more consideration for parking.</p>	
3. 18/08/2022	Kalbarri Art & Craft Group Inc., Yvonne	<p>Shire concept plans presented at Monday 8 August 2022 meeting.</p> <ul style="list-style-type: none"> • Location – waste of finances and a waste of a resourceful 	

	Whitehead	<p>functioning community asset if the current Sport and Rec building is demolished to make way for new centre. Existing building could be repurposed for other community needs or group activities.</p> <ul style="list-style-type: none"> • Another location to the north-east around perimeter of Town Oval would be more appropriate given the need to back fill. • From the three locations presented the preferred site option is Site Three (3) which is less intrusive to our club compared to all other options. • Third option, although preferred, has reservations in relation to placement position of the new proposed building as the footprint encroaches very close to existing Art and Craft premises and this may result in pressure for our club to relocate. • Clarification is sought from the Shire as to the security of our club's long standing and much utilised community premises. • Previous correspondence to the shire (Oct 2021) has outlined requirements for basic club facilities as they currently exist, which included building floor plans and our extensive facilities. • Equivalent of these existing facilities is the absolute minimum requirements we consider our club would need to relocate at any time in the future. 	
4. 17/08/2022	David Quimby	<p>Thank you to CEO and team at Shire office and architects for delivering first concept plans. We at the school are excited by the project as it will be a valuable teaching resource to the Health and Physical Education Curriculum areas for all students. This feedback is provided by HPE staff regarding educational benefits from the plans.</p> <p><u>Main Court</u></p> <p>Positives – Enclosed undercover court will enable specialised teaching of many sports.</p> <ul style="list-style-type: none"> - Adequate storage for sports that would use facility 	

		<ul style="list-style-type: none"> - Addition of partition to close of function area from court would assist with supervision of students and enable both areas to operate simultaneously - Bathroom & changeroom facilities more than adequate - Sufficient room from edges of court to wall to allow for good, safe play. <p>Negatives - Windows & lighting for area. Type of lights (LED), Natural lighting and this effect on court, lighting control access (If no one is there how is it accessed)</p> <ul style="list-style-type: none"> - Wooden sprung floor presents issues for upkeep and uses. No food, water/drinks, marking shoes high heels on the court unless a cover is placed over it. Other flooring options such as cork/rubber underlay of a harder wearing surface such as a poly (plastic) sealed pour should be considered. This option is very hard wearing but not as impact absorbent as wooden sprung flooring. - Line marking could be confusing for the number of different sports intending to use the facility. <p>Additional recommendations</p> <ul style="list-style-type: none"> - Have an adjustable height basketball hoops and netball posts to enable coaching of under 11/s that match with sporting code requirements. - Remove stage from the area and use a portable stage in the function area. Close court off to these events to prevent court damage. - Provide additional second indoor court. <p><u>Function Area</u></p> <p>Positives - Views of oval with kangaroos at dusk and also views out to adjacent playground makes good supervision from the one location</p> <ul style="list-style-type: none"> - Ability to partition off the main court so area can be used as a studio for yoga, pilates, aerobics makes 	
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		<p>good sense. (As long as the Bar can be secured and furniture moved). This allows for multiple classes to use area independently. (One in the court and the other in the function area).</p> <p>Negatives - Need to know more to establish if this area would be suitable for movement classes such as pilates, yoga, aerobics etc.</p> <p><u>Bathrooms/Changerooms</u></p> <p>Positives - Inclusion of umpires changerooms is excellent however they have to walk outside before they enter the court</p> <ul style="list-style-type: none"> - Two sets of bathrooms, toilets and showers. (Is this too many?) <p>Negatives - Too many bathrooms? Many centres that are larger have only one combined changeroom and toilet. Students may</p>	
5. 17/08/2022	Karla White	<ul style="list-style-type: none"> • Long term community member of Kalbarri. • Member of local Arts and Craft Group. • Concerns regarding placement of new multi-purpose community sports complex. • Proposed position of new building means removal of current Sport and Rec building and Art and Craft Building. Why not put it further around the oval on the other side of the tennis courts? • Why remove the Sport and Rec building which is not very old. It could be used for something else – conference room/function centre/gymnasium instead of including a gymnasium in the new complex. • Removal of playground that is regularly used and enjoyed by children of all ages. Are there plans to re- 	

		<p>establish this playground within these grounds?</p> <ul style="list-style-type: none"> • Current arts and craft building is used by many community members daily and is made up of different rooms used for different crafts. There is also a gallery where members sell works to tourists. Where do we go as a club once this building is demolished. Keep in mind the need for a painting area, sewing room, kitchen area, outdoor area with a sink fit for clay use, a pottery room, a kiln room and a gallery. • Not only will it be sad to see the old hall taken away and a building that holds many happy memories but for many this club is a place to go when we've had a hard day and want to unwind. It's a place to laugh, a place to learn and share our knowledge, a place to meet new friends, a place to escape and a place to be creative. • Many may think this is a club for a bunch of old ladies to sit and knit while they gossip well I'm here to tell you that it's much more than that. It's a club that is needed for our community members young and old, for our mental well-being, for people to get out of their houses to socialise and keep their minds active. • Please don't demolish our building. 	
6. 29/08/2022	Melissa Finlay	<ul style="list-style-type: none"> • With destruction of PCYC the current Sport and Recreational Centre is the only sporting facility we have in town. Current proposed location will result in destruction of Kalbarri's only sporting facility for at least 18 months. This is unacceptable. • Council must position the new centre to complement the old Centre which will provide additional facilities to Kalbarri rather than less and will allow the sports to continue through the construction of new facility. • If the Shire were to place the new facility in the proposed location (which all three concept locations are exactly the same in reality) temporary facilities must be provided. The Shire would also need to consider the impact this destruction and lack of facilities will have on the 	

		<p>community who have lost so much and endured such a long recovery process.</p> <ul style="list-style-type: none"> I hope the Shire can take on my comments and look forward to seeing new proposed locations and how the new proposed designs can work with the existing facilities. Kalbarri is a growing town we need to plan for the future not yesterday. 	
7. 29/08/2022	Kate Ralph	<p>Plans are fantastic just what town needs. My only concern is the complex that's there at the moment is a great building to keep for functions and activities that happen now in it. Seems silly to remove a building to place another when it is used for so much. It's used for so much more than sport events – weddings, birthdays memorials, club end year parties. If it was to be kept there is no reason both can be used for these events. Also to consider the area around will not be able to be used whilst construction is going on and it is used a lot. Will be many clubs that won't be able to run due to this for however long it takes to build. Two years? Netball, all senior activities they do inside. Covid clinics, badminton, judo and footy carnivals that hopefully will start running again next year. These bring a lot of money to town and a lot of money to Northampton junior footy club which they need. My thoughts were to use a different piece of land if it is available to be used. I was thinking land between the Anglican Church and the cricket nets. Plenty room to also add more car parking. That whole east side oval us an unused land.</p> <p>Thanks for reading my thoughts. I would hate my kids to miss a year of netball or footy. I have attached plans and added my idea.</p>	
8. 31/08/2022	Pete McKenzie Kalbarri Property Care	<p>I don't like any of the proposed concept locations as they all involve the demolition of the existing Sport and Recreation Building. This building is still a good structure with a large event room, kitchen area, change rooms and toilets. The undercover area between this building and the tennis courts was also put together with many volunteer community hours and having this destroyed would be another blow to community morale.</p> <p>There are better potential locations:</p>	

		<ol style="list-style-type: none"> 1. Put the new facility further west over the existing skate park. Relocate and improve skate park to foreshore area. Relocate arts building. 2. Put the new facility to the north of the existing Sport and Recreation building, on the southern side of the oval. Then extend oval to the north if a bigger oval is required. <p>Both these options make a lot more sense than demolishing the existing Sport and Recreation Centre and associated undercover area.</p> <p>The disruption to locals playing sports such as tennis during the construction phase will also be less severe this way.</p>	
9. 31/08/2022	Shirley & Wayne Gerard	<p>Having looked at the building plans our opinion is No. 3 option looks best. We cannot see the point of losing a perfectly good Sport and Recreation venue. It seems to work well for community. We have been Seniors Club members from its inception.</p> <p>And as an Art and Craft member for 17 years please don't touch our shed. If you just move any new parts to the right of plan. We all know total replacement will take years to finish. Or what about opposite post office in vacant block.</p>	
10. 19/09/2022	Kalbarri Netball Association	<p>Please see below comments on behalf of the Kalbarri Netball Association. In addition to our comments we would also like to inform the shire that the association has access to small grants from Netball WA and sponsors that may assist with funding for the courts of the community centre and we would be more than happy to apply for grants and assist the shire in any way.</p> <p>What we noticed:</p> <ul style="list-style-type: none"> • No forward thinking for future growth with the building and location • Storage for all sports/activities seems small • Only one court for all those shared activities and no thought into future growth (eg opportunity for future netball carnivals, needs more courts. Town population grows resulting in more local netball teams/games) • Demolishing the existing Sport & Rec building and moving 	

		<p>courts. What happens to all the groups that use existing facilities while a new building is built? Losing another building in town.</p> <ul style="list-style-type: none"> • No indoor play space for children. Many mothers play netball • Stage on a sprung floor • Suggest the bushland to the east of the oval for possible building site, connecting to existing courts and building. <p>Positives:</p> <ul style="list-style-type: none"> • Indoor court with sprung floor. • Enough room around court for run off zone etc. <p>Kalbarri Netball Association highly supports the building of a multi-purpose community/evacuation centre in the right location with the right facilities, thinking towards the future of the Kalbarri community.</p>	
11. 21/09/2022	Felicity Graham	<p><u>Location</u> Essential to have this in a central position. Present sporting complex (KSR) is identified in concept plan as being in one of the best positions.</p> <p><u>Emergency Evacuation Base</u> Currently only cyclone-rated evacuation centre is in Dongara. General emergency centre needs to be in centre of town. Cyclone emergency – Kalbarri not immune to possibility of future cyclones. Fire emergency also a real scenario.</p> <p><u>Indoor Sports</u> <u>Squash</u> No facility currently in Kalbarri 2 privately owned courts were available but now in poor condition. Keen squash players travel weekly to Geraldton.</p> <p><u>Badminton</u> Due to TC Seroja no facility in Kalbarri. Currently players meet twice weekly at KSR but building too small for a proper court.</p>	

		<p><u>Gymnastics</u> Due to TC Seroja no facility in Kalbarri. Parents travel weekly to Geraldton for children to learn and compete. All gymnastic equipment damaged in cyclone.</p> <p><u>Netball</u> Currently played outdoors but indoors would be better:</p> <ul style="list-style-type: none"> - No cancellations due to weather - Sprung timber floor means less injuries - Current teams – 4 ladies, 4 girls mixed netball. <p><u>Theatre and Concerts</u> A venue large enough to have a removable stage would be wonderful and bring cultural pursuits to town. Perhaps this could be in the 5-10 year vision.</p> <p><u>Creche</u> Added bonus. Have seen places where a smallish room with glass wall allowing vision from gym room.</p> <p><u>Dancing</u> No current venue in Kalbarri where can dance because of size and lack of proper sprung flooring.</p> <p><u>Hub for Outdoor Sports</u> Football games, particularly when hosting visiting clubs. Tennis Club could host and cater for visiting clubs. Softball.</p> <p><u>Gymnasium</u> Yoga. Karate Open 24/7</p> <p><u>Functions – Weddings, Conventions</u> Seniors Group – meets weekly at KSR Weddings – nil in Kalbarri due to lack of venue Conventions – build a large enough venue and they will come.</p> <p><u>Ongoing Management</u> Permanent part time funder manager to arrange sporting fixtures and rosters, take bookings for functions, catering, cleaning and maintenance. Allen Centre (Shire) and Kalbarri Visitor Centre staff could be involved in management particularly if this centre is</p>	
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		<p>located in a position close to or adjoining the Allen Centre. Cost of employing a manager and cleaner should be partially funded by hire of building.</p> <p><u>Future Planning</u></p> <p>Proposal should look at 5, 10 and 20 year scenarios.</p> <p>No point in throwing money at a building which will be obsolete if it is too small and unable to cater for all possibilities within a couple of years.</p> <p>Kalbarri is only going to grow and whether permanent or transient population, a community centre is an asset which will attract people.</p> <p>Build it and they will come.</p> <p>Make it look fantastic and they will come.</p> <p><u>Suggestion 1</u></p> <p>The oval be moved slightly in NE direction and place new building on western part of current oval.</p> <ul style="list-style-type: none"> - Would allow for parking as more would be needed and the Allen Centre extended carpark could be used as well. - It would be accessible from Allen Centre which is a Shire hub and the two buildings could be linked. - By building it up a bit there could be sunset views – maybe the 10 year plan could incorporate a second storey function centre. - Doing this would save KSR from demolition and not leave Kalbarri people in the lurch while new centre is constructed. <p><u>Suggestion 2</u></p> <p>Extend KSR building with minimal interference to current users.</p> <p>Pros – It is in a prime position.</p> <p>Cons – Disruptions and cessation of badminton group</p> <p>Disruption and possible cessation of Seniors Group</p> <p>Nowhere to have small functions</p> <p>Nowhere to hold meetings, inoculations</p> <p>Cost of moving current users</p> <ul style="list-style-type: none"> • Extension west would mean moving Arts and Crafts building to a suitable position: 	
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		<ul style="list-style-type: none"> - Art & Craft would get brand new premises - Current premises would need to be recreated • Extension east would mean moving at least 2 of 4 courts further east bringing disruption to tennis and netball clubs which are going well. It took 8 years to get 4 good courts, what are the chances of replacement? Enthusiasm would be dampened by less courts and loss of undercover area. <p><u>Suggestion 3</u> Put new Centre down where the PCYC Hall was. General consensus is having the building in the sporting complex is far better but if not enough room, perhaps we might have to change ideas. Pros – Fantastic spot with sunset and river views Up nice and high No parking issues Cons – Nobody wants it there</p> <p>To sum it up, the Shire of Northampton, the township of Kalbarri and its people could have a positive community enterprise evolving from the trauma of Cyclone Seroja.</p>	
12. 21/09/2022	Volleyball WA	<p>New community centre with at least two indoor volleyball courts will provide an opportunity for the development of a new community club and a range of community of volleyball activities across abilities and life stages in Kalbarri. This will also allow the hosting of community and school volleyball competitions at the centre that could attract teams from other cities and shires to visit. We will be appointing a Regional Development Coordinator for the Mid West in coming months who will support development of a new club in the region.</p> <p>The current layout in the concept shows one basketball court. We have attached our volleyball Facilities Guide which shows a Tier 2/3 layout on page 6, with a free playing space of 7m high from the surface that may work best for this space with two volleyball courts across one basketball court.</p>	

		We hope that the Shire will take this into consideration to maximize the space available.	
13. 24/09/2022	Hamish Turner	<p>I am not in a position to see internal design details and consequently my observation is limited to the positioning and provide some comments.</p> <p>Concept 3 appears to have the preferred position relative to the location of the tennis courts encroachment into the playing field.</p> <p>Comments:</p> <ul style="list-style-type: none"> • Ceiling height to be suitable for badminton. • The actual location would require demolition of existing club house. • Is there provision to house activities elsewhere during construction phase? 	
14. 25/09/2022	Ric and Julie Davey	<p>Believe this proposal will have positive effect on Kalbarri Community still recovering from effects of Cyclone Seroja. Important for the development of sport in general in Kalbarri, especially for youth of the town.</p> <p>We have investigated numerous similar facilities throughout Australia and are in a good position to recommend what the town needs in relation to sporting facilities.</p> <p>Three proposals put forward are not an option because of proposed location. Losing an existing facility, after having lost the hold hall at the Kalbarri Camp, to gain another is a backward step that would further deteriorate morale of the community. The Sport and Rec facility and undercover area, which were built by members of the community, continues to serve the purpose they were built for with undercover area integrating well with netball/tennis courts. The building and undercover area provides excellent shelter during inclement weather and although in need of rejuvenation will continue to fulfil the needs of the community for many years.</p> <p>This facility could be used as a 'backup' evacuation facility should a new facility become overwhelmed.</p> <p>If current site is used for proposed complex there would be added expense of demolition and huge cost to community and many groups that currently use the facilities. Realistically, they would be</p>	

		<p>unable to use facility for four to five years in current building/construction environment. THIS IS NOT AN OPTION. We proposed two alternative sites:</p> <p>Option 1 East of the existing oval near Anglican Church with access from either Porter or Smith Streets. We believe this is Unallocated Crown Land.</p> <p><u>For</u></p> <ul style="list-style-type: none"> • Ample room for complex including parking and future expansion. • Can be orientated to make best use of prevailing conditions without being restricted by room. Would help to keep running costs like heating and cooling to a minimum. • Little disruption caused to community during construction. • Would be located away from existing accommodation establishments with reduced noise impact and congestion. • Whole UCL area could be rezoned for a future sports precinct with the potential requirement for more sports fields. <p><u>Against</u></p> <ul style="list-style-type: none"> • Land will need to be rezoned from UCL to Shire with appropriate costs and time constraints. • Costs associated with installing new services to complex (ie power, water and sewerage). • Locations is further away from centre of town and school • Complex would need a separate managing body and staff. <p>Option 2 At rear of and connected to the Allen Centre.</p> <p><u>For</u></p> <ul style="list-style-type: none"> • Management of proposed complex could be integrated with Visitors Centre and/or Shire Office staff, with savings in running costs. • Existing Long Vehicle Parking could be reworked to 	
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		<p>provide parking requirements for proposed complex.</p> <ul style="list-style-type: none"> • Could integrate new or upgraded facilities at Visitor Centre and Shire Office complex (ie new larger library, museum, Nanda Interpretive Centre, extra office space. • Centrally located Function Centre facility for corporate events to become income producing and bring money into town during quieter periods. <p><u>Against</u></p> <ul style="list-style-type: none"> • Disruption to the Allen Centre. • Requirement to relocate water tanks that supply reticulation to foreshore lawns. • Not as much room for expansion as in Option 1. • Plans for new facility should include a minimum of two multipurpose courts. • With options discussed above there is no need for football style change rooms/umpire rooms as shown in proposed plans. • Plans to not need an outlook over the oval as they would be separate from existing Sport and Rec building. • Large well equipped creche is important facility that has been omitted from concept plans. • A café/kiosk could be handy facility in complex for income generation via a lease agreement with the managing body. <p><u>Summary</u></p> <ul style="list-style-type: none"> • Business plan needs to be developed in conjunction with proposed plans so a feasibility plan into running costs can be ascertained. • Cyclone Seroja highlighted urgent need for evacuation facility in Kalbarri. • Kalbarri may be about to enter an expansion phase and a facility built for today's requirements could be too small within a short period of time. This is why facility can't be built where it is being proposed. • A swimming pool will become a needed asset in near 	
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		<p>future to service the elderly, toddler training, school swimming lessons/school carnivals and fitness and injury rehabilitation markets as well as tourist and general recreation.</p> <ul style="list-style-type: none"> • Kalbarri can ill afford to lose infrastructure after cyclone. PLEASE DON'T DEMOLISH EXISTING SPORT AND REC BUILDING as there are better alternatives. 	
15. 26/09/2022	Raina Robinson	<p>Most building projects of this multitude will take away community's access to facilities at the current precinct. Updating current recreation facility to cyclone proof shelter should be considered. The Shire has enough surrounding land to erect new proposed community building (which I gather will be constructed providing protection from cyclones) in a more suitable location such as the PCYC land.</p>	
16. 27/09/2022	Jerome Teakle, Kalbarri Tennis Club	<ul style="list-style-type: none"> • Not in favour of demolishing existing Sports and Recreation building as the building and it's attached shade/cover area still has a place in the Kalbarri Community. Demolishing it will set back all sorts and community activities for a long period of time. Closure of tennis/netball court for time of demolition and rebuilding will be a major inconvenience for the club. • It has taken the club a long time to get where it is now and losing a facility and a court for a long period will set the club back resulting in membership losses, loss of junior members, cancellation of junior tennis coaching opportunities and potential committee closure. • Would like to retain current Sport and Rec facility and surrounding infrastructure and see new Centre built to east of the town oval, between the oval and the Anglican church. Told this land is Unallocated Crown Land so is this an option? It would be the perfect location for a new Centre and would complement both the football oval and the current facility. • The Tennis Club is not offering an option on the design 	

		<p>and facilities of new facility other than to point out that the Netball Club would be able to use indoor multipurpose court for their games which would free up four existing outdoor courts for tennis club use. This would be extremely advantageous to the Tennis Club for the future.</p> <ul style="list-style-type: none"> Tennis Club acknowledges that new Centre will foremost be an evacuation centre but a standalone evacuation centre will possibly stand idle and unused for possibly long periods of time and not take full advantage of its location, housing and space within the community. 	
17. 29/09/2022	Connie Kearney	<p>Have been on Multi-Purpose Facility committee and would like to address current issues which impact community use:</p> <ul style="list-style-type: none"> Inclusion of one multi-purpose court is not fit for purpose as it needs to service more than six activities at one time. Local gymnastics club would recommence once facility is built with three sessions scheduled per week. One planned court would not be able to support gymnastics club and other recreational activities. Strongly suggest considering two multi-purpose courts to address potential clashes and allow all activities to be maintained. Would also future proof for new activities and possible expansion of population. Storage entry dimensions are not sufficient to store equipment for all clubs. Integral pieces of equipment could not be safely stored in current proposed storage entry door so a roller door would be more suitable for this area. Listed is equipment required to run gymnastics. Beams (5m long), Crashmats 3.6m x 1.9m), Double Mini (3.3m x 1.7m x 0.7m), Table top vault (1.1m x 1.5m). Current location of Sport and Rec building is a suitable location for new building and would allow all sporting activities to be in a central area. Aerial pictures indicate that moving the oval slightly to allow more space is a possibility and for possible expansion of population. Alternative option could be to rebuild the old PCYC Hall 	

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2. Quote from EPS recommended a detailed feature and contour survey to be carried out for the proposed site. This survey should be carried out as soon as possible to assist with site planning and to avoid abortive work.
3. Quote from EPS states a site development master plan would be developed initially as part of their work. Current drawings provided show a quick freehand sketch over an aerial image. Additional master planning design work and a formal scaled plan line drawing should be provided that consider the context of the site further. The attached drawing would be similar to what would be expected in regard to a master plan for the site.
4. Strengths, Weaknesses, Opportunities and Threats of current Concept are presented below:

Strengths

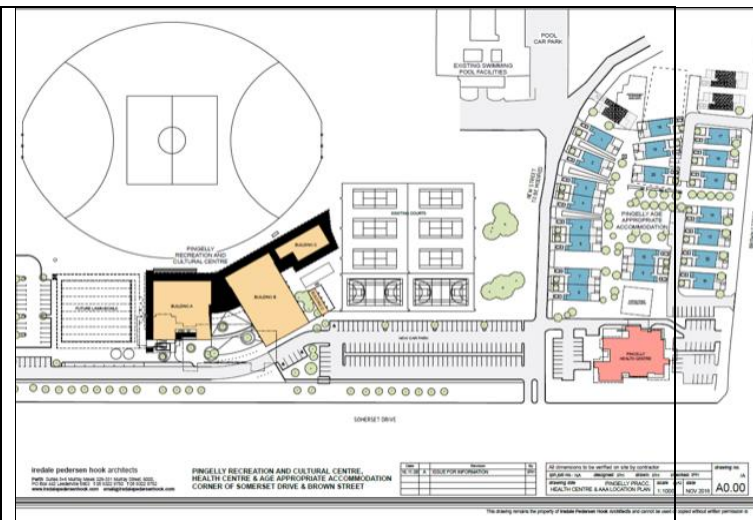
- Provides initial arrangement of functions and facilities to allow brief development with stakeholders and initial costing
- Adjacent to oval, existing tennis courts, skatepark and parking
- Storage
- Sanitary facilities
- Kitchen and bar facilities

Weaknesses


- Relocation of courts and playground
- Existing sports and rec building requires removal
- Solar access – dark internalised circulation and building interior
- Confusing way finding between functions
- Building form will be awkward due to lack of a rational planning
- Connection to tennis courts
- Cross ventilation due to dep floor plan


Opportunities

- Beautiful oval with kangaroos at dusk more spaces could have views out to
- Organisation of spaces could benefit from a



		<p>circulation strategy both internally and externally. (see attached Pingelly plan where a verandah which is black shaded element, connects functions and allows more free movement externally. Something similar could break down the building bulk and allow glimpses to the oval from Porter Street)</p> <ul style="list-style-type: none"> - Pingelly plan separated some functions to allow access to light, air and to create external covered spaces between functions – possibly a good spot for a shaded playground? - Alternate locations that maintain existing facilities and allow for future development - Alternate location that connects to Allen Centre's existing parking and facilities could be better for management and tours. <p>Threats</p> <ul style="list-style-type: none"> - Management costs - Wind - Sun - Heat - Growth – how does the centre grow in the future to provide more facilities in the future? - Evacuation regulatory requirements – what size space and facilities are required for Kalbarri's population? 	
20. 29/09/2022	GL Fletcher	Thanks for initial thoughts/plans. Good job. Look forward to further developments.	
21. 30/09/2022	Kalbarri Development Association	<p>KDA cognisant of need for a multipurpose community centre that can double as emergency centre and make the following comments:</p> <ul style="list-style-type: none"> • Do not agree with any of the proposed sites. • Existing Rec Centre should remain as it is somewhere the community can continue to use during and after construction of new facility. Good for small groups to use current structure rather than big structure that is proposed. • What other land is available to place new centre on that 	

		<p>we can comment on.</p> <ul style="list-style-type: none"> • We do agree that new facility should be in the general area of current sport precinct and there should be adequate parking available. • Interior design with various sports being able to be played and an area where large functions can be held including movie nights, theatre or concerts. • Need for separate groups to have their own storage areas was pleasing to see. • If existing Rec Centre is retained, then the need for football or other sporting change rooms would be negated in new facility and this area could be utilised for other purposes. • We will provide further comment on interior design as more information is known. 	
22. 30/09/2022	Andrew Lawson, Kalbarri Physiotherapy	<p>Have reviewed concepts for Kalbarri evacuation centre/sports centre and open to these concepts but feel there are other options to consider.</p> <p>Attached is a surveyor's idea of moving the oval to allow for more space.</p> <ul style="list-style-type: none"> • Could relocate arts and crafts and place the centre adjacent and west of the current building. • Believe indoor cricket would be a well utilised area and could be used for multisport (e.g. Cricket training/bowling machine, indoor soccer, indoor netball). • Open to Vince Catania's idea of having it where existing Shire offices are located. He mentioned that it's not how much these things cost, it's how much they cost to run. He also stated there is a lack of function rooms on the West coast with ocean views and such a site would generate significant income from functions/conventions. • Further consultation with experts in this field is needed. 	 <p>Murchison Surveys Planning and Engineering Surveys Mob: 0420 100 030 100 John Street Northampton WA 6740</p> <p>Kalbarri Oval Different Oval Relocations</p> <p>0 5 10 15 20 25 m SCALE 1:1000</p> <p>Projection: MGA94 + 50 Date: 04 Sep 2022 Surveyor: J. Johnson</p>

			
23. 28/11/2022 LATE SUBMISSION	Lauren Sweetman	<ul style="list-style-type: none"> • Late submission seeking there to be a space for young children to continue gymnastics and dancing, as was available with the PCYC Hall. • After reviewing plans and speak with others with the same submissions, it seems a designated space for this is not likely for the proposed Centre. • Timeframes were also discussed at the most recent KMECC Meeting and it is evident that this will not come to fruition for many years. • The current dilemma is that there is currently nowhere in Kalbarri where our kids can participate in these important social and developmental activities and there won't be for some time. • There does not appear to be any available shire buildings in the town that could be used for this purpose. • I have formed a small Committee who are in the process 	

		<p>of organising an event to start fundraising directly for a new Centre that the kids and Community can enjoy.</p> <ul style="list-style-type: none"> • Where could such a building go? The old PCYC Hall was an important part of the Community and perfect for gymnastics, dancing, concerts, birthdays, functions and weekend skating or Blue Light Discos. • The KMECC will be wonderful for the town and offer a safe space in the event of another natural disaster, but I would like to ask permission to look at the possibility of rebuilding a small Hall where the old PCYC Hall was located. • A small Hall would not take as long as the KMECC to build. The current Recreation Centre is not large enough and is used by many local groups already. • We don't wish to see lots of bells and whistles just a practical and functional space that will be created in memory of the old Hall and with the Shire's permission we would like to start a fundraising campaign to raised required funds to rebuild the Hall, so it is truly a Town Hall. • We are attending Kalbarri Development Association meeting this Wednesday to discuss our idea. • We have spoken with the Camp School who fully support this proposal. 	
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