



# MINUTES

## COUNCIL MEETING

17 JULY 2025

## TABLE OF CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS: .	4
2.	ANNOUNCEMENTS BY THE PRESIDENT: .....	4
3.	ATTENDANCE: .....	4
4.	DECLARATIONS OF INTEREST: .....	5
5.	PUBLIC QUESTION TIME: .....	5
6.	PRESENTATIONS: .....	5
7.	CONFIRMATION OF MINUTES: .....	6
8.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN: .....	6
9.	OFFICERS' REPORTS: .....	6
<b>07/25-89</b>	9.1.1 ..... Proposed Review of the Shire of Northampton Register of Delegations, Authorisations and Appointments .....	8
<b>07/25-90</b>	9.1.2 ... Chief Executive Officer Activity Report April to June 2025 .....	12
	9.1.3 Proposed adoption of the Shire of Northampton Strategic Community Plan 2025-2035 .....	15
<b>07/25-91</b>	9.2.1 ..... Review of Refuse Site Charges for 2025/2026 Financial Year .....	18
<b>07/25-92</b>	9.2.2 . Manager Corporate Services Activity Report January to June 2025 .....	22
<b>07/25-93</b>	9.2.3 ... Monthly Financial Statements for the Period Ending 30 June 2025 .....	25
<b>07/25-94</b>	9.2.4 ..... Proposed June 2025 List of Accounts for Endorsement on 17 July 2025 .....	28
<b>07/25-95</b>	9.3.1 ..... Quarterly Acvtivity Report - Executive Manager of Community, Development and Regulation Quarterly Report - April to June 2025 .....	31
<b>07/25-96</b>	9.4.1 Proposed Overheight and Oversize Outbuilding at Lot 89 (111) Wannernooka Road, Northampton .....	34
<b>07/25-97</b>	9.4.2 .. Proposed Retaining Wall on Shire Reserve at Lot 80 (No. 112) Mitchell Street, Horrocks .....	42
<b>07/25-98</b>	9.4.3 Proposed Master Plan for Kalbarri Men Shed - Lot 57 (17) Richardson Road, Kalbarri .....	46
<b>07/25-99</b>	9.4.4 ..... Request for Approval Extension for Short Term Expansion of Kalbarri Motel Accommodation - Lot 188 (No 60) Jeffery Brown Way, Kalbarri .....	58
<b>07/25-100</b>	9.4.5 Unauthorised Development and Non-Compliance with Conditions of Development Approval - Lot 41 (No 4) Phelps Loop, Kalbarri .....	64
<b>07/25-101</b>	9.4.6 ..... Delegated Planning Decisions for June 2025 .....	72
<b>07/25-102</b>	9.5.1 ..... Building Approval Report for June 2025 .....	75
<b>07/25-103</b>	9.6.1 ..... Kalbarri Open Air Music Festival - Proposed 2026 Dates .....	77

<b>07/25-104</b>	9.7.1 .. Proposed Adoption of Shire of Northampton Parking Local Laws 2024 .....	83
<b>07/25-105</b>	9.7.2 ..... Informal Notes - Bush Fire Advisory Committee Meeting held on 26 May 2025 .....	89
<b>07/25-106</b>	9.8.1 Information Items - Maintenance/Construction - Works Program.....	93
<b>07/25-107</b>	9.9.1 Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 1 July 2025 .....	97
10.	LATE REPORTS:.....	100
11.	QUESTIONS FROM MEMBERS:.....	100
12.	MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING .....	100
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING: .....	100
14.	APPLICATIONS FOR LEAVE OF ABSENCE: .....	100
15.	CLOSURE:.....	100

## SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Council Chamber, Hampton Road, Northampton, Thursday, 17 July 2025.

### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

The Shire President declared the meeting open at **2.00pm**.

### 2. ANNOUNCEMENTS BY THE PRESIDENT:

#### 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.

### 3. ATTENDANCE:

#### **PRESENT:**

##### **Councillors**

Cr Liz Sudlow (Shire President)

Cr Richard Burges

Cr Trevor Gibb

Cr Des Pike

Cr Roslyn Suckling

##### **Staff**

Mr Andrew Campbell (Chief Executive Officer)

Mrs Leanne Rowe (Manager Financial Services)

Mrs Michelle Allen (Manager Corporate Services)

Mrs Kaylene Roberts (Planning Officer)

Ms Sonya Hasleby (Executive Support Officer)

##### **Gallery**

3.1 Apologies: Nil.

3.2 Leave Of Absence:

Cr Tim Hay and Cr Karl Suckling were both granted an Approved Leave of Absence at the Ordinary Meeting of Council held on Thursday 19<sup>th</sup> June 2025.

#### 4. DECLARATIONS OF INTEREST:

*[Part 5, Division 6 of the Local Government Act 1995 requires that a member must disclose the interest of the member and the nature of the interest in writing before the meeting or immediately before the matter is discussed.]*

Nil.

#### 5. PUBLIC QUESTION TIME:

5.1 Response to public questions taken on notice: Nil.

5.2 Public Question Time: Nil.

#### 6. PRESENTATIONS:

6.1 Petitions: Nil.

6.2 Presentations: Nil.

6.3 Deputations: Nil.

6.4 Councillor reports

Since the last Council meeting **Cr L Sudlow** reported on their attendance at:

- 20/06/2025 – Northern Country Zone Meeting at Geraldton City Council Function Room.
- 20/06/2025 – WA State Budget Luncheon at Geraldton Multi-Purpose Centre.
- 25/06/2025 – Mid West Chamber of Commerce and Industry Economic Forum at Queen's Park Theatre.
- 30/06/2025 – Kalbarri Visitors Centre Meeting at Allen Centre, Kalbarri.
- 01/07/2025 – Road Infrastructure and Plant Advisory Committee Meeting at Northampton Chambers.
- 02/07/2025 – WALGA State Councillor Induction at 170 Railway Parade, Leederville.
- 02/07/2025 – State Council Forum and Meeting.

Since the last Council meeting **Cr D Pike** reported on their attendance at:

- 15/07/2025 – Powering Western Australia Renewable Energy Webinar.

Since the last Council meeting **Cr T Gibb** had nothing to report.

Since the last Council meeting **Cr R Burges** reported on their attendance at:

- 15/07/2025 – Powering Western Australia Renewable Energy Webinar.

Since the last Council meeting **Cr R Suckling** reported on their attendance at:

- 01/07/2025 – Road Infrastructure and Plant Advisory Committee Meeting at Northampton Chambers.

6.5 Conference reports: Nil.

**7. CONFIRMATION OF MINUTES:****MOVED: Pike, D****SECONDED: Burges, R****07/25-88****That the Minutes of the Ordinary Meeting of the Council held on 19 June 2025 be confirmed.****MOTION CARRIED 5/0****FOR**

Cr L Sudlow  
 Cr R Burges  
 Cr T Gibb  
 Cr D Pike  
 Cr R Suckling

**AGAINST****8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

Nil.

**9. OFFICERS' REPORTS:**

9.1.1	Proposed Review of the Shire of Northampton Register of Delegations, Authorisations and Appointments
9.1.2	Chief Executive Officer Activity Report April to June 2025
9.1.3	Proposed adoption of the Shire of Northampton Strategic Community Plan 2025-2035
9.2.1	Review of Refuse Site Charges for 2025/2026 Financial Year
9.2.2	Manager Corporate Services Activity Report January to June 2025
9.2.3	Monthly Financial Statements for the Period Ending 30 June 2025
9.2.4	Proposed June 2025 List of Accounts for Endorsement on 17 July 2025
9.3.1	Quarterly Activity Report - Executive Manager of Community, Development and Regulation Quarterly Report - April to June 2025
9.4.1	Proposed Overheight and Oversize Outbuilding at Lot 89 (111) Wannernooka Road, Northampton
9.4.2	Proposed Retaining Wall on Shire Reserve at Lot 80 (No. 112) Mitchell Street, Horrocks
9.4.3	Proposed Master Plan for Kalbarri Men Shed - Lot 57 (17) Richardson Road, Kalbarri
9.4.4	Request for Approval Extension for Short Term Expansion of Kalbarri Motel Accommodation - Lot 188 (No 60) Jeffery Brown Way, Kalbarri
9.4.5	Unauthorised Development and Non-Compliance with Conditions of Development Approval - Lot 41 (No 4) Phelps Loop, Kalbarri
9.4.6	Delegated Planning Decisions for June 2025
9.5.1	Building Approval Report for June 2025
9.6.1	Kalbarri Open Air Music Festival - Proposed 2026 Dates

9.7.1	Proposed Adoption of Shire of Northampton Parking Local Laws 2024
9.7.2	Informal Notes - Bush Fire Advisory Committee Meeting held on 26 May 2025
9.8.1	Information Items - Maintenance/Construction - Works Program
9.9.1	Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 1 July 2025

## ATTACHMENT APPENDIX

### 9.1.1 Proposed Review of the Shire of Northampton Register of Delegations, Authorisations and Appointments

<b>PROPONENT</b>	Chief Executive Officer
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Office of CEO
<b>FILE REFERENCE:</b>	4.2.8
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	7 June 2025
<b>DECLARATION OF INTEREST:</b>	Nil

#### **BACKGROUND:**

Each financial year Council is required to review its Register of Delegations, Authorisations and Appointments (Register). The last review of the Register occurred on 19 September 2024.

The existing Shire of Northampton Register of Delegations, Authorisations and Appointments for 2024/25 is appended.

#### **APPENDIX: 9.1.1 (A)**

The purpose of this report is for Council to consider the Shire of Northampton Register of Delegations, Authorisations and Appointments for 2025/26.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

#### **COMMENT (Includes Options):**

After a major review of the Register of Delegations, Authorisations and Appointments in December 2023 and minor reviews since, the 2025/26 Shire of Northampton Register of Delegations, Authorisations and Appointments is still considered a contemporary instrument to capture statutory delegations of the Shire of Northampton.

The Chief Executive Officer has thoroughly reviewed the 2024/25 Register and based on no issues being experienced through the application of the Register, only minor changes are proposed.



Changes proposed throughout the document are limited to:

- Date changes to reflect the review;
- Removing the Executive Manager Corporate Services which was an oversight from the previous review on page “Powers of Entry”;
- Adding maximum expenditure provisions for the Chief Executive Officer in delegations “Payment from the Municipal and Trust Fund” on page 12 and “Tenders for Goods and Services” on page 28 to assist with expenditure permissions clarity. The added clauses form part of the conditions of delegation and state *“The CEO has a maximum expenditure delegation up to amounts contained in the Annual Budget but subject to any Tender requirements.”*
- Adding maximum expenditure provisions for the Chief Executive Officer in delegations “Payment from the Municipal and Trust Fund” on page 12 to assist with expenditure permissions clarity. The added clauses form part of the conditions of delegation and state *“All other employees with purchasing authority have a maximum expenditure delegation in accordance with the Register of Financial Delegations authorised by the CEO annually.”*; and
- Minor typographical corrections.

It is recommended that Council adopt the 2025/26 Shire of Northampton Register of Delegations, Authorisations and Appointments as per the attachment.

#### **ATTACHMENT: 9.1.1 (1)**

#### **STATUTORY ENVIRONMENT:**

Section 5.42 of the *Local Government Act 1995* and other statutes provide a mechanism to delegate duties and responsibilities from Council to the Chief Executive Officer. In turn, some of these duties and responsibilities enable the Chief Executive Officer to sub-delegate to employees where permitted.

#### **POLICY / STRATEGIC IMPLICATIONS:**

Delegation of various elements of statute is important in Local Government otherwise Council could be overwhelmed with significant volumes of decision making responsibilities for all matters.

#### **ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Level 3 – Moderate mainly based on compliance and reputational issues.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirement s imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**Environmental: Nil.Economic: Nil.Social: Nil.**VOTING REQUIREMENTS:****ABSOLUTE MAJORITY****OFFICER RECOMMENDATION:**

**That Council delegate the exercise of its powers and duties in accordance with the 2025/26 Shire of Northampton Register of Delegations, Authorisations and Appointments as contained in ATTACHMENT: 9.1.1 (1).**

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R      SECONDED: Gibb, T**

**07/25-89**

**That Council delegate the exercise of its powers and duties in accordance with the 2025/26 Shire of Northampton Register of Delegations, Authorisations and Appointments as contained in ATTACHMENT: 9.1.1 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.1.2 Chief Executive Officer Activity Report April to June 2025**

<b>PROPONENT</b>	Chief Executive Officer
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Office of CEO
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	30 June 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

This report has been produced to assist Council understand the activity of the Chief Executive Officer (CEO) for the quarterly period of April 2025 to June 2025.

A copy of the CEO Activity Report April 2025 to June 2025 is attached.

**ATTACHMENT: 9.1.2 (1)****PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The attached report enables Council to monitor the activity of the CEO across the quarter and query any relevant matter as required.

**STATUTORY ENVIRONMENT:**

The CEO is employed by Council under the requirements of the *Local Government Act 1995* to preside over the administration of the organisation.

**POLICY / STRATEGIC IMPLICATIONS:**

Maintaining an open and transparent dialogue between the CEO and Council is considered highly beneficial in maintaining a functional local government organisation.

**ORGANISATIONAL RISK MANAGEMENT:**

Open dialogue between the Council and CEO is important and failure to do so could result in a considerable degree of risk to the organisation. Risk rating is considered Level 3 – Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**

Environmental: Activities of the CEO often deal with environmental related matters both from a compliance perspective and an improvement perspective.

Economic: Part of the CEO's role is to improve local economies and often a number of activities are associated with economic development initiatives and opportunities.

Social: The CEO plays a key role in the development of community via community leadership, infrastructure provision and community support.

**VOTING REQUIREMENTS: SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

**That Council receive the Chief Executive Officer Activity Report April to June 2025 in accordance with ATTACHMENT: 9.1.2(1).**

**COUNCIL RESOLUTION:**

**MOVED: Burges, R      SECONDED: Pike, D**

**07/25-90**

**That Council receive the Chief Executive Officer Activity Report April to June 2025 in accordance with ATTACHMENT: 9.1.2(1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow

Cr R Burges

Cr T Gibb

Cr D Pike

Cr R Suckling

**AGAINST**

This item has been withdrawn by the officer as there were some adjustments to be made and will be presented to Council at the next Ordinary Meeting.

## ATTACHMENT APPENDIX

### 9.1.3 Proposed adoption of the Shire of Northampton Strategic Community Plan 2025-2035

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Office of CEO
<b>FILE REFERENCE:</b>	4.1.11
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

#### **BACKGROUND:**

In accordance with r.19C of the *Local Government (Administration) Regulations 1996*, the Shire of Northampton must adopt a Strategic Community Plan that spans a ten-year period and sets out the vision, aspirations and objectives of the community in the district.

The Shire of Northampton Strategic Community Plan 2020-2030 was due for review and commencing in August 2024 a major review of the existing Strategic Community Plan was undertaken. A copy of the existing Shire of Northampton Strategic Community Plan 2020-2030 is appended.

#### **APPENDIX: 9.1.3 (A)**

The purpose of this report is for Council to consider adopting the Shire of Northampton Strategic Community Plan 2025-2035 (SCP) as contained in the attachment.

#### **ATTACHMENT: 9.1.3 (1)**

#### **PUBLIC CONSULTATION UNDERTAKEN:**

The public consultation for SCP included an online general survey, online youth survey in 2024 and four community workshops in 2025. The online surveys produced 107 individual responses, and the community workshops had a total of 103 attendees.

#### **COMMENT (Includes Options):**

Through the consultant Steps Co Pty Ltd, the Shire has undertaken a major review and has now produced a SCP for Council's consideration. Along with

the community, Councillors and staff have provided significant input into the reviewed SCP.

The level of input from the community was excellent and generated in excess of 1000 ideas and comments which have guided the SCP process but will also have a significant role in informing the next phase which is the Corporate Business Plan which will commence soon after Council sets the 2025/26 budget.

Through the process of reviewing the SCP, Council has expressed a desire to keep the document at a very high strategic level with the more detailed inputs being provided in the Corporate Business Plan. It is considered that the proposed SCP achieves this and is therefore recommended to Council for endorsement.

### STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation require a Strategic Community Plan to be produced and be reviewed by Local Government in Western Australia.

### POLICY / STRATEGIC IMPLICATIONS:

A Strategic Community Plan is the highest level of plan in a Local Government organisation in Western Australia and establishes the vision, aspirations and objectives of the community in the district.

### ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate due to compliance and reputational risks.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or	Substantiated, public embarrassment, very high multiple impacts, high	Extensive damage requiring prolonged period of restitution	Uncontained, irreversible impact



				significant damages or penalties	widespread multiple news profile, third party actions	Complete loss of plant, equipment & building	
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**FINANCIAL IMPLICATIONS:**

Council set aside \$30,000 for the SCP process in 2024/25 and whilst final accounts are yet to be finalised completely it is anticipated the expense will be within budget.

**SUSTAINABILITY:**

Environmental: The SCP establishes strategic environmental initiatives to guide Shire business.

Economic: The SCP establishes strategic economic initiatives to guide Shire business.

Social: The SCP establishes strategic social initiatives to guide Shire business.

**VOTING REQUIREMENTS:****ABSOLUTE MAJORITY****OFFICER RECOMMENDATION:**

**That Council adopt the Shire of Northampton Strategic Community Plan 2025-2035 in accordance with ATTACHMENT: 9.1.3 (1).**

## ATTACHMENT APPENDIX

### 9.2.1 Review of Refuse Site Charges for 2025/2026 Financial Year

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	N/A
<b>BUSINESS AREA:</b>	Community, Development and Regulation
<b>FILE REFERENCE:</b>	4.1.1
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

#### **BACKGROUND:**

At its Ordinary Meeting held on 19 June 2023 Council was requested to consider adoption of the Shire of Northampton Schedule of Fees and Charges for the 2025/2026 financial year. Council resolved (Resolution 06/25-71) to adopt the Schedule of Fees and Charges shown appended.

#### **APPENDIX: 9.2.1 (A)**

Subsequently an audit of the 2024/25 financial accounts has identified a need to further review the fees and charges relating to the Shire's Refuse sites at Northampton and Kalbarri. The review is necessary to ensure the costs associated with disposing of waste at the refuse sites are covered.

The annual budget includes an allowance for the cost of disposing of domestic refuse kerbside collections at the Meru Regional Waste Management Facility. It also makes provision for the collection of waste from Northampton and Kalbarri Refuse Sites and transport of waste by the refuse contractor. It appears however that historically the costs of disposing waste collected at the landfill sites have not been included as a specific line item within the budget.

Council is requested to reconsider those fees and charges relating to the disposal of waste at the Shire's refuse sites to ensure all costs are covered.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

#### **COMMENT (Includes Options):**

Due to license restrictions, putrescible waste and some other wastes collected at the Shire's refuse sites is disposed of via bulk bins which are taken to the

Meru Waste Management Facility. Fees and Charges over recent years have not taken this into account.

Additionally, the fees have not considered increased costs due to increased wages, machinery operation costs and transport.

In review the accounts associated with management of the Shire's two primary waste sites, it has been identified that:

- a) The 2024/25 annual budget did not allow for Meru landfill charges of approximately \$23,000 as a result of waste received at the Northampton refuse site and \$21,000 at the Kalbarri refuse site;
- b) The increase in fees and charges over the past 9-10 years have been minimal. For example, general waste charges have only increased from \$55m<sup>3</sup> to 60m<sup>3</sup> since the 2016/2017 financial year;
- c) The conservative fee increases have not kept pace with the increase in costs. For example, the cost of disposing of a single mattress was raised from \$5 to \$10 for non-domestic users between 2016/17 and 2024/25, yet the disposal cost for mattresses costs the Shire up to \$58.42 to dispose of a mattress deposited at a Refuse Site; and
- d) It is appropriate for Council to consider an increase in the fees payable at both the Kalbarri and Northampton Refuse Site.

#### Proposed Charges

As detailed above, a full review has been undertaken of the budget allocations, fees and charges relating the operation of the Shire's Northampton and Kalbarri Refuse Sites. A spreadsheet detailing the proposed fee changes is attached, outlining the current charges, costs and proposed charges.

#### **ATTACHMENT: 9.2.1 (1)**

#### **STATUTORY ENVIRONMENT:**

*Local Government Act 1995*

#### **POLICY / STRATEGIC IMPLICATIONS:**

It is common practice in Western Australian Local Governments to ensure that the operation of refuse services operate as a closed loop financially, avoiding the need for refuse operations to be subsidised with other income. The proposed amended fees ensures that the principles of user pays are observed.

As Councillors are aware, in addition to the primary refuse sites, the Shire has unmanned refuse sites located at Port Gregory and Binnu intended for use by those communities. Over the past 12 months, Shire Officers have been made aware of a number of times where the unauthorised dumping of waste has occurred at these sites.

By imposing higher fees associated with the disposal of waste at the Shire's Northampton and Kalbarri Refuse Sites, there is a risk that there will be an increase in the authorised sites located at Port Gregory and Binnu, or illegal dumping. An increase in enforcement activities may be required. Additionally, consideration may need to be given as to how unauthorised access to the Port

Gregory and Binnu sites may be restricted. Shire Officers will monitor the situation and seek Council's further consideration of these matters should further issues arise.

### ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

### FINANCIAL IMPLICATIONS:

Currently fees and charges imposed at the Shire's two primary refuse sites do not cover the cost of disposal. It is anticipated that the additional revenue generated through the proposed increase of refuse site charges will offset the costs of disposal.

### SUSTAINABILITY:

Environmental: There is potential for any increase in fees to increase unauthorised disposal/dumping of refuse at the two unmanned tip sites and elsewhere in the Shire. It is anticipated that additional monitoring and enforcement may be required.

Economic: It is important that the fees charged by the Shire cover those costs incurred.

Social: It is appreciated that any increase in fees may result in additional financial burden for both business and residents alike. However, the Shire's current fees have not kept pace with increased costs associated with refuse disposal including but not limited to increased employee costs, contractor costs,

transportation and other disposal costs. As a result, ratepayers are currently subsidising users of the Northampton and Kalbarri Refuse Sites.

**VOTING REQUIREMENTS: SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council supports the proposed revisions to the Schedule of Fees and Charges as adopted at Council's 19 June 2025 meeting in accordance with the Schedule of proposed changes shown at Attachment: 9.2.1 (1) and consider modifying the fees and charges in association with adoption of the budget for the 2025/2026 financial year.**

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R      SECONDED: Gibb, T**

**07/25-91**

**That Council supports the proposed revisions to the Schedule of Fees and Charges as adopted at Council's 19 June 2025 meeting in accordance with the Schedule of proposed changes shown at Attachment: 9.2.1 (1) and consider modifying the fees and charges in association with adoption of the budget for the 2025/2026 financial year.**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.2.2 Manager Corporate Services Activity Report January to June 2025**

<b>PROPONENT</b>	Manager Corporate Services
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	Various
<b>AUTHOR:</b>	Michelle Allen
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

This report has been produced to assist Council understand the activity of the Manager Corporate Services (MCS) for the six-month period from January to June 2025.

A copy of the MCS Activity Report January to June 2025 is attached.

**ATTACHMENT: 9.2.2 (1)****PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The purpose of the agenda item and attached report is to inform Councillors of the activities of the MCS and the employees under their supervision for the period between January to June 2025.

**STATUTORY ENVIRONMENT:**

Various legislation is applicable to the activities undertaken by the MCS and the employees under their supervision.

**POLICY / STRATEGIC IMPLICATIONS:**

Maintaining an open and transparent dialogue between the MCS and Councillors is considered highly beneficial in maintaining a functional local government organisation and understanding of activities undertaken and future activities planned.

**ORGANISATIONAL RISK MANAGEMENT:**

Open dialogue between the Council and MCS is important and failure to do so could result in a considerable degree of risk to the organisation. Risk rating is considered Level 3 – Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

All activities have been undertaken in accordance with the Shire's adopted budget for the 2024/25 financial year.

**SUSTAINABILITY:**

Environmental: Activities of the MCS often deal with environmental related matters both from a compliance perspective and an improvement perspective.

Economic: The MCS administers and reports on the integrity of the organisation's administrative functions and provides input into the financial planning, budgeting and reporting of the activities for which the organisation is responsible.

Social: The MCS plays a key role in the management of the organisation's finance, physical and human resources.

**VOTING REQUIREMENTS:****SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

**That Council receive the Manager Corporate Services Activity Report January to June 2025 in accordance with ATTACHMENT: 9.2.2 (1).**

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R      SECONDED: Burges, R**

**07/25-92**

**That Council receive the Manager Corporate Services Activity Report January to June 2025 in accordance with ATTACHMENT: 9.2.2 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow

Cr R Burges

Cr T Gibb

Cr D Pike

Cr R Suckling

**AGAINST**



**ATTACHMENT****9.2.3 Monthly Financial Statements for the Period Ending 30 June 2025**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	1.1.1
<b>LEGISLATION:</b>	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
<b>AUTHOR:</b>	Leanne Rowe
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**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 Financial Report for the period ending 30 June 2025, is attached, for Council consideration and acceptance.

**ATTACHMENT: 9.2.3 (1)****PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

A summary of the 30 June 2025 financial position is comprised of the following which are comparative figures between year-to-date budget and actual figures from the Statement of Financial Activity (page 2):

- Total operating revenue is above budget by \$3,534,277 (22.15%). The variance is largely due to receiving DFRAWA funds of \$2,305,058 above the budgeted amount, profit on asset disposal, and slight over budget amount of rates received.
- Operating expenditure is above budget by \$2,440,875 (12.2%), predominately due to DFRAWA works completed up to June 2025 of \$2,835,400 over budgeted amount.

DFRAWA Coastal Infrastructure Repairs Kalbarri AGRN965 are ongoing into the 2025/26 financial year.

- Capital expenditure is below budget \$7,092,761 (35.22%) with most outstanding projects proposed to be carried into 2025/26 Budget.
- Capital revenue is below budget \$1,842,228 (35.22%). As capital projects are completed, corresponding Grant funding will be claimed.
- Period ending 30 June 2025, 95.4% of total rates levied have been collected, with \$260,288 arrears carried forward.
- The 2024/25 final position is being ascertained with the estimated net current asset position available for the 2025/26 Budget.

Further explanations of material variances are detailed by reporting program in Note 3 (page 6) of the Monthly Financial Report.

#### **STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulation 1996.*

*Local Government Act 1995.*

#### **POLICY / STRATEGIC IMPLICATIONS:**

Nil.

#### **ORGANISATIONAL RISK MANAGEMENT:**

The associated risk would be the failure to comply with Financial Management Regulations requiring monthly reporting of Financial Activity. Risk rating is considered Level 2 - Minor.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies

Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non- performance > 1 month	Non- compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact
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**FINANCIAL IMPLICATIONS:**

As noted in comment section above.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receives the Monthly Financial Report for the period ending 30 June 2025 in accordance with ATTACHMENT: 9.2.3(1).**

**COUNCIL RESOLUTION:**

**MOVED: Gibb, T**

**SECONDED: Burges, R**

**07/25-93**

**That Council receives the Monthly Financial Report for the period ending 30 June 2025 in accordance with ATTACHMENT: 9.2.3(1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow

Cr R Burges

Cr T Gibb

Cr D Pike

Cr R Suckling

**AGAINST**

**ATTACHMENT****9.2.4 Proposed June 2025 List of Accounts for Endorsement on 17 July 2025**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	1.1.1
<b>LEGISLATION:</b>	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
<b>AUTHOR:</b>	Leanne Rowe
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

A full list of June 2025 payments is submitted to Council on 17 July 2025 for consideration.

A copy of the Payment List is attached.

**ATTACHMENT: 9.2.4 (1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

Council is requested to endorse the payments as presented.

**STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulation 1996 Section 13.*  
*Local Government Act 1995 Section 6.10.*

**POLICY / STRATEGIC IMPLICATIONS:**

Council delegation 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 the *Local Government Act 1995 (Financial Management) Regulations 1996 Section 13 (1)* for recording in the minutes.

**ORGANISATIONAL RISK MANAGEMENT:**

The associated risk would be the failure to comply with *Local Government Act 1995 (Financial Management) Regulations 1996 Section 13 (1)* is considered moderate as the presentation of payments forms part of the Shires due

diligence to ensure payments are presented as required. Risk rating is considered Level 3 - Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

#### FINANCIAL IMPLICATIONS:

The list of payments is required to be presented to Council as per section 13 of the *Local Government Act 1995 (Financial Management) Regulation 1996*.

#### SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

#### VOTING REQUIREMENTS:

**SIMPLE MAJORITY**

#### OFFICER RECOMMENDATION:

That Council note Municipal EFT payments numbered EFT27839 to EFT28007 totalling \$1,687,380.62; Municipal Fund Cheques 22587 to 22597 inclusive totalling \$19,570.70; Direct Debit payments numbered GJ1212 to GJ1218 inclusive, payroll and superannuation totalling \$312,885.09; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.4 (1).

**COUNCIL RESOLUTION:****MOVED: Suckling, R      SECONDED: Burges, R****07/25-94**

**That Council note Municipal EFT payments numbered EFT27839 to EFT28007 totalling \$1,687,380.62; Municipal Fund Cheques 22587 to 22597 inclusive totalling \$19,570.70; Direct Debit payments numbered GJ1212 to GJ1218 inclusive, payroll and superannuation totalling \$312,885.09; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.4 (1).**

**MOTION CARRIED 5/0****FOR**

Cr L Sudlow  
 Cr R Burges  
 Cr T Gibb  
 Cr D Pike  
 Cr R Suckling

**AGAINST**

**ATTACHMENT****9.3.1 Quarterly Activity Report - Executive Manager of Community, Development and Regulation Quarterly Report - April to June 2025**

<b>PROPONENT</b>	Executive Manager of Community, Development and Regulation
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	N/A
<b>BUSINESS AREA:</b>	Community, Development and Regulation
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

This agenda item has been prepared to assist Councillors in their understanding of the activities undertaken by the Executive Manager of Community, Development and Regulation and their business area for the period of 1 April to 30 June 2025

A copy of the report is shown attached.

**ATTACHMENT: 9.3.1 (1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The purpose of this agenda item and the attached report is to inform Councillors of the activities of the Executive Manager of Community, Development and Regulation and the employees under their supervision for that period between 1 April to 30 June 2025.

**STATUTORY ENVIRONMENT:**

Various Legislation is applicable to the activities undertaken by the Executive Manager and the employees under their supervision.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil.

**ORGANISATIONAL RISK MANAGEMENT:**

Open dialogue between the Council and Executive Management is important and failure to do so could result in a considerable degree of risk to the organisation. Risk rating is considered Level 3 - Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**

Environmental: Activities of the Executive Manager often deal with environmental related matters both from a development assessment and compliance perspective.

Economic: Matters dealt with by the Executive Manager often have economic development considerations or outcomes.

Social: The Executive Manager plays a key role in the development of community via community leadership, infrastructure and community support.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the Quarterly Activity Report from the Executive Manager Community, Development and Regulation for the period 1 April 2025 to 30 June 2025 as shown at Attachment: 9.3.1 (1).**



**COUNCIL RESOLUTION:**

**MOVED: Pike, D**

**SECONDED: Burges, R**

**07/25-95**

**That Council receive the Quarterly Activity Report from the Executive Manager Community, Development and Regulation for the period 1 April 2025 to 30 June 2025 as shown at Attachment: 9.3.1 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

#### **9.4.1 Proposed Overheight and Oversize Outbuilding at Lot 89 (111) Wannernooka Road, Northampton**

<b>PROPOSITOR</b>	Midwest Sheds and Garages
<b>OWNER</b>	JA & C Dalgleish
<b>LOCATION / ADDRESS:</b>	Lot 89 (No. 111) Wannerenooka Road, Northampton
<b>ZONE:</b>	Residential R10
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.8.1.1; A975
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Kaylene Roberts/Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	28 May 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

Council is asked to consider a development application for an outbuilding at Lot 89 (111) Wannerenooka Road, Northampton, Northampton. A location plan is shown below.

## Location Plan



The subject lot has an area of 4,290m<sup>2</sup> and while it is currently a vacant lot, development approval for a dwelling was approved on 16 April 2025.

The applicant is proposing the construction of a 237m<sup>2</sup> outbuilding which is proposed to be setback 1.5m from Erwood Road side boundary, 2.0m to the

eastern boundary and 2m from the rear boundary. The structure will have a skillion roof with the height of the wall on the northern side being 3.95m and a maximum height of 5.0m. The Outbuilding will also have a lean-to attached that will have a wall height of 3.66m. A copy of the application is attached.

#### **ATTACHMENT: 9.4.1 (1)**

Approval to the application involves a relaxation of setbacks and the relaxation of Scheme provisions relating to the parking of Commercial Vehicles within the Residential Zone. The application is therefore presented to Council for determination.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

In accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in consideration of the Shire of Northampton's *Local Planning Policy – Consultation for Planning Proposals*, a Level C “*Consultation with Owners and Occupiers of Nearby Land*” was undertaken.

The application was advertised for a 14 day period to two (2) adjacent landowners with one submission received stating that they have no objections to the proposal.

#### **COMMENT (Includes Options):**

The property is zoned Residential with a density coding of R10 by the Scheme. The proposed development is required to comply with the requirements relating to R10 under the State Planning Policy – Residential Design Codes Volume 1 (the R-Codes) and the Shire's Local Planning Policy *Outbuildings*.

To guide Council on the determination of the application, the following comments are offered:

#### **Matters to be Considered**

In determining an application for planning approval, the local government is required to have regard to various matters outlined within *Clause 67 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015*. These matters include, but are not limited to:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *An approved State planning policy;*
- (c) *Any policy of the Commission;*
- (f) *Any local planning strategy for this Scheme endorsed by the Commission;*
- (g) *Any local planning policy for the Scheme area; and*
- (n) *The amenity of the locality.*

Any assessment against the above criteria is provided within the balance of this report.

Local Planning Scheme No 10 (LPS No 10)

Clause 26(4) of LPS No 10 varies the provisions of the Residential Design Codes of Western Australia, applying the following development provisions:

R-Code	Maximum floor area	Wall Height	Total Maximum Height
R10+	120m <sup>2</sup> in area, or 20% in aggregate of the site area, whichever is the lesser	3.0m	4.5m measured from the natural ground level.
R5 (2,000m <sup>2</sup> or less)	180m <sup>2</sup> in aggregate area	3.5m	5.0m measured from the natural ground level.
R5 (greater than 2,000m <sup>2</sup> )	240m <sup>2</sup> in aggregate area.	4.0m	6.5m measured from natural ground level.

Residential Design Codes (R-Codes)

The proposed outbuilding is to be setback 1.5m from the eastern boundary and 2.0m from the rear boundary at the closest point.

- a) Rear boundary – Table 2a – Boundary Setback – Walls with major opening, require a setback distance of 3.3m for a wall that is 15m long with a maximum height of 5.0m.
- b) Eastern Side Boundary – Table 2a – Boundary Setback – Walls with no major opening require a setback distance of 3.0m for a wall that is 15.8m long with a maximum wall height of 3.95m.

The side setbacks are not consistent with the above R-Code requirements, therefore the neighbours adjacent to the western side boundary were consulted as outlined in the public comments section above.

Outbuilding Policy Assessment

The Policy outlines the Deemed-to-Comply provisions in the Residential zone replacing section 5.4.3 of the R-Codes due to the construction of outbuildings in the Shire of Northampton being generally greater in terms of floor area and height than those considered appropriate in the metropolitan area.

The Policy outlines that on lots larger than 2,000m<sup>2</sup> an outbuilding should not exceed 4m in wall height and 6.5m in ridge height. The proposed outbuilding complies with these standards.

*Aggregate Floor Area*

In accordance with the Policy, outbuildings shall have a maximum aggregate area of 240m<sup>2</sup> on lots with an area of 2,000m<sup>2</sup> or larger. With the proposed Outbuilding having a floor area of 237m<sup>2</sup>, the application is consistent with the Policy requirements.

### Draft Local Planning Policy – Outbuildings

The Draft Outbuildings Policy was adopted by Council at its Ordinary Meeting of 19 June 2025 for the purposes of advertising.

Under Clause 2.0, it states that the Policy does not override the open space requirements of Table 1 of the R-Codes, or any provisions contained within the Local Planning Scheme. The provisions of the Policy shall be used to assess any application involving the determination of the application under the Design Principles of the R-Codes or relaxation of development standards contained within the Local Planning Scheme(s).

#### *2.1 – Maximum Size and Heights*

Unless otherwise approved through a variation of the Scheme provisions, outbuildings within the Shire of Northampton are required to comply with the following scheme provisions relating to maximum size and height:

The wall heights would be considered compliant with the Draft Policy for lots having an area of not less than 2,000m<sup>2</sup>. The proposed outbuilding would meet the maximum wall height of 4.0m with a total height of 6.5m as the wall heights of 3.95m and 5.0m would be within the requirements.

The draft Policy reflects the provisions of the Scheme, stating that the aggregate floor area is not to exceed 240m<sup>2</sup> on lots 2,000m<sup>2</sup> or more. As the proposed floor area proposed for the outbuilding is 237m<sup>2</sup>, this complies with the Draft Policy.

On this basis, Council could consider granting approval to the relaxation of setbacks. However, the proposed use and establishment of an outbuilding prior to a dwelling are issues that require further consideration as outlined below.

#### Letter of Justification

The applicant has supplied an email letter of justification for the proposed shed on the basis that they have a large number of vehicles that require storage to keep them out of the elements and secure. A copy of the email is attached.

#### **ATTACHMENT: 9.4.1 (2)**

The vehicles list includes an 11m beaver tail heavy rigid truck, skid steer, 2.5 tonne excavator and 2 tonne roller compactor. The provisions of Local Planning Scheme No 10 contains provisions restricting the parking of commercial vehicles on Residential Zone land as outlined below.

As reflected in Attachment: 9.4.1 (2), the owner has stated that the items are *“for personal only and not for commercial or work purpose”* However in the very next line, they advise they are semi-retired and build weather stations all over Australia for the Bureau of Meteorology.

#### Construction of Outbuilding prior Dwelling

Clause 32(9) of the Scheme prescribes the following with respect to establishing an outbuilding on land not containing a dwelling:

(9) *Outbuildings*

- (a) *No outbuilding shall be erected on any land zoned Residential where there is no dwelling located on the lot.*
- (b) *Outbuilding appurtenant to any dwelling shall be of single storey construction and shall be located behind the setback to the street or streets of any existing or proposed dwelling on a lot.*

Whilst development approval was granted for a dwelling in April 2025, a building permit has not yet been obtained and the property currently remains vacant. Approval to the application prior to the dwelling construction commencing would be contrary to the above provisions of the Scheme.

Impact on Amenity

The subject property is located within the Residential zone of Northampton with a density of R10 and the property is vacant. The landowner owns the properties surrounding and has received development approval for a dwelling on the subject property and is to be constructed to the front of the property.

The above said, use of the outbuilding as a depot for the landowners' commercial vehicles may impact on the future amenity of the area given commercial vehicle movements and maintenance.

Parking of Commercial Vehicles

In accordance with clause 32(18) of Local Planning Scheme No 10, the parking of commercial vehicles is restricted on land zoned Residential. As stated in clause 32(18)(a), the local government may permit the parking of 1 commercial vehicle on a lot zoned Residential. With the applicant proposing the storage of 4 commercial vehicles, the proposal is inconsistent with the intent of the Scheme.

An inspection of the site confirms that the vehicles in question are already located on the property. Photographs of the vehicles are shown attached.

**ATTACHMENT: 9.4.1 (3)**

Approval to store more than 2 commercial vehicles is not recommended given that such a use is consistent with the land use definition of transport depot.

***transport depot:*** *means premises used primarily for the parking or garaging of 3 or more commercial vehicles including –*

- (a) *any ancillary maintenance or refuelling of those vehicles; and*
- (b) *any ancillary storage of goods brought to the premises by those vehicles;*  
*and*
- (c) *the transfer of goods or persons from one vehicle to another*

A transport depot is a prohibited land use within the Residential Zone.

### Commercial Activity in Residential Zone

The ability to undertake commercial activities within the Residential Zone are limited in accordance with the Zoning and Development Table shown at clause 17 of Local Planning Scheme No 4. Such uses are also tied to the occupants of a home located on the same property.

In accordance with the table, the largest business that may be considered within the Residential Zone is a home business, which the provisions of Local Planning Scheme No 10 defines as follows:

**home business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession -

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

Given that there is currently no dwelling located on the subject land, there is no ability to approve a home based business on the property at this stage.

It should also be noted that the storage of commercial vehicles as proposed would be in contravention of clause (f) of the above definition. With the commercial vehicles likely to be involved in the construction of weather stations, the applicant is by definition operating a business from the property without the approval of the Shire.

### Conclusion

Whilst advertising of the proposed shed was undertaken, resulting in no objections, it is recommended that approval to the application be refused given that as stated in the landowner's submission, the outbuilding will be used to store a number of commercial vehicles contrary to the requirements of Local Planning Scheme No 10.

It is also recommended that the landowner be required to cease the use of the property for the storage of commercial vehicles contrary to scheme requirements within a period of 3 months.

### **STATUTORY ENVIRONMENT:**

Applicable legislation includes *Planning and Development Act 2005* and the Shire of Northampton Local Planning Scheme No. 10 – Northampton.

Current and ongoing storage of the commercial vehicles listed in Attachment: 9.4.1 (2) is contrary to the provisions of Local Planning Scheme No 10.

**POLICY / STRATEGIC IMPLICATIONS:**

As detailed within the Comment Section above.

**ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

The development application fee in accordance with the Shire of Northampton's 2024/2025 Fees and Charges Schedule has been paid.

**SUSTAINABILITY:**

Environmental: No vegetation is required to be removed for construction of the outbuilding.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

That Council:

1. In accordance with Local Planning Scheme No. 10 – Northampton **REFUSE** to grant planning approval for the proposed outbuilding on Lot 89 (111) Wannerenooka Road, Northampton on the following grounds:
  - a) The storage of more than two commercial vehicles as proposed falls within the land use definition of transport depot as contained within Local Planning Scheme No 10, which is a prohibited use within the Residential Zone;
  - b) Approval to the application would facilitate the storage of commercial vehicles within the Residential Zone, contrary to the requirements; and
  - c) Given that the construction of a dwelling has not commenced on the property, approval to the application would be contrary to clause 32(9) of Local Planning Scheme No 10;
2. Advise the applicant that the current and ongoing storage of commercial vehicles on Lot 89 (111) Wannerenooka Road is occurring contrary to the provisions of the Shire's Local Planning Scheme No 10 and that in accordance with clause 32(18) of the Scheme, Council may permit the parking of one commercial vehicle on a lot; and
3. Require the current and ongoing storage of commercial vehicles on Lot 89 is required to cease within 90 days. A failure to relocate the



vehicles off the property and cease the ongoing storage may result in further action being taken to enforce the provisions of Local Planning Scheme No 10.

#### **COUNCIL RESOLUTION:**

**MOVED: Sudlow, L      SECONDED: Burges, R**

**07/25-96**

**That Council:**

1. In accordance with Local Planning Scheme No. 10 – Northampton **REFUSE** to grant planning approval for the proposed outbuilding on Lot 89 (111) Wannerenooka Road, Northampton on the following grounds:
  - a) The storage of more than two commercial vehicles as proposed falls within the land use definition of transport depot as contained within Local Planning Scheme No 10, which is a prohibited use within the Residential Zone;
  - b) Approval to the application would facilitate the storage of commercial vehicles within the Residential Zone, contrary to the requirements; and
  - c) Given that the construction of a dwelling has not commenced on the property, approval to the application would be contrary to clause 32(9) of Local Planning Scheme No 10;
2. Advise the applicant that the current and ongoing storage of commercial vehicles on Lot 89 (111) Wannerenooka Road is occurring contrary to the provisions of the Shire's Local Planning Scheme No 10 and that in accordance with clause 32(18) of the Scheme, Council may permit the parking of one commercial vehicle on a lot; and
3. Require the current and ongoing storage of commercial vehicles on Lot 89 is required to cease within 90 days. A failure to relocate the vehicles off the property and cease the ongoing storage may result in further action being taken to enforce the provisions of Local Planning Scheme No 10.

**MOTION CARRIED 5/0**

#### **FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

#### **AGAINST**

**ATTACHMENT****9.4.2 Proposed Retaining Wall on Shire Reserve at Lot 80 (No. 112) Mitchell Street, Horrocks**

<b>PROPONENT</b>	NM Johnstone
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Lot 80 (112) Mitchell Street, Horrocks
<b>ZONE:</b>	Residential R12.5
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.5.1.1; A737
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Kaylene Roberts
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	29 May 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

A development application has been received for a Retaining Wall on Shire land adjacent to Lot 80 (112) Mitchell Street, Horrocks. The property contains a dwelling and outbuilding. A location plan is shown below.

**Location Plan**

When assessing the application, it was found that the bottom section, being approximately 2.5m in width, of the retaining wall was on Shire land. At the front of the property, there is water and Telstra services under the retaining wall.

The landowner has been given development approval under delegation on 27 May 2025 for the replacement of an upper retaining wall that was water damaged and had given way. Copies of the approved plans are attached.

**ATTACHMENT: 9.4.2 (1)**

However, when Shire officers undertook assessment of the plans submitted, it was found that the front retaining wall had been constructed on Shire land by a previous landowner.

Council is asked to consider the application due to the nature of the application with the retaining wall being on Shire land without the relevant approval in place.

**PUBLIC CONSULTATION UNDERTAKEN:**

The application was not required to be advertised.

**COMMENT (Includes Options):**

The property is zoned Residential with a density coding of R12.5 by the Scheme. The proposed development is required to comply with the requirements relating to R12.5 under the State Planning Policy 7.3 – Residential Design Codes Volume 1 (the R-Codes).

To guide Council in the determination of this application, the following comments are offered:

Matters to be considered

*Clause 67(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed to Apply Provisions*, requires that in determining an application for Development Approval, local governments must have regard to various matters, including but are not limited to:

- (a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) Any approved State planning policy;*
- (c) Any policy of the Commission;*
- (g) Any local planning policy for the Scheme area;*
- (n) The amenity of the locality; and*
- (y) Any submissions received on the application.*

Any assessment against the above criteria is provided within the balance of this agenda.

R-Codes

*Clause 5.3.7 – Siteworks*

The development demonstrates compliance with the following design principle; P7.3 – Retaining walls that result in land which can be effectively used for the benefit of resident and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to the Landscaping section of the R-Codes.

The retaining wall has a height of 5.78m with a length of 28m. The height is over the requirements, being 0.5m. According to the R-Codes the retaining wall should be setback 1.0m behind the front street setback but as stated in the background section the retaining wall has encroached onto Shire land by 2.5m. The applicant was unaware that the wall was constructed on Shire land and assumed it was on her property.

Water Corporation infrastructure and Telstra lines are located within the front setback area under the retaining wall. Should they need to do any major works along Mitchell Street, they will need to access that part of the land, therefore having to damage/remove the retaining wall.

As it appears that the retaining wall was constructed by a previous owner, no action is recommended against the current landowner. It is however recommended that they be required to remove the existing retaining wall and reinstate the Shire road verge, at their cost.

#### Conclusion

Given the development is located on Shire land without the necessary development approval in place, the applicant to be advised that the retaining wall is to be removed at the applicant's cost.

#### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005 and Shire of Northampton Local Planning Scheme No. 10 – Northampton.*

#### **POLICY / STRATEGIC IMPLICATIONS:**

Nil.

#### **ORGANISATIONAL RISK MANAGEMENT:**

Nil.

#### **FINANCIAL IMPLICATIONS:**

The applicant fee for the application had been paid by the applicant in accordance with the Shire of Northampton 2024/2025 Fees and Charges Schedule.

#### **SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

#### **VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

#### **OFFICER RECOMMENDATION:**

**That Council advise the owner of Lot 80 (112) Mitchell Street, Horrocks that:**

- 1. The existing front retaining wall was constructed within the Mitchell Street Road verge without Shire approval;**
- 2. The retaining wall is to be demolished, and the Mitchell Street road verge is to be re-instated at their cost and to the satisfaction of the Shire within a period of six (6) months;**

3. Prior to considering the construction of any replacement retaining wall, the front boundary of the property should be surveyed and pegged by a licensed land surveyor; and
4. No further action will be taken regarding the unauthorised construction of the retaining wall on the Mitchell Street road verge provided compliance with point 2 above is achieved.

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R      SECONDED: Gibb, T**

**07/25-97**

**That Council advise the owner of Lot 80 (112) Mitchell Street, Horrocks that:**

1. The existing front retaining wall was constructed within the Mitchell Street Road verge without Shire approval;
2. The retaining wall is to be demolished, and the Mitchell Street road verge is to be re-instated at their cost and to the satisfaction of the Shire within a period of six (6) months;
3. Prior to considering the construction of any replacement retaining wall, the front boundary of the property should be surveyed and pegged by a licensed land surveyor; and
4. No further action will be taken regarding the unauthorised construction of the retaining wall on the Mitchell Street road verge provided compliance with point 2 above is achieved.

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.4.3 Proposed Master Plan for Kalbarri Men Shed - Lot 57 (17)  
Richardson Road, Kalbarri**

<b>PROPONENT</b>	Kalbarri Men's Shed
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Lot 57 (17) Richardson Road, Kalbarri
<b>ZONE:</b>	Industry
<b>BUSINESS AREA:</b>	Community, Development & Regulation
<b>FILE REFERENCE:</b>	10.6.1 & A6536
<b>LEGISLATION:</b>	<i>Local Government Act 1990; and Planning and Development Act 2005.</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	26 June 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

The subject land is a 2,023m<sup>2</sup> industrial property located on the northern side of Richardson Road within the Kalbarri Industrial Area. As reflected on the location plan below, the site is currently developed with a 15m deep, 30m wide industrial shed. Similar sized Industrial zoned lots abut the site.

**Location Plan**

In January 2024, the Shire of Northampton purchased the subject land for the purposes of supporting the relocation of the Kalbarri Men's Shed (Men's Shed)

and the creation of a community garden. Subsequently Council resolved (Resolution 05/24-23) at its Ordinary Meeting held on 16 May 2024 to:

- 1. Authorise the Chief Executive Officer to lease 17 Richardson Road, Kalbarri to the Kalbarri Men's Shed Inc for a term of two years for a rental of \$10 per annum payable on demand plus three years fixed at \$5,000 (es GST) per annum, with an option for a further lease of five years subject to a rental of \$5,000 (ed GST) per annum indexed annually at Consumer Price index (Perth – June to June); and**
- 2. Advise the Kalbarri Men's Shed that by granting the initial two year lease at nominal rental, Council is agreeing to meet the additional costs incurred by the Shire on behalf of ratepayers. The initial lease period is intended to provide an opportunity for the Kalbarri Men's shed to grow their membership and improve their revenue to enable a suitable lease payment to be made and in doing so, reduce the cost to ratepayers.**

The lease to the Men's Shed was endorsed by the Shire President and Shire's Chief Executive Officer on 7 June 2024.

At its September 2024 meeting, awarded the Men's Shed's \$4,000 funding under Round 1 of the 2024/25 Shire of Northampton Community Grant Program. The grant was awarded in response to the Men's Shed request for funding towards the purchase of Shipping Containers. Council's award of the grant was however subject to a Development Approval being obtained for the entire site.

Shire Officers have now received an application for Development Approval to an overall site Masterplan. A copy of the Plan is shown attached.

#### **ATTACHMENT: 9.4.3 (1)**

The primary elements of the Master Plan are summarised as follows:

- The placement of three 20 foot shipping containers located approximately 1m off the western side boundary;
- An accessible compliant parking bay located on the northern side of the shipping containers, with a stabilised gravel path connection to the existing building;
- A 6 metre wide central driveway, with four perpendicular parking bays located on the eastern side, immediately adjacent to the front gate;
- A community garden in the southeastern corner of the property with 16 raised garden beds;
- A 3 metre wide driveway around the existing shed, with an additional two parking bays abutting the shed, two bays abutting the community garden and overflow parking abutting the eastern side boundary; and
- Additional overflow parking on the Richardson Road road verge.

In March 2025, a temporary development approval was granted to the siting of three shipping containers as reflected on the attached plan. The approval was

granted for a period of 12 months, unless the further approval was granted to the Master Site Plan.

Council is requested to determine the proposed Master Plan as approval of the proposal requires a relaxation of standards relating to car parking and setbacks to the western side boundary.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

In determining applications for Development Approval, clause 67 of the Deemed to Apply provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 requires that the local authority have regard to various matters. These matters include, but are not limited to:

- (a) The aims and provisions of the Local Planning Scheme (LPS);
- (b) Any local planning policy applicable to the LPS area;
- (c) The compatibility of the development with its setting;
- (d) The suitability of the land for the development;
- (e) The adequacy of access and egress to the site along with the arrangements for the loading, unloading, manoeuvring and parking of vehicles; and
- (f) The amount of traffic likely to be generated by the proposal.

To assist Council in determining the application, the following comments and advice are offered:

Zoning & Objectives

The provisions of the Shire's Local Planning Scheme No 11 (LPS 11) include Zone the subject land General Industry. LPS No 11 identifies that the objectives of the General Industry Zone are:

- *To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.*
- *To accommodate industry that would not otherwise comply with the performance standards of light industry; and*
- *Seek to manage impacts such as noise, dust and odour within the zone.*

Land Use Classification and Permissibility

The activities reflected on the Master Plan and currently being undertaken by the Men's Shed consistent with the definition of Community Purpose under LPS 11, being:

**Community Purpose** – means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.



The land use Community Purpose is identified as a “D” use within the General Industry Zone. That is a use which is *“not permitted unless the local government has exercised its discretion by granting development approval”*.

### Setbacks

The provisions of LPS No 11 prescribe the following setbacks for development located within the General Industry Zone:

- Front Setback: 9 metres;
- Side and Rear Setbacks: Nil.

The existing industrial shed is setback approximately 27 metres from the front boundary to Richardson Road, 6 metres to the eastern side boundary, approximately 4 metres from the western side boundary and 8 metres from the rear boundary.

The submitted plans show that the three proposed shipping containers abutting the western side boundary adjacent to the entrance of the property. The first container will be setback approximately 6 metres from the front boundary, with all three containers being setback 1m from the side boundary.

Approval to the proposal therefore requires a relaxation of the normally required 9 metre setback.

### Access

Plans initially prepared by the Men’s shed identified a 3 metre wide driveway from Richardson Road, which then circulated around the building. The plan as now submitted details a 6 metre wide access way allowing for two way traffic between the existing shed and Richardson Road. A 6 metre wide entrance driveway allows for a more rational car parking design as detailed under the heading “Proposed Parking” below.

A 3 metre wide driveway is proposed to circulate around the outside of the existing industrial shed.

### LPS 11 Carparking Requirements

In accordance with clause 4.8.8 of LPS 11, car parking is required to be provided in accordance with Schedule 4 of the Scheme.

As an Industrial Use, car parking bays would normally be required at a rate of 1 bay per 50m<sup>2</sup>. With a floor area of 450m<sup>2</sup>, 9 car parking bays would be required to service the existing shed. It should be noted that the existing development was approved under delegated authority in 2015 with 5 car bays identified abutting the building and the remainder of the front setback being compacted gravel, except for a 1.5m landscaping strip along the front boundary.

With the proposed use being classified as a Community Purpose use, car parking is required a rated of 1 bay per 4 persons the building is designed to accommodate.

In addition to car parking spaces, clause 67 of the Deemed to Apply provisions requires that due regard must be given to adequacy of proposed arrangements for the loading, unloading, manoeuvring and parking of vehicles.

#### Proposed Parking

A total of 9 on-site parking bays are proposed, with 4 standard bays being proposed on the eastern side of the driveway immediately inside the gate and an accessible compliant parking bay is located on the western side of the driveway, abutting the northern side of the Shipping Containers. The remaining four proposed parking bays are parallel bays, with two bays abutting the existing shed and two between the 3 metre driveway and the proposed community garden.

Each of the proposed parking bays is proposed to be 5.5m long and 2.6m wide, exceeding the size requirements identified by Australian Standards. Circulation and manoeuvring areas also comply. That said the most eastern of two parking bays abutting the Community Garden, does not have typical car parking access.

If all 9 parking bays are accepted, the proposed parking would cater for 36 people being on-site at any one time in accordance with LPS No 11 requirements.

In addition to formal parking bays, the Master Plan indicates that overflow parking will be available abutting the 3m driveway on the eastern side of the building. The plan also highlights that verge parking is available on the road verge, which has also been highlighted as overflow parking.

#### Community Garden Area

In allowing for the orderly provision of parking on the eastern side of the proposed central driveway, the area available for the community garden has been reduced by approximately 3 metres in width when compared to the original concept.

As highlighted above, there are two parking bays proposed abutting the northern boundary of the proposed Community Garden Area. The most eastern of these two bays is not consistent with standard parking layouts, but would be usable.

Given the availability of verge parking abutting the site, consideration could be given to reducing the number of required on-site parking bays by two. This would allow the proposed community garden area to extend a further 2-2.5m northward. This would allow the garden to occupy an area similar to that originally proposed.

#### Landscaping

LPS No 11 – Table 4 identifies that 10% open space/landscaping is required for development within the General Industry Zone. Plans of the original development approved in 2015 indicated that a 1.5m landscaping strip would

be established along the front boundary, extending along the side boundaries back to the shed.

Landscaping established on the western boundary as part of the original development currently remains on-site. However, most of this vegetation will be removed to facilitate placement of the proposed Shipping Containers.

It is appreciated that once established, the community garden will introduce vegetation in that area of the property. This will however only be maintained whilst that activity is being undertaken. Should the community garden aspect not proceed, or cease at a later date, the property would be left with no landscaping in place.

To ensure compliance with the Scheme and that the property is developed with a high standard of appearance, it is strongly recommended that landscaping be required. Approval to the proposal without a requirement for landscaping will result in an undesirable precedent being established.

Should the development be approved, it is recommended that the applicants be required to establish landscaping in the following areas:

- a) Retain the existing vegetation between the shipping container location and the front boundary, or re-landscape the area;
- b) Establish landscaping between the front boundary and the proposed parking bays;
- c) A row of trees along the front boundary of the property.

It should be noted that the landscaping could consist of plants associated with the community garden such as fruit trees which would then remain should the activity cease in the future.

#### Relaxation of Standards

In accordance with clause 4.10 of LPS No 11, approval may be granted to an application for development approval that does not comply with "Additional Site and Development Requirements" identified by the Scheme. Setbacks, Car Parking and Landscaping are all identified as additional site and development requirements of the Scheme.

The above said, clause 4.10.5 of LPS No 11 specifies that approval may only be granted under this clause If the local government is satisfied that:

- a) Approval to the development would be appropriate having regard to the matters set out in clause 67 of the deemed provisions; and
- b) The non-compliance will not have a significant adverse effect on the occupiers or users of the development, inhabitants of the locality or likely future development of the locality.

In this case, the relaxation of the front setback to accommodate the proposed Shipping Containers is unlikely to result in significant visual impacts. That said, the visual impact can be reduced by ensuring that the containers have a

reasonable appearance, and that landscaping is established within the front setback.

In terms of carparking, it is noted that the existing verge has a width of more than 5.5m and could easily accommodate 2-3 vehicles parked parallel with the street. Given this, it is recommended that Council relax the on-site parking requirements by two bays, allowing the proposed community garden area to expand by 2-2.5m to the north.

### Conclusion

Shire Officers have liaised with the Kalbarri Men's Shed over the final details that have been reflected on the Master Plan shown at Attachment: 9.4.3 (1), ensuring that in general terms the plan complies with the requirements of the Shire's Local Planning Scheme No 11 and the requirements for orderly and proper planning.

For those reasons outlined within the comment section, it is recommended that the proposal to relax the primary street setback be conditionally approved. It is also recommended that the two parking bays located on the northern side of the proposed community garden area be deleted from the plan, allowing expansion of the proposed community garden activity.

### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015.*

### **POLICY / STRATEGIC IMPLICATIONS:**

The establishment of the Men's Shed and proposed Community Garden on the subject land is consistent with the Key Outcomes and Objectives outlined under the theme of Our People within Shire of Northampton Strategic Community Plan 2020-2030.

3.	<b>Our People</b>			
3.1	To support our local communities in a place management approach to services, facilities, and lifestyle enhancement			
	Key Outcomes	Objectives	Success Measures	Timelines
3.1	Providing community and recreation facilities within budget constraints	Asset development and management plans in place	Community satisfaction and level of facility use	Ongoing
3.2	Support community action groups wherever practicable to achieve positive outcomes in their locality to enhance lifestyle	Each community has a progress or community association that is supported by Council	Level of activity or number of community projects in each locality	Annually reviewed
3.3	Advocate for services or facilities the Shire cannot provide	Increased services or facilities	Reduction of the gaps in services or facilities	Review 2-yearly

Ensuring that the overall development is completed to a high standard of amenity is also consistent with key outcome 4.1.3 of the Strategic Community Plan being "*To ensure the built assets enhance the ambience of each town or location*".

### **ORGANISATIONAL RISK MANAGEMENT:**

The risk rating associated with granting conditional approval of the application as submitted is considered insignificant provided that appropriate conditions are

imposed to ensure compliance with landscaping requirements as set out in Local Planning Scheme No 11.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

### FINANCIAL IMPLICATIONS:

As the Men's Shed is a not for profit community group, Council is requested to consider waiving the application fee of \$147.00 on the basis that the group previously paid an application fee of \$147.00 for the temporary approval to the Shipping Containers.

### SUSTAINABILITY:

Environmental: Community Gardens can be utilised to create environmental awareness in the community.

Economic: Community Garden's provide residents with an opportunity to sustainably grow food at minimal cost.

Social: Operation of both the Men's Shed and Community Garden activities on site will provide the opportunity for additional educational and social experiences within the Kalbarri Community.

**VOTING REQUIREMENTS: ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council:**

- 1. Waive the Development Application Fee of \$147.00 that would normally be applicable in accordance with the Shire of Northampton's Fees and Charges as adopted as part of the 2024/25 annual budget; and**
- 2. In accordance with Local Planning Scheme No 11 – Kalbarri, grant planning approval to the proposed Master Plan for the Kalbarri Men's Shed and Community Garden on Lot 57 (17) Richardson Road, Kalbarri subject to compliance with the following conditions:**
  - a) The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:**

<b>Reference</b>	<b>Document Title</b>	<b>Dated</b>
<b>1</b>	<b>Master Plan</b>	<b>25 June 2025</b>

- b) Notwithstanding condition No a) above, the Master Plan hereby approved shall be modified within a period of 30 days from the date of this approval to address the following matters to the satisfaction of the Shire of Northampton;**
  - i) The provision of landscaping within that area of land located between the front boundary and proposed location of the shipping containers and parking;**
  - ii) Landscaping consisting of a row of trees along the front boundary of the property between the front boundary and proposed community garden use; and**
  - iii) Deletion of the two car parking bays proposed on the northern side of the community garden area and this area be included within the area to be dedicated to community garden uses.**
- c) 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;**
- d) The applicants shall within 30 days of the date of this approval lodge a detailed landscaping and reticulation plan for the subject site to address the requirements of condition numbers b) (i) and (ii) above.**
- e) The landscaping referred to in condition d) above shall be established on site within a period of 6 months and from then on maintained to the satisfaction of the Shire of Northampton.**

- f) Carparking bays being provided on-site in accordance with the Master Plan shall be marked on site, maintained and be made available for such use at all times to the satisfaction of the Shire of Northampton.
- g) A minimum of 1 accessibility car bay shall be maintained on site at all times in accordance with the Australian Standard 2890.1 – 2009 and connected to a continuous accessible path to the main entrance of the building or facility. The design and signage of the bay(s) and path(s) are to be in accordance with the Australian Standard 1428.1 – 2009.
- h) All stormwater and drainage runoff is to be retained on the subject property or to be provided with stormwater drainage connections to the drainage system in the area at the developers cost to the satisfaction of the Shire of Northampton.

**Advice to Applicant:**

- i) This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).
- ii) 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.

**COUNCIL RESOLUTION:**

**MOVED: Pike, D**

**SECONDED: Gibb, T**

**07/25-98**

**That Council:**

1. Waive the Development Application Fee of \$147.00 that would normally be applicable in accordance with the Shire of Northampton's Fees and Charges as adopted as part of the 2024/25 annual budget; and
2. In accordance with Local Planning Scheme No 11 – Kalbarri, grant planning approval to the proposed Master Plan for the Kalbarri Men's Shed and Community Garden on Lot 57 (17) Richardson Road, Kalbarri subject to compliance with the following conditions:
  - a) The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:

Reference	Document Title	Dated
1	Master Plan	25 June 2025

- b) Notwithstanding condition No a) above, the Master Plan hereby approved shall be modified within a period of 30 days from the date of this approval to address the following matters to the satisfaction of the Shire of Northampton;
- i) The provision of landscaping within that area of land located between the front boundary and proposed location of the shipping containers and parking;
  - ii) Landscaping consisting of a row of trees along the front boundary of the property between the front boundary and proposed community garden use; and
  - iii) Deletion of the two car parking bays proposed on the northern side of the community garden area and this area be included within the area to be dedicated to community garden uses.
- c) 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;
- d) The applicants shall within 30 days of the date of this approval lodge a detailed landscaping and reticulation plan for the subject site to address the requirements of condition numbers b) (i) and (ii) above.
- e) The landscaping referred to in condition d) above shall be established on site within a period of 6 months and from then on maintained to the satisfaction of the Shire of Northampton.
- f) Carparking bays being provided on-site in accordance with the Master Plan shall be marked on site, maintained and be made available for such use at all times to the satisfaction of the Shire of Northampton.
- g) A minimum of 1 accessibility car bay shall be maintained on site at all times in accordance with the Australian Standard 2890.1 – 2009 and connected to a continuous accessible path to the main entrance of the building or facility. The design and signage of the bay(s) and path(s) are to be in accordance with the Australian Standard 1428.1 – 2009.
- h) All stormwater and drainage runoff is to be retained on the subject property or to be provided with stormwater drainage connections to the drainage system in the area at the developers cost to the satisfaction of the Shire of Northampton.

**Advice to Applicant:**

- i) This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building



**Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).**

- ii) 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.**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.4.4 Request for Approval Extension for Short Term Expansion of Kalbarri Motel Accommodation - Lot 188 (No 60) Jeffery Brown Way, Kalbarri**

<b>PROPONENT</b>	Warren Sizer
<b>OWNER</b>	Sanpoint Enterprises Pty Ltd
<b>LOCATION / ADDRESS:</b>	Lot 188 (No. 60) Jeffrey Browne Way, Kalbarri
<b>ZONE:</b>	Town Centre (SCA2) and Special Use 4 (SU4)
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.6.1.3 & A108
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	30 June 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

Lot 188 is a 1.2137ha property, being the site of the Kalbarri Motor Hotel. It is located on the corner of Grey Street and Porter Street, with primary access to the site provided via Jeffery Browne Way being a service road adjacent to Grey Drive. Secondary access is available off Porter Street.

**Location Plan**

The existing development consists of a primary building containing a bar, restaurant and bottle shop and two rows of motel units, with one facing the Murchison River. The development located as shown above in the southern

corner of the property is the short term accommodation subject of this agenda item.

On 16 July 2021, Council resolved to grant conditional approval to the placement of temporary accommodation units containing 31 single bedrooms en-suites and a laundry. The approval was limited to a two year period, expiring on 16 July 2023.

Subsequently, a revised conditional approval was issued following Council's meeting held on 21 October 2022, where the accommodation units shown on the location plan above were permitted to remain on-site until 31 July 2025. Copies of that approval and the approved site plan are shown attached.

#### **ATTACHMENT: 9.4.4 (1)**

Approval is now being sought to retain the accommodation on-site for a further 3 years, resulting in a new expiry date of 31 July 2028.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

The application was referred to adjacent landowners for comment. No objections were received.

#### **COMMENT (Includes Options):**

To assist Council in determining the application, the following comments and advice are provided:

#### Zoning

The provisions of Local Planning Scheme No 11 (LPS No 11) include the subject land within the Special Use Zone (SU4). Use and development of the land is therefore governed by Schedule 3 of LPS No 11 as follows:

SU 4	Lot 188 Corner of Grey Street and Porter Street.	<p><u>'P' Uses:</u> Tavern Motel</p> <p><u>'A' Uses:</u> All other Use Classes listed under the Centre Zone as 'P', 'D' or 'A' in Table 3 – Zoning Table.</p>	<p>1. As determined by the local government in accordance with the requirements of the Scheme, Special Control Area No. 2 and the Use and Development provisions of the Kalbarri Townsite Local Planning Strategy that relate to the subject land.</p> <p>2. The Local Government shall require the preparation of a Local Development Plan for the land demonstrating the manner in which the proposed development integrates with Grey Street, Porter Street and adjoining lands including the 'Commercial' zoned land on the south side of Porter Street.</p>
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#### Special Control Area

In addition to including Lot 188 within the Special Use Zone, the provisions of LPS No 11 also include the land within Special Control Area 2 – Town Centre. The purpose and objectives of the SCA are:

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

Given the temporary and limited development being sought, along with the circumstances surrounding the need for accommodation in Kalbarri it is not considered appropriate to apply the planning requirements of SCA2 at this time.

#### Land Use Classification

The provision of Short Term accommodation units with en-suites is consistent with the LPS No 11 definition for a motel, which is:

*Motel means premises, which may be licensed under the Liquor Control Act 1988-*

- a) Used to accommodate guests in a manner similar to a hotel; and*
- b) With specific provision for the accommodation of guests with motor vehicles.*

The use is therefore considered to be a “P” use on the land. That is a use which permitted subject to compliance with the applicable development standards.

#### Compatibility with Area

The development is located on the same site as the Kalbarri Motor Hotel, being in a commercial area of Kalbarri. The units are largely screened from public view by Colourbond fencing along the Porter Street frontage.

Examination of Council records indicates that there have been no complaints received regarding the development since it was established in 2021.

#### Demand for Accommodation

The subject accommodation units were initially proposed to overcome a significant lack of short term accommodation options in Kalbarri following the devastating impacts of Cyclone Seroja on available accommodation in Kalbarri. Whilst a significant number of accommodation units have been rebuilt in Kalbarri, the rebuilding process still continues today. For example, whilst reconstruction works have been completed on the ocean front units at the Kalbarri Motor Hotel, the rear units are yet to be completed.

The demand for accommodation in the area remains significantly higher than availability and is predicted to continue for several years whilst the community finalises disaster recovery activity and facilitates emerging industries in the area to create accommodation options for their workforces.

### Conclusion

Approval was previously granted for the temporary placement of the motel style units as a result cyclone damage creating a severe shortage of accommodation within the Kalbarri community. The Kalbarri community has worked to recover from the impacts of Cyclone Seroja, however development of additional accommodation in the town following the natural disaster has been limited.

Given the above and the fact the development is compatible with the area, it is recommended that the request for the approval to be extended a further 3 years be supported.

In order to simplify the approval, it is recommended that all six (6) motel buildings and the laundry/kitchen/living area be dealt with under the single condition 3, with condition No 5 to be deleted and the remaining conditions be renumbered accordingly.

### **STATUTORY ENVIRONMENT:**

In accordance with clause 67 of the Deemed to Apply provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, it is open to Council to consider amending an approval. In doing so, Council have regard to those matters outlined under Part 8 of the Deemed to Apply Provisions. These matters include but are not limited to compliance with the scheme provisions and the compatibility of the use with the area in which it is located.

### **POLICY / STRATEGIC IMPLICATIONS:**

The Kalbarri Townsite Local Planning Strategy (LPS) identifies the strategic vision of the LPS is to develop a long-term strategy for the future development and enhancement of Kalbarri that recognises. Building upon and promoting the tourism and residential values of the location in an environmentally and economically sustainable manner.

The strategic objectives are as follows:

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

As a temporary use, approval to the proposal will not prejudice the strategic vision. In the meantime, the now existing accommodation units continues to support economic development in the community.

### **ORGANISATIONAL RISK MANAGEMENT:**

Risk rating associated with approving the applicants request is considered insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

### **FINANCIAL IMPLICATIONS:**

The applicant has paid the required application fee in accordance with the Shire's Schedule of Fees and Charges adopted as part of the 2024/25 budget.

### **SUSTAINABILITY:**

Environmental: Nil.

Economic: Approval to the application continues to support economic activity in the Kalbarri area.

Social: Nil.

### **VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

### **OFFICER RECOMMENDATION:**

**That Council, pursuant to Section 77 of the Deemed to Apply Provisions of Planning and Development (Local Planning Scheme) Regulations 2015,**

amend the Shire's Development Approval D/A 2022-084 dated 24 October 2022 as follows:

1. Amending condition No 3 to read as follows:
  - “3. Development approval is granted to six (6) transportable motel units and one (1) laundry/kitchen/living area unit in as marked in red on the attached approved plans dated 21 October 2022 for a temporary period expiring 31 July 2028.”
2. Deletion of condition No 5; and
3. Renumbering the remaining conditions accordingly.

#### **COUNCIL RESOLUTION:**

**MOVED:** Suckling, R      **SECONDED:** Sudlow, L

**07/25-99**

That Council, pursuant to Section 77 of the Deemed to Apply Provisions of Planning and Development (Local Planning Scheme) Regulations 2015, amend the Shire's Development Approval D/A 2022-084 dated 24 October 2022 as follows:

1. Amending condition No 3 to read as follows:
  - “3. Development approval is granted to six (6) transportable motel units and one (1) laundry/kitchen/living area unit in as marked in red on the attached approved plans dated 21 October 2022 for a temporary period expiring 31 July 2028.”
2. Deletion of condition No 5; and
3. Renumbering the remaining conditions accordingly.

**MOTION CARRIED 3/2**

#### **FOR**

Cr L Sudlow  
Cr T Gibb  
Cr R Suckling

#### **AGAINST**

Cr R Burges  
Cr D Pike



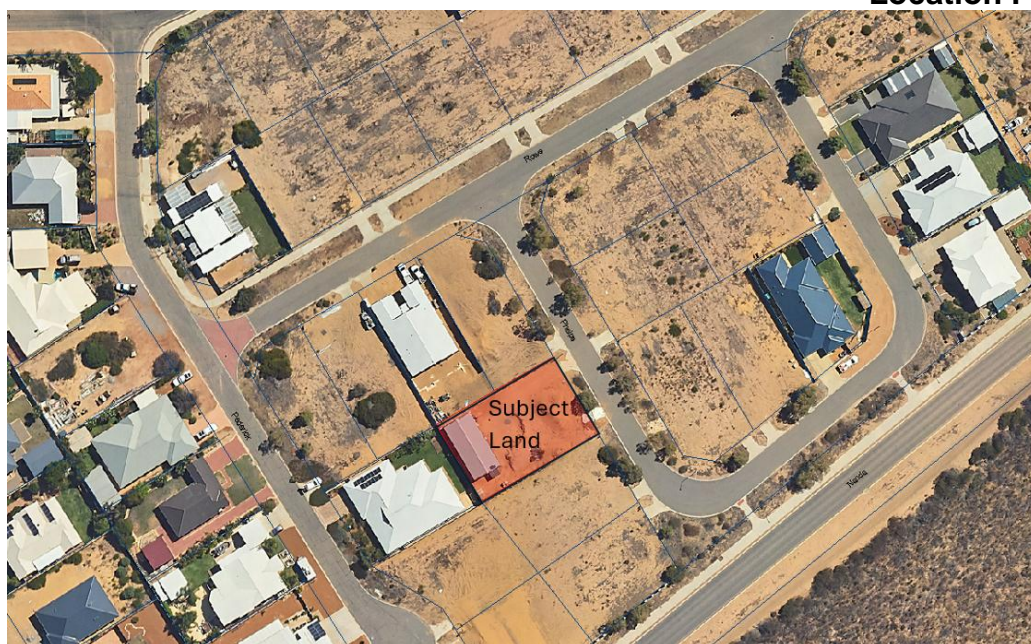
**ATTACHMENT****9.4.5      Unauthorised Development and Non-Compliance with Conditions of Development Approval - Lot 41 (No 4) Phelps Loop, Kalbarri**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	J P Howieson
<b>LOCATION / ADDRESS:</b>	Lot 41 (No 4) Phelps Loop, Kalbarri
<b>ZONE:</b>	Residential (R20)
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.6.1.1 & A4580
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i> <i>Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	2 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

The subject land is a residential lot located on the western side of Phelps Loop in the townsite of Kalbarri. The property, which has an area of approximately 804m<sup>2</sup>, is currently developed with an outbuilding that is located to the rear of the property. The property slopes down away from Phelps Loop, with the outbuilding constructed below the level of the front boundary.

As shown on the location plan below, the land is located in a Residential area of Kalbarri, being surrounded by similar size lots.

**Location Plan**



On 9 August 2022, conditional approval was granted to the construction of a single storey dwelling and outbuilding on the land. A copy of the approval is shown attached.

**ATTACHMENT: 9.4.5 (1)**

As result of the property being advertised for sale and an enquiry from a potential buyer, it was identified that the landowner had been using the outbuilding contrary to the conditions of approval. A copy of the real estate advertisement is shown attached.

**ATTACHMENT: 9.4.5 (2)**

Inspection of the site has confirmed the landowner had completed the following works without the necessary approvals in order to improve their stays on the property:

- a) The creation of an enclosed outdoor shower/bathroom including installation of gas hot water system and washing line;
- b) The placement and use of a builders toilet adjacent to the front boundary, which had been connected to the Water Corporations Reticulated Sewerage service without approval;
- c) Installation of an effluent disposal system which the real estate advertisement stated consisting of "Two large soak wells linked by a blue metal leach drain in front of the shed."

It was also observed that a TV aerial and solar panels had been installed on the outbuilding roof. A copy of the photographs depicting this work are shown attached.

**ATTACHMENT: 9.4.5 (3)**

On 9 June 2025, correspondence was forwarded to the landowner requesting them to show cause as to why action should not be taken for non-compliance with the conditions of approval and unauthorised works. The landowner subsequently attended the property the following weekend, demolished the unauthorised bathroom and disconnected the builders toilet. A copy of the landowners response to the correspondence is shown attached.

**ATTACHMENT: 9.4.5 (4)**

Council is now requested to consider what action if any should be taken in respect of the contravention of the August 2022 conditions of approval, unauthorised development and unauthorised camping on the property.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

To assist Council in determining what action should be taken the following comments and advice are provided:

### Zoning

The provisions of the Shire's Local Planning Scheme No 11 (LPS No 11) include the subject land within the Residential Zone, with an applicable density of R17.5 under the Residential Design Codes of Western Australia.

### Outbuildings on Vacant Land

Clause 4.8.19(a) of LPS No 11 stipulates that *"No outbuilding shall be erected on any land zoned Residential or Rural Residential where there is no dwelling located on the lot."*

### Conditions of Approval

As reflected at attachment: 9.4.5 (1), the August 2022 approval was subject to a total of 17 conditions. The conditions most relevant to this agenda item being:

4. *A building permit shall be issued by the local government prior to the commencement of any work on the site;*
16. *The approved outbuilding component (i.e. named shed) is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the Local Government and shall NOT be used for habitation, commercial or industrial purposes; and*
17. *The construction of the outbuilding (but not the laying of a cement pad) shall NOT be commenced prior to the construction of a dwelling unless the following can be satisfied:*
  - (a) *A building permit for the dwelling and outbuilding has been issued'*
  - (b) *The Applicant has lodged a Statutory Declaration providing a commitment to commence construction of the dwelling within 6 months of the outbuilding; and*
  - (c) *The Applicant has paid a bond of \$10,000 to the Shire of Northampton, that would be repaid to the Applicant upon satisfactory completion and final inspection of the dwelling.*

Although the landowner obtained the building permit for the dwelling and outbuilding concurrently, they subsequently completed the outbuilding only. While the landowner has had the Building Permit for the dwelling extended and this remains current, they have not commenced construction. The requirements of condition No 17 were not met prior to construction of the outbuilding.

Put simply it appears that the owner proceeded with the outbuilding and commenced using the property as a holiday destination/weekender. As reflected in the photographs shown at Attachment: 9.4.5 (2), a caravan and 1-2 camper trailers have been stored at the property.

To facilitate staying at the property, the landowners subsequently:

- Stored a Caravan and Camper Trailer in the open faced outbuilding;
- Created a bathroom by enclosing an outdoor shower;
- Installed an effluent disposal system adjacent to the outbuilding with no approval. The system being connected to the bathroom, and it appears

a grey water disposal pipe from the caravan was directing water to the waste water system;

- Extended water and power connections from builder connections located adjacent to the front of the property to the Outbuilding;
- Installed a Temporary Builder Toilet adjacent to the front boundary, which was found to be connected to the Water Corporation Reticulated Sewerage system. Enquiries with the Water Corporation indicated that the property did not have any approved connections or accounts associated with the property.

The landowner has verbally advised that the “Waste Water System” was installed given that the lot levels did not permit facilities in or adjacent to the outbuilding to connect back to the reticulated sewerage system being located in Phelps Loop.

#### Use of Caravan for Accommodation

Shire records reflect that in March 2023, the landowner emailed the then temporary Shire CEO and the Planning Officer, advising that as they were having difficulty securing other accommodation in Kalbarri, it was their intention to reside on the block within a caravan for a fortnight in April 2023 while they completed site works. They further stated water and power would be connected and they would hire a builder’s toilet.

In response the landowner was advised via email that they were **not permitted** to proceed to reside in a caravan on-site for those reasons stated in the email. A copy of the landowner’s email and Shire Officer response are shown attached.

#### **ATTACHMENT: 9.4.5 (5)**

As reflected within Attachment: 9.4.5 (5), the landowner was advised in clear terms that they were not to proceed with the use of a caravan for accommodation on the property. It appears this was ignored this advice, and the owner proceeded to stay in a caravan on the property on a semi-regular basis making improvements to the outbuilding to improve their stays. It also appears that the reason the owners stated they needed to stay on the property was false as recent photographs demonstrate that the bulk earthworks are yet to be completed for the dwelling.

Occupation of the caravan has been occurring contrary to condition 16 of the Development Approval.

#### Unauthorised Building Work

During inspection of the site, Shire Officers observed that a small extension had been completed on the southern side of the outbuilding. As a hot water system and washing line had been installed to the rear of the extension, the assumption was made it was a bathroom.

During discussion with the landowner, they expressed the view that they had just enclosed an outdoor shower. By enclosing the “outdoor shower”, with a roof and external walls, the landowner has contravened the provisions of the

Building Act 2005 which require a Building Permit to be obtained prior to completing such works.

Following receipt of Shire Officer correspondence regarding the matter, the landowner attended the site and demolished the shed extension and removed the hot water system. Subsequently, it has been identified that the landowner is in fact a registered builder and would have known that a prior permit was in fact required.

#### Unauthorised Effluent Disposal System

In Western Australia, the installation of a waste water disposal system without prior approval contravenes the following legislation:

- a) Section 107(2) of the Health (Miscellaneous Provisions) Act 1911, which prescribes that a person who constructs or installs an apparatus without the local governments prior approval commits an offence;
- b) Section 107(4) of the Act which identifies any person who uses or permits to be used an apparatus commits an offence unless approval to use the apparatus has been granted; and
- c) The requirement for prior approval to be obtained in accordance with clause 4(1) of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

It should also be noted that if the landowner had in fact sought approval, the application would have been refused given that the property is capable of being connected to the Water Corporations reticulated sewerage system.

#### Decommissioning of Apparatus

With the Water Corporations reticulated sewerage system being established at the time of subdivision, the sewer was available prior to development of the land. As such, any application for approval to an on-site waste water system would be refused.

Given this, it is recommended that the landowner be required to decommission the now existing system within 30 days. The decommissioning to occur in accordance with the provisions of Clause 21 of the *Health (treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

#### Conclusion

Through their actions and use of a caravan for habitation purposes, the landowner has clearly contravened condition No 16 of the Shire's August 2022 conditional approval. The owner has also failed to comply with the requirements of condition No 17. It is therefore recommended that a modified penalty be considered for both offences.

As the shed addition has now been removed, no further action is proposed at this stage. It is however recommended that the landowner be ordered to remove the unauthorised effluent disposal system from the property within 30 days. If the landowner does not comply with this order, it is recommended further action be taken against the landowner.

**STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, Health (Miscellaneous Provisions) Act 1911, Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.*

**POLICY / STRATEGIC IMPLICATIONS:**

By taking action against the landowner the Shire would be enforcing the conditions of approval and legislative requirements relating to land use, building work and effluent disposal systems. Failure to act would create an undesirable precedent.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirement s imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**

Environmental: Installation of unauthorised an on-site effluent disposal within an area serviced with reticulated sewerage has potential to result in unnecessarily impacts on the environment.

Economic: Nil.

Social: If the use of the property as a “Weekender” continues members of the public may perceive that it is acceptable to use an outbuilding for human habitation.

**VOTING REQUIREMENTS: SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

**That Council:**

1. Require the owner of Lot 41 (No 4) Phelps Loop, Kalbarri decommission the unauthorised effluent disposal system in accordance with the standards prescribed by Clause 21 of the *Health (treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*;
2. Subject to compliance with point 1 above, request that the Chief Executive Officer arrange for the issue of the following modified penalties in accordance with the provisions of the *Planning and Development Act 2005*:
  - a) A modified penalty of \$500 for non-compliance with condition No 16 of the Shire of Northampton's letter of conditional approval dated 9 August 2022 given the landowners use of the outbuilding for habitable purposes;
  - b) A modified penalty of \$500 for non-compliance with condition No 17 of the Shire of Northampton's letter of condition approval dated 9 August 2022 for proceeding with the construction of the outbuilding contrary to the requirements of the condition; and
3. In the event of the landowner not complying with point 1 above, authorise the Chief Executive Officer to commence legal action against the landowner for the following:
  - a) contravention of conditions 16 and 17 of the Shire of Northampton's letter of condition approval dated 9 August 2022;
  - b) Unauthorised extension of the outbuilding without a Building Permit; and
  - c) the installation and use of an wastewater disposal system contrary to requirements of Clauses 107(2) and 107(4) of the Health (Miscellaneous Provisions) Act 1911.

**COUNCIL RESOLUTION:**

**MOVED:** Sudlow, L      **SECONDED:** Suckling, R

**07/25-100**

**That Council:**

1. Require the owner of Lot 41 (No 4) Phelps Loop, Kalbarri decommission the unauthorised effluent disposal system in accordance with the standards prescribed by Clause 21 of the

***Health (treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974;***

2. Subject to compliance with point 1 above, request that the Chief Executive Officer arrange for the issue of the following modified penalties in accordance with the provisions of the *Planning and Development Act 2005*:
  - a) A modified penalty of \$500 for non-compliance with condition No 16 of the Shire of Northampton's letter of conditional approval dated 9 August 2022 given the landowners use of the outbuilding for habitable purposes;
  - b) A modified penalty of \$500 for non-compliance with condition No 17 of the Shire of Northampton's letter of condition approval dated 9 August 2022 for proceeding with the construction of the outbuilding contrary to the requirements of the condition; and
3. In the event of the landowner not complying with point 1 above, authorise the Chief Executive Officer to commence legal action against the landowner for the following:
  - a) contravention of conditions 16 and 17 of the Shire of Northampton's letter of condition approval dated 9 August 2022;
  - b) Unauthorised extension of the outbuilding without a Building Permit; and
  - c) the installation and use of an wastewater disposal system contrary to requirements of Clauses 107(2) and 107(4) of the Health (Miscellaneous Provisions) Act 1911.

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

## ATTACHMENT

**9.4.6 Delegated Planning Decisions for June 2025**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	Various
<b>LOCATION / ADDRESS:</b>	Various
<b>ZONE:</b>	Various
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.4.1
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Kaylene Roberts
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	8 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

To ensure the efficient and timely process of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve applications for Development Approval that meet the requirements of both Local Planning Schemes being *No. 10 – Northampton* and *No. 11 – Kalbarri* (the Scheme) and adopted Local Planning Policies.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. The updated statistics are shown below.

A register of Delegated Development Approvals, detail those decisions made under delegated authority in June 2025.

**ATTACHMENT: 9.4.6 (1)****PUBLIC CONSULTATION UNDERTAKEN:**

Where required, applications were advertised in accordance with Scheme and Council's adopted Local Planning Policy as detailed in the Policy/Strategic Implications overleaf.

**COMMENT (Includes Options):**

During June 2025, a total of five (5) applications were determined under delegated authority. **Table 1** shows the number and value of development applications determined under both delegated authority and by Council for June 2025 compared to June 2024.



**Table 1(a): Planning Decisions made in June 2024 and June 2025**

	June 2024	June 2025
<b>Delegated Decisions</b>	5 - \$10,000 **2	3 - \$883,335 **0
<b>Council Decisions</b>	6 - \$2,730,000 **0	2 - \$38,000 **1
<b>Total</b>	<b>11 - \$2,740,000</b>	<b>5 - \$921,335</b>

**Table 2** compares the Year-To-Date statistics for delegated authority and Council decisions for 2024-25 compared to the previous Financial Year.

**Table 2: Planning Decisions Made Year-To-Date 2024 and 2025**

	YTD 2024	YTD 2025
<b>Delegated Decisions</b>	29 - \$1,452,936 **8	28 - \$2,604,335.09 **7
<b>Council Decisions</b>	21 - \$5,154,742 **4	9 - \$509,412 **1 1 Refusal
<b>Total</b>	<b>50 - \$6,607,678</b>	<b>37 - \$3,113,767.09</b>

*\*\*Include administrative applications which are attributed no value in Delegated and Council decisions and include Commercial Vehicle Parking, Mobile Food Vehicle, Commercial Recreational Tourism License and Temporary and Exemption Approval Applications.*

### **STATUTORY ENVIRONMENT:**

The *Local Government Act 1995* creates and gives powers to Local Governments. The Act then empowers the local government to delegate its powers on behalf of the local government.

The Shire's Local Planning Schemes, made in accordance with the *Planning and Development Act 2005* and associated regulations, set out procedures for the assessment and determination of development applications.

In accordance with Regulation 19 of the *Local Government (Administration) Regulations 1996*, a written record of each delegated decision is kept.

### **POLICY / STRATEGIC IMPLICATIONS:**

Applications for Development Approval must be assessed against the requirements of the Schemes and Local Planning Policies that have been adopted in accordance with the Schemes. These Policies include Local Planning Policy *Consultation for Planning Proposals*, which details the level and scope of advertising required for Applications for Development Approval.

Each application determined under delegated authority has been processed and advertised, where required in accordance with the Local Planning Scheme provisions and Shire of Northampton adopted Policies.

### **ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

The required planning fees have been paid for all applications for Development Approval process under delegated authority.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the report on Delegated Development Approvals for June 2025 as detailed in ATTACHMENT: 9.4.6 (1).**

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R              SECONDED: Burges, R**

**07/25-101**

**That Council receive the report on Delegated Development Approvals for June 2025 as detailed in ATTACHMENT: 9.4.6 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

## ATTACHMENT

## 9.5.1 Building Approval Report for June 2025

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	Northampton and Kalbarri
<b>BUSINESS AREA:</b>	Building
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Building Registrations 2012</i>
<b>AUTHOR:</b>	Michaela Simpson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	7 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

This report has been produced to assist Council understand the Building and Demolition Permits approved and issued for the period of 1 June 2025 to 30 June 2025.

**ATTACHMENT: 9.5.1 (1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

During June 2025, ten (10) building and demolition applications were determined under delegated authority as reflected within Attachment: 9.5.1 (1).

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995 and Building Act 2011.*

**POLICY / STRATEGIC IMPLICATIONS:**

Nil.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

The required building fees have been paid for all Building and Demolition applications processed under delegated authority.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the Building Approvals Report June 2025 in accordance with Attachment: 9.5.1 (1)**

**COUNCIL RESOLUTION:**

**MOVED: Pike, D**

**SECONDED: Suckling, R**

**07/25-102**

**That Council receive the Building Approvals Report June 2025 in accordance with Attachment: 9.5.1 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.6.1 Kalbarri Open Air Music Festival - Proposed 2026 Dates**

<b>PROPONENT</b>	Music on Murray (Previously known as Jamart Sound Lounge) Mr Ersh On & Ms Kimberley Zehra
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Kalbarri Oval and Kalbarri Sport & Recreation Centre
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Environmental Health
<b>FILE REFERENCE:</b>	11.1.10 & 11.1.2
<b>LEGISLATION:</b>	<i>Local Government Act 1995 &amp; Environmental Protection (Noise) Regulations 1997</i>
<b>AUTHOR:</b>	Wendy Dallywater/Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	3 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

In its inaugural year the Kalbarri Open Air Music Festival was operated by JamArt Sound Lounge on Friday 15 & Saturday 16 March 2024. This year the event was held on Friday 4 & Saturday 5 April 2025.

At the Council Meeting held on 19 June 2025, Council was requested to consider Shire Officer findings regarding compliance with the approved Noise Management Plan and the outcomes of post event consultation with nearby accommodation businesses. Council resolved (Resolution 06/25-83) to:

- 1. *Receive the Officer report shown at Attachment: 9.6.1 (2) and note that the event was compliant with approved Noise Levels; and***
- 2. *Take no action regarding the two complaints received following the holding of the 2025 Kalbarri Open Air Music Festival.***

The owners of JamArt Sound Lounge are now seeking to hold the event next year on Friday 17 and Saturday 18 April in 2026. They have also advised that moving forward, the Kalbarri Open Air Music Festival will be operated by Music on Murray. A copy of their request is shown attached.

**ATTACHMENT: 9.6.1 (1)****PUBLIC CONSULTATION UNDERTAKEN:**

As detailed in the officers report in June 2025, nearby accommodation businesses were consulted. As part of their response, adjacent business advised that moving forward they were prefer a set date so that they may plan around the event and advise potential clients.

Officer comment regarding the timing of the event is detailed overleaf.

**COMMENT (Includes Options):**

As identified in the June 2025 agenda item, the applicants have identified a timeframe of two weeks after easter, being Friday 17 and Saturday 18 April 2026. In response Shire Officers suggested that it was not a good approach to base dates around Easter given it moves between March and April each year.

In an email received on 25 May 2025, the applicants stated:

*“We do our best to work around the school holidays and Easter as we know Kalbarri relies on those times for regular tourism. We propose two weeks either side of Easter so we can avoid those times for you all. Hence asking for 17 & 18th as it’s two weeks after Easter and at the very end of the school holidays.”*

To assist Council in determining the applicants request, the following advice is offered:

Strategic Community Plan

The Shire of Northampton Strategic Community Plan 2020-2030 identifies the following Key Outcomes and Objectives that should be taken into account in determining the application:

<b>1.</b>	<b>Our Economy</b>			
	<b>Key Outcomes</b>	<b>Objectives</b>	<b>Success Measures</b>	<b>Timelines</b>
1.1.3	To maintain a tourism strategy within budget possibilities to have tourist facilities of the highest standard Council can afford.	Increase in numbers of visitors accessing local businesses and employment benefits.	Trend in visitor numbers and tourist enterprises operating.	Ongoing.
1.1.4	Support for visitor attraction and for community driven events-based and tourism.	Increase of events that attract overseas, regional and local people to support the local economy.	Increase or decreased of visitors and number of events held.	Ongoing
<b>5.</b>	<b>Our Leadership</b>			
5.1.3	To demonstrate a proactive approach to community and economic development, and service delivery.	Community engagement strategies in place and positive relationships with business and service providers.	Community satisfaction levels and level of intersection with business owners and service providers.	Ongoing.

Support of events that attract regional and local visitors, increase visitor numbers and add to the local economy would be consistent with the Strategic Community Plan recommendations.

#### Potential for Impact

Any music event has the potential to impact on the amenity of an area through noise and the actions of participants entering and leaving the venue. These impacts can be minimised through event management and the preparation and implementation of a noise management plan. Whilst the potential for noise impacts is increased by holding such events outdoors, no suitable indoor venues are available within the community.

It should be noted that as reflected within Council's June 2025 decision, the event operated in compliance with the approved Noise Management Plan, albeit the event extended slightly past the approved finish time of 10pm.

#### Proposed 2026 KOA Event

In setting a date for an open air event there are many considerations such as the timing of other planned events in the community, nearby potentially competing events, availability of venue, artists, typical/expected weather patterns and available accommodation to name a few.

The above said, the organisers have not given a specific reason for wanting to hold next year's event at the end of the April School Holidays. The Kalbarri Sport & Recreation Committee have agreed that the organisers can hire the Kalbarri Oval and the Kalbarri Sport & Recreation Centre for the event on 17<sup>th</sup> & 18<sup>th</sup> April 2026.

The organisers advised that they spoke to the Committee about other dates but have not provided any further comments on why the preferred dates have been chosen.

#### Regular Timing of KOA Event

The Kalbarri Open Air Music Festival is a relatively new event and organisers have adjusted the timing of the event each year as it tries to identify the best timing. So far the timing has been as follows:

- 2024 – event held two weeks before school holidays;
- 2025 – event held week before school holidays;
- 2026 – now proposed on last weekend of April School Holidays.

Through liaison with one of the owners of an adjacent accommodation business, it has been identified that a regularly timed event is preferable given that:

- a) The event has potential to impact on client experience;
- b) Many of the customers are repeat customers who are not staying in Kalbarri for the event;
- c) Some customers would wish to time their stay so as not to be in attendance when the open air festival is on.

Whilst the preference of the adjacent business are noted and understood, Council is obliged to determine each application for an event approval on its merits. In the event that a set date is not possible, for what ever reason, the best option to allow the event to be advertised as early as possible.

#### Economic Benefit

In the absence of a detailed economic study, it is impossible to determine how much Kalbarri Open Air Festival adds to the local economy. Whilst there is no doubt that some attendees visited Kalbarri specifically for the event, some may have visited Kalbarri in any event and others are local residents or regular holiday makers.

The above said, organisers, performers and some participants directly contribute to the hospitality industries in Kalbarri. The event also provided a fund raising opportunity to the venue managers.

#### Social Benefit

In addition to potential economic benefit, the holding of outdoor music events provides Kalbarri residents with an opportunity to attend a local concert/festival. With such opportunities being limited within the Kalbarri community, KOA positively contributes to social opportunities for the community members.

#### Conclusion

In response to the 2025 event, concerns were from two adjacent accommodation premises expressing concern that the event did not comply with its approved finish time and expressing a desire for a set date for future events. Notwithstanding this, the event was deemed to comply with its Event and Noise Management Plans. No formal complaints regarding noise were lodged with the Shire, other than the matters by the adjacent businesses.

Given this, it is considered there is no justifiable reason to refuse the proposed event dates in 2026. Approval of the dates now will ensure that the adjacent businesses are advised of the proposed date as soon as possible.

#### **STATUTORY ENVIRONMENT:**

Various legislation is applicable but not limited to the *Local Government Act 1995*, *Environmental Protection Act 1986*, and the *Environmental Protection (Noise) Regulations 1997*.

#### **POLICY / STRATEGIC IMPLICATIONS:**

Refer to Comment Section of Agenda Item.

#### **ORGANISATIONAL RISK MANAGEMENT:**

The associated risk relating to the holding of the 2026 Kalbarri Open Air Music Festival on the proposed dates will result in impacts on the community. Risk rating is considered Level 3 - Moderate.



Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirement s imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Nil

**SUSTAINABILITY:**Environmental: Nil.Economic: Refer to Comment Section of Agenda Item.Social: Refer to Comment Section of Agenda Item.**VOTING REQUIREMENTS: SIMPLE MAJORITY****OFFICER RECOMMENDATION:****That Council:**

1. Approve the applicants proposed event dates of 17 and 18 April 2026 subject to submission and approval of Event Application including Event Management and Noise Management Plans;
2. Advise the adjacent accommodation businesses on Porter Street of point 1 above; and
3. Formally request the applicants to consider identifying a set date outside of the Western Australian Public School Holiday Period for future events.

**COUNCIL RESOLUTION:**

**MOVED: Sudlow, L      SECONDED: Gibb, T**

**07/25-103**

**That Council:**

- 1. REFUSE the application for the 17<sup>th</sup> and 18<sup>th</sup> April 2026 on the grounds that it clashes with school holidays; and**
- 2. Invite the applicant to reapply with alternative dates after consultation with Shire staff.**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

## ATTACHMENT APPENDIX

### 9.7.1 Proposed Adoption of Shire of Northampton Parking Local Laws 2024

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	All
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Community, Development & Regulation
<b>FILE REFERENCE:</b>	4.2.3
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	24 June 2025
<b>DECLARATION OF INTEREST:</b>	Nil

#### **BACKGROUND:**

At its Ordinary Meeting held on 20 March 2025, Council resolved (Resolution 03/25-45) to statewide and local notice that the Shire intends to make the Shire of Northampton Parking Local Laws with the following purpose and effect:

Purpose – to provide for the management and regulation of parking throughout the Shire of Northampton.

Effect – to require a person parking a vehicle within the district is to comply with the provisions of this local law and any restrictions within areas specifically signed or marked.

A copy of the draft Local Laws as endorsed by Council is appended.

#### **APPENDIX: 9.7.1 (A)**

With advertising of the proposed Local Law now complete, Council is requested to adopt the Local Law without modification.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

In accordance with section 3.12(3) and (3a) of the *Local Government Act 1995*, a public notice was placed in the Western Australian Newspaper along with local papers circulating within the district.

In response, a single submission was received from the licensee of the Northampton Post Office providing comment on parking issues abutting the Post Office building. Further information on the submission is provided in the Comment section below, whilst a copy of the submission is shown attached.

#### **ATTACHMENT: 9.7.1 (1)**

**COMMENT (Includes Options):**

Within Western Australia, Local Government may make local laws it considers necessary for the good governance of their districts under the powers conveyed by the *Local Government Act 1995*. The procedure for making a local law is prescribed by Section 3.12 of the Act, which is summarised as follows:

Step	Status
Drafting of a Local Law;	Completed
Council resolving to make a local law and the presiding member to give notice of the purpose and effect of the local law;	Completed
Providing Statewide public notice summarising and calling for submissions over a minimum of six weeks;	Completed
Providing a copy of the proposed local law to the Department of Local Government for submission to the relevant Minister;	Completed
Council resolving by absolute majority to make the local law taking into account any submissions received;	The purpose of this agenda item.
Providing Statewide notice that the Local Law has come into effect;	To be completed.
Providing an explanatory memorandum to the Joint Standing Committee on Delegated Legislation for assessment.	To be completed.

In accordance with Section 3.14 of the Act, local laws come into effect 14 days after the Gazettal Notice. It should be noted however that following gazettal, the local laws are still subject to review by the Joint Standing Committee on Delegated Legislation. The Joint Standing Committee can require modifications to the local laws following their gazettal or disallow the local laws where considered necessary.

**Submission Received**

As set out in clause 3.12(5) the local government proposing a local law must consider any submissions made. As detailed above, a single submission has been received from the licensee of the Northampton Post Office. The following is a summary of that submission:

1. The 5 minute parking signs outside of the Post Office – the northern sign near Elders is tucked away behind verandah posts and unable to be seen when driving or parking in southerly direction;
2. Over past 12 months I have noted people parking, particularly cars with caravans or trailers parking in front of the Post Office for lengthy periods, inhibiting access. I have many complaints regarding this;
3. I have had damage to guttering on verandah due to a wide caravan hitting it whilst parking;
4. Is it possible for more prominent signage outside of the post office, an ACROD parking bay and no parking for caravans or trucks.
5. I have concerns with the parking of caravans and larger vehicles on the main street at the northern end of Hampton Road, both blocking visibility

and taking up several car park bays at a time for lengthy periods. Understands there is larger vehicle parking behind Hampton Gardens, but there is limited signage in this area to indicate the available parking.

In response to the submission, the provisions of the Shires Draft Parking Local Laws 2025 will permit Council to regulate parking throughout the district with enforceable signage and the legal ability to tow vehicles where necessary to ensure compliance and/or ensure safe access.

The above said, it should be noted that in accordance with Australian Standards parallel parking bays must be a minimum of 3.2m wide and 7.8m long to comply with ACROD standards. Given the width of the trafficable lane required by Main Roads Western Australia and the very limited width verge on Hampton Road, it is not possible to establish a parallel parking bay to accessible parking standards.

#### Review of Parking Hampton Road

Once the Local Laws have been gazetted, it is suggested that parking restrictions in Hampton Road should be examined in further detail. As highlighted within the submission, there are several issues to address such as:

- If and where timed parking should be implemented;
- A review of identified ACROD parking bays;
- Potential restrictions on the parking of larger commercial vehicles or cars towing caravans/boats; and
- Identification of areas where no parking or standing should be permitted due to sightlines being interrupted.

Additionally, it is suggested that the location of pedestrian crossings need to be reviewed. Currently there are several pedestrian crossings that do not provide a clear path of travel for pedestrians. For example, a pram ramp on the western side of Hampton Road directs pedestrians to cross between car parking bays on the eastern side. There are opportunities to rationalise the current crossings and parking bay locations to:

- a) Ensure clear paths of travel for all pedestrians crossing Hampton Road; and
- b) Use the locations of pram ramps and associated kerb treatments to restrict the parking of trucks, caravans and other long vehicles where their parking is not considered appropriate (where damage is occurring to building verandah posts for example).

#### Further Public Consultation

In accordance with the provisions of the draft Local Law, proposals to introduce restrictions for timed parking must be further advertised for public comment. This ensures that local business and residents are provided opportunities to comment on specific proposed changes.

#### **STATUTORY ENVIRONMENT:**

*Local Government Act 1995.*

**POLICY / STRATEGIC IMPLICATIONS:**

Adoption of the Parking Local Laws will ensure that Shire Rangers have adequate statutory authority to ensure the regulation of Vehicle Parking within the district, which is consistent with the outcomes and following key objectives as contained within the Shire of Northampton Strategic Community Plan 2020-2030:

4.	<b>Our Built Environment</b>			
4.1	<b>To provide quality in built assets, roads, and other infrastructure for continuity of services to the community</b>			
4.	<b>Key Outcomes</b>	<b>Objectives</b>	<b>Success Measures</b>	<b>Timelines</b>
4.1.1	Continue with our comprehensive strategy for managing sealed and unsealed roads, foot paths and parking facilities	Safe and reasonable roads, footpaths, and parking facilities within budget affordability	Level of community and visitor satisfaction	Ongoing
4.1.2	Continue to develop and maintain our comprehensive asset management plan and ensure linkages to our long-term financial plan	Asset management and long-term financial plan in place and reviewed annually	Plans meet objectives and legislative compliance	Ongoing
4.1.3	To ensure the built assets enhance the ambience of each town or location	Each town and location maintain their own unique characteristics	Community satisfaction	Ongoing

**ORGANISATIONAL RISK MANAGEMENT:**

The Risk rating is considered Moderate given existing signage relating to parking is not currently enforceable.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirement s imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Costs associated with finalising the Draft Local Law will be wholly contained within the Shires approved budget.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: The introduction of Local Laws will permit Council to introduce formal time limits on parking within identified areas. The Local Laws will also enable Shire Rangers to enforce existing timed parking signage such as adjacent to the Northampton Post Office where signs were erected to discourage longer periods of parking and ensure opportunities to access to the business premise are maximised.

Social: The regulation of parking within the district ensures that the parking of vehicles does not detrimentally impact on the amenity or safety of the community.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

That Council:

1. Having regard to the single submission received, adopt the draft *Shire of Northampton Parking Local Laws 2025* for final approval without modification;
2. Request the Chief Executive Officer provide Statewide Notice of the above decision in accordance with clause 3.15 of *the Local Government Act 1995*;
3. Request the Chief Executive Officer submit the *Shire of Northampton Parking Local Laws 2025* to the Joint Standing Committee on legislation; and
4. The submission author be advised that Australian Standards require ACROD standard parallel parking bays to be a minimum 3.2m wide by 7.8m long. Given the width of the trafficable lane required by Main Roads and the limited width of the adjacent verge, it is not currently possible for an accessible compliant parking bay to be established in Hampton Road.

**COUNCIL RESOLUTION:**

**MOVED:** Burges, R                      **SECONDED:** Pike, D

**07/25-104**

That Council:

1. Having regard to the single submission received, adopt the draft *Shire of Northampton Parking Local Laws 2025* for final approval without modification;

2. Request the Chief Executive Officer provide Statewide Notice of the above decision in accordance with clause 3.15 of *the Local Government Act 1995*;
3. Request the Chief Executive Officer submit the *Shire of Northampton Parking Local Laws 2025* to the Joint Standing Committee on legislation; and
4. The submission author be advised that Australian Standards require ACROD standard parallel parking bays to be a minimum 3.2m wide by 7.8m long. Given the width of the trafficable lane required by Main Roads and the limited width of the adjacent verge, it is not currently possible for an accessible compliant parking bay to be established in Hampton Road.

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
 Cr R Burges  
 Cr T Gibb  
 Cr D Pike  
 Cr R Suckling

**AGAINST**



**ATTACHMENT****9.7.2 Informal Notes - Bush Fire Advisory Committee Meeting held on 26 May 2025**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	N/A
<b>BUSINESS AREA:</b>	Community, Development & Regulation
<b>FILE REFERENCE:</b>	5.1.2
<b>LEGISLATION:</b>	<i>Local Government Act 1995;</i> <i>Bush Fires Act 1954 and</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	7 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

The purpose of this agenda item is to provide Council with the informal notes of the Bush Fire Advisory Committee meeting held on 26 May 2025. A copy of the informal meeting notes is provided attached.

**ATTACHMENT: 9.7.2 (1)**

The Bush Fire Advisory Committee is an Advisory Committee of Council, formed in accordance with the requirements of Division 2 of the *Local Government Act* and Division 4 of the Shire of Northampton *Bush Fire Local Law 2017*. As outlined within the adopted Terms of Reference, the purpose of the Advisory Committee is:

1. Advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires;
2. Annual bushfire budget and relevant financial matters;
3. Annual review of the Shire's Annual Firebreak Notice;
4. Standards of equipment that should be provided and maintained under Brigade Control;
5. General Maintenance and capital works on Bushfire Brigade Stations;
6. Planning, setting standards and works program for fire prevention within the Shire;
7. Composition, formation, rationalisation of winding up of any Bush Fire brigades within the Shire;
8. Preparation and periodical review of a Bush Fire Operational Procedure Manual to guide the management and co-ordination of bush firefighting resources within the Shire; and

9. Ensuring co-operation and co-ordination of bush fire brigades in their efforts and activities including training of brigade members.

A copy of the Terms of Reference as adopted by Council are appended.

#### **APPENDIX: 9.7.2 (A)**

The second meeting of the Shire of Northampton's Bush Fire Advisory Committee was arranged for 26 May 2025. As a quorum was not achieved for the holding of a formal Bush Fire Advisory Committee meeting, the meeting proceeded as an informal meeting.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

#### **COMMENT (Includes Options):**

The following is a summary of the main points of discussion during the informal meeting:

1. The List of Actions from previous minutes;
2. The Draft Bushfire Operational Guidelines;
3. Review of the 2024/2025 Annual Firebreak Notice;
4. Future Chief Bush Fire Control Officer arrangements and available training for brigades; and
5. 2025/2026 ESL funding increase and the need to update Personal Protection Equipment.

By way of further explanation in respect of point 4 above, the Department of Fire and Emergency Services initially offered the Shire a total grant of \$52,080 under the Local Government Grant Scheme. Subsequently Shire Offers achieved an increase of funding to \$55,000 with an additional \$10,000 for the 2025/26 financial year to assist in bringing brigade Personal Protective Equipment up to date.

As a quorum was not achieved at the meeting, there are no matters requiring Council consideration arising from the meeting.

#### **STATUTORY ENVIRONMENT:**

*Local Government Act 1995;*

*Bushfires Act 1964; and*

*Shire of Northampton Bush Fire Local Laws 2017*

#### **POLICY / STRATEGIC IMPLICATIONS:**

Support of the Shire's Local Bushfire Brigades is consistent with the following Key Outcomes and Objectives as identified in the Shire of Northampton Strategic Community Plan 2020-2030.

	<b>Key Outcomes</b>	<b>Objectives</b>	<b>Success Measures</b>
3.3.	Advocate for services or facilities the Shire cannot provide.	Increases services or facilities.	Reduction of the gaps in services or facilities.

5.1.2	To maintain best practice in all areas of Council operations incorporating appropriate risk management strategies.	Policy and procedure manuals reviewed and updated as required; risk management strategies embedded in planning and operations.	Satisfied community and employees.
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### ORGANISATIONAL RISK MANAGEMENT:

Ineffective management of Bushfire risks represents a Major risk to the Shires reputation and the potential for property damage and loss of life.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

### FINANCIAL IMPLICATIONS:

Council is being requested as part of the annual budget process to consider an increase in the budget allocation for bushfire brigade equipment and activities. An increase in the Department of Fire and Emergency Services annual grant for bushfire brigade operations has been sought with the intention of offsetting the increased expenditure.

### SUSTAINABILITY:

Environmental: Best practice management is required to minimise the potential for environmental impact as a result of fire.

Economic: The economic impact of a fire event can be greatly reduced through the timely response by brigades that are well resourced.

Social: Successful operation of bushfire brigades adds the community's sense of safety in the event of a fire.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive and note the informal notes of the Shire of Northampton Bush Fire Advisory Committee held on 26 May 2025.**

**COUNCIL RESOLUTION:**

**MOVED: Burges, R                      SECONDED: Suckling, R**

**07/25-105**

**That Council receive and note the informal notes of the Shire of Northampton Bush Fire Advisory Committee held on 26 May 2025.**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.8.1 Information Items - Maintenance/Construction - Works Program**

<b>PROPONENT</b>	Executive Manager of Works and Technical Services
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Works and Technical Services
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	N/A
<b>AUTHOR:</b>	Tina Souroup
<b>APPROVING OFFICER:</b>	Neil Broadhurst
<b>DATE OF REPORT:</b>	4 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil.

**BACKGROUND:**

The following works, in addition to routine maintenance works, has been undertaken since the last report and is presented for Council information.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**Specific Road Works

- Maintenance grading undertaken on – Reynolds, Drage, Isachar Back, Allen, Ruddaway, Wundi, Bowes River, Larard, Suckling, Rose Hill, Gill, Mitchell, Ivans, Binnu West, Balla Whelarra, Woolawar, Ogilvie East, Binnu East, Ajana East, Frosty Gully, Harvey, Teakle, Blue Wells, Hatch, Jackson, Starling, Yarra, Oakabella, Normans Well, Ralph, Mongeragarry, Diepeveen, Wickens and Ford Road/s.
- Other Roads, Pothole repairs - Unsealed Roads Gravel Sheetting / Verge works undertaken on -, Yerina Springs, Ogilvie East, and Horry Road/s.
- Culvert clean outs prior to winter undertaken on Teakle, Isachar Back, Isseka West, Brook, Mitchell, Sandy Gully, Mary and Bishop Gully Road/s.

Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and edges in various locations.
- General – Northampton and Kalbarri – Various tree lopping/vegetation works for road verge and Western Power line clearance.
- General – Contract dozer in Shire undertaking gravel pushup/stockpile works.
- General – General drainage and stormwater preparation and cleanup works

### Other Items

- Traffic Counts placed in Kalbarri, one (1) north of Stiles Rd, one (1) south of Nanda Drive, and the other placed at east end of Kalbarri Road with counters scheduled to be in place for 28 days.
- Jacques Point Carpark- Improvement works to drainage being undertaken.

### Other Items (Budget)

- Kalbarri Road widening – Main Roads WA 10 kilometres of widening immediately to the east of Kalbarri extending as far as the Skywalk lookout turnoff. Practical completion has been granted. Significant defects requiring contractor rectification.
- Disabled fishing platform and ramp construction continuing.
- Port Gregory carpark construction-renovations kerbing, and concrete dual use path completed. Paving, shelter, shower and fencing installation in progress.
- Northwest Coastal Highway (Hampton Road) – Footpath works (Elders South Verge) – Concrete kerb and Driveway is complete, with the paving installation in progress.
- Red Bluff Road dual use pathway install- Replacement of 92m of dual use path installation of box culvert and additional pipe culvert completed. Concrete dual use pathway replacement progressing.

A copy of the Executive Manager for Works and Technical Services – Program and Progress Report, July 2025 is attached.

### **ATTACHMENT: 9.8.1 (1)**

#### **STATUTORY ENVIRONMENT:**

Nil.

#### **POLICY / STRATEGIC IMPLICATIONS:**

Nil.

#### **ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Level 1 insignificant, as the report is information in nature.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Works are conducted in accordance with maintenance and construction budget.

**SUSTAINABILITY:**

Environmental: Activities of the Executive Manager of Works and Technical Services often deal with environmental related matters both from a compliance perspective and improvement perspective.

Economic: Part of the Executive Manager of Works and Technical Services role is to improve local economies and often activities are associated with economic development initiatives and opportunities.

Social: The Executive Manager of Works and Technical Services plays a key role in the development of community leadership, infrastructure provision and community support.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receives the Executive Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for July 2025. In accordance with ATTACHMENT 9.8.1 (1).**

**COUNCIL RESOLUTION:**

**MOVED: Pike, D**

**SECONDED: Burges, R**

**07/25-106**

**That Council receives the Executive Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for July 2025. In accordance with ATTACHMENT 9.8.1 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**



**ATTACHMENT****9.9.1 Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 1 July 2025**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Works and Technical Services
<b>FILE REFERENCE:</b>	12.1.3
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Tina Souroup
<b>APPROVING OFFICER:</b>	Neil Broadhurst
<b>DATE OF REPORT:</b>	4 July 2025
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

A meeting of the Road Infrastructure and Plant Advisory Committee (RIPAC) was held on 1 July 2025 in the Council Chambers, Northampton.

The purpose of this report is for Council to receive the minutes of the meeting and recommended by the Committee. The minutes of the meeting are attached.

**ATTACHMENT: 9.9.1 (1)****PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The primary purpose of the RIPAC meeting held of 1 July 2025 was for the Committee to assess plant replacement for the Shire of Northampton's heavy fleet for 2025/26.

There was one recommendation made by RIPAC:

<b>Committee Recommendation</b>	<b>Administration Comment</b>
<b>That the minutes of the Road Infrastructure and Plant Advisory Committee Meeting held on 6 June 2025 be confirmed noting that Council replaced Kaiber Street with Karina Mews as a project to be completed in 2025/26.</b>	This recommendation is administrative only. The change by Council related to RIPAC inadvertently inserting "Kaiber Street" into the recommendation instead of what it was meant to be "Karina Mews".

**STATUTORY ENVIRONMENT:**

The *Local Government Act 1995* and subsidiary legislation prescribe the requirements of creating an Advisory Committee in a Local Government organisation in Western Australia.

**POLICY / STRATEGIC IMPLICATIONS:**

The Road Infrastructure and Plant Advisory Committee will enable Council to strategically approach requests for Road Constructions and Plant Replacements for implementation through the Annual Budget process.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Level 1 - Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 1 July 2025 in accordance with ATTACHMENT: 9.9.1 (1).**

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R              SECONDED: Burges, R**

**07/25-107**

**That Council receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 1 July 2025 in accordance with ATTACHMENT: 9.9.1 (1).**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**10. LATE REPORTS:**

Nil.

**11. QUESTIONS FROM MEMBERS:**

11.1 Response to questions from members taken on notice: Nil.

11.2 Questions from members: Nil.

**12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING**

Nil.

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY  
DECISION OF THE MEETING:**

Nil.

**14. APPLICATIONS FOR LEAVE OF ABSENCE:**

**MOVED:** Suckling, R      **SECONDED:** Pike, D

**07/25-108**

**That Council grant Cr Trevor Gibb an Approved Leave of Absence for the Special Meeting of Council to be held on Friday 1<sup>st</sup> August 2025 and the Ordinary Meeting of Council to be held on Thursday 21<sup>st</sup> August 2025.**

**MOTION CARRIED 5/0**

**FOR**

Cr L Sudlow  
Cr R Burges  
Cr T Gibb  
Cr D Pike  
Cr R Suckling

**AGAINST**

**15. CLOSURE:**

**There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.22pm.**

**SIGNED:**



**Cr Liz Sudlow  
Shire President**

**DATE: 21 August 2025**