



MINUTES

COUNCIL MEETING

21 AUGUST 2025

TABLE OF CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS: .	3
2.	ANNOUNCEMENTS BY THE PRESIDENT:.....	3
3.	ATTENDANCE:.....	3
4.	DECLARATIONS OF INTEREST:.....	4
5.	PUBLIC QUESTION TIME:	4
6.	PRESENTATIONS:.....	6
7.	CONFIRMATION OF MINUTES:	8
8.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	8
9.	OFFICERS' REPORTS:.....	8
08/25-114	9.1.1 Proposed Adoption of the Shire of Northampton Strategic Community Plan 2025-2035.....	9
08/25-115	9.2.1 Proposed July 2025 List of Accounts for Endorsement on 21 August 2025	12
08/25-116	9.4.1 Planning Decisions for July 2025	15
08/25-117	9.4.2 Review of Local Planning Policy - Repurposed and Second Hand Dwellings	18
08/25-118	9.4.3 Proposed 'Use Not Listed' (Ancillary Accommodation) at Lot 100 (No. 16) Elliott Street, Isseka	22
08/25-119	9.4.4 Proposed Overheight and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory	31
08/25-120	9.5.1 Building Approval Report for July 2025	40
08/25-121	9.7.1 .. Endorsement of 2025/2026 Annual Firebreak & Fuel Hazard Reduction Notice.....	43
08/25-122	9.8.1 Information Items - Maintenance/Construction - Works Program.....	49
08/25-123	9.9.1 Unconfirmed Minutes of the Audit and Risk Management Advisory Committee Held on 1 August 2025	53
10.	LATE REPORTS:.....	57
11.	QUESTIONS FROM MEMBERS:.....	57
12.	MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING	57
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING:	57
15.	APPLICATIONS FOR LEAVE OF ABSENCE:	60
16.	CLOSURE:.....	60

SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Allen Centre , Kalbarri, Thursday, 21 August 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 Tim Hay (Deputy Shire President)

Cr Des Pike

Cr Karl Suckling

Cr Roslyn Suckling

Staff

Mr Andrew Campbell (Chief Executive Officer)

Mr Brian Robinson (Executive Manager of Community, Development and Regulation)

Mr Neil Broadhurst (Executive Manager of Works and Technical Services)

Mrs Leanne Rowe (Manager Financial Services)

Mrs Michelle Allen (Manager Corporate Services)

Mrs Kaylene Roberts (Planning Officer)

Ms Sonya Hasleby (Executive Support Officer)

Gallery

Bryan Dicker, Philippa Saunders

3.1 Apologies: Nil.

3.2 Leave Of Absence:

Cr Trevor Gibb was granted an Approved Leave of Absence at the Ordinary Meeting of Council Thursday 17th July 2025.

Cr Richard Burges was granted an Approved Leave of Absence at the Special Meeting of Council Friday 1st August 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.]

Cr Tim Hay declared a proximity interest in relation to item 9.4.4 – Proposed Overheight and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory as his house is on the same street as the proponent.

Cr Liz Sudlow declared an impartiality interest in relation to item 9.4.4 – Proposed Overheight and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory as she is related to the proponent.

5. PUBLIC QUESTION TIME:

5.1 Response to public questions taken on notice: Nil.

5.2 Public Question Time:

Brian Dicker – When are the drains up in Amber Vista are going to be free of sand because of the recent deluge of rain the whole road has been flooded?

When will the Shire make people responsible for their blocks that are discharging the sand onto the roads that are filling those drains?

Neil Broadhurst – Regarding storm water we are having some issues up there are subject to DRFAWA (Disaster Recovery Funding Arrangements Western Australia) as a result of last years storms and hopefully get those cleared. If the funding does not come through we will have to sort something to make sure that is completed.

Andrew Campbell – It is an issue. One of the problems we have had in the past is to do with our Fuel Hazard Reduction where owners mow their land down to basically nothing which creates that issue. Dry, windy conditions also contribute to the damage that occurs. We have made changes to the Annual Fuel Hazard Reduction Notice so we do not get that level of denuding of the landscape. We need to do better to make people responsible for the wind blows that come from their properties. Through Brian Robinson (Executive Manager of Community, Development and Regulation) and his team to make sure our people are looking at that more closely to prevent the issue from reoccurring as much as possible.

Brian Robinson – There were two years in a row where a requirement of our First and Final Firebreaks notice was to take growth down to bare earth. The notice now requires the land owner to clear their land to 100mm, moving forward it will be better and homes that are being constructed will be better as well. We are monitoring a number of the

areas where it seems to reoccur. Please be patient while we are working our way through it.

Philippa Saunders – There are wattles growing in the road in Charlton Loop and many gum trees growing in the footpath in Persoonia Street. Karina Mews is in an extremely poor state and I am aware that the residents here have been waiting for years to have this repaired. I actually went for a drive today and there are more pot holes than bitumen. T Junction signs are down, no camping signs are blacked out and trees are growing over the road in the Landcorp estate. We have had no street sweeper up over the hill in the past two years and in the summer from hell which was the year before last we didn't get a street sweeper in even though it was asked for. In a previous meetings agenda I saw a motion for fining people for parking on the verges was listed, I am assuming it was passed, therefore when is the Shire going to maintain the overgrown verges and the residential areas of Kalbarri?

Cr Liz Sudlow - In terms of Karina Mews that is certainly in the budget to be resealed.

Philippa Saunders – The trees in the Landcorp estate have been planted far too close to the road.

Neil Broadhurst – Arguably that is the case and we have removed some. I have had a drive through the southern sub division today and agree it is quite untidy. The sand and vegetation needs tidying up particularly around the open public space areas. We will make a work order for that.

Karina Mews has been on my agenda, we have had insufficient funds to complete the works required however these have been increased this year and in no uncertain terms Karina Mews will be done this financial year.

Phillippa Saunders – In relation to the accounts payable, is this a monthly account or is it a running tally? The one item I am querying is the charge for cleaning of the Allen Centre which is \$3,118.50 what time period does this cover? You can get back to me if you need to, I am very curious looking at accounts and what we are spending all of our money on and where we could save to use on other areas that are really suffering. It is all with good intent I assure you.

Cr Liz Sudlow – I appreciate that and I do the same thing. Leanne are you able to answer that or can take the question on notice?

Leanne Rowe – I am sure that is for a month, for the month of June but I will have to check and get back to you.

Philippa Saunders – That is a lot for a month.

Cr Liz Sudlow – That is for cleaning the Allen Centre, the Visitors Centre and the public toilets.

Philippa Saunders – That equates to \$37,000 per year surely a part time employee could be engaged for that and maybe include some of our garden yard areas. Julie does a magnificent job of keeping the foreshore and around town beautiful but the rest of the town is really, really bad.

Cr Liz Sudlow – Make no mistake we raised that issue about the cleaning costs of the Allen Centre when we do our budget workshopping and are looking at alternatives. I certainly agree that Julie does a fantastic job and we need to be looking at ways we can best use our funds.

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:

- 22/07/2025 – Meeting with Medibloom Group and Kirrilee Warr, MLA Geraldton, via Teams re closure of Northampton Surgery.
- 23/07/2025 – Meeting with Minister Sanderson's staff, Renewable Energy at Dumas House, West Perth.
- 23/07/2025 – Meeting Civic Legal, West Perth.
- 24/07/2025 – Meeting with Jai Thomas, Powering WA re Renewable Energy at 66 St George's Tce Perth.
- 25/07/2025 – Attended and contributed to Eulogy at Edna Lockyer's funeral.
- 28/07/2025 – Meeting with the Hon Katrina Stratton, secretary to Minister Carey at Dumas House re lease at Murchison House Station.
- 29/07/2025 – Meeting with Cr Hay, Cr Karl Suckling and Cr Roslyn Suckling to look over budget.
- 01/08/2025 – Medibloom meeting, Audit Meeting at Northampton Chambers.
- 01/08/2025 – Special Meeting of Shire of Northampton to endorse Budget.
- 05/08/2025 – Meeting re options for Northampton Doctor.
- 07/08/2025 – Road Infrastructure and Plant Advisory Committee (RIPAC) inspection of roads across Shire of Northampton.
- 08/08/2025 – Meeting re options for Northampton Doctor.
- 12/08/2025 – Road Infrastructure and Plant Advisory Committee (RIPAC) meeting at Northampton Chambers.
- 14/08/2025 – Meeting re options for Northampton Doctor.
- 19/08/2025 – Regional Drought Resilience Project Plan meeting at the Midwest Development Commission Office.
- 20/08/2025 – Meeting Melissa Price, MLA for Durack and Kirrilee Warr, MLA for Geraldton re Medical services.

Since the last Council meeting **Cr T Hay** reported on their attendance at:

- 29/07/2025 - Meeting with Cr Sudlow, Cr Karl Suckling and Cr Roslyn Suckling to look over budget.
- 01/08/2025 - Medibloom meeting, Audit Meeting at Northampton Chambers.
- 01/08/2025 - Special Meeting of Shire of Northampton to endorse Budget.
- 05/08/2025 - Meeting re options for Northampton Doctor.
- 14/08/2025 - Meeting re options for Northampton Doctor.

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

- 21/07/2025 – Kalbarri Visitors Centre meeting, unfortunately did not get a quorum.
- 30/07/2025 – Kalbarri Development Association meeting.
- 01/08/2025 - Special Meeting of Shire of Northampton to endorse Budget.

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

- 29/07/2025 - Meeting with Cr Sudlow, Cr Hay and Cr Roslyn Suckling to look over budget.
- 01/08/2025 - Medibloom meeting at Northampton Chambers.
- 01/08/2025 - Special Meeting of Shire of Northampton to endorse Budget.
- 04/08/2025 - Northampton Community Centre meeting.
- 07/08/2025 - Road Infrastructure and Plant Advisory Committee (RIPAC) inspection of roads across Shire of Northampton.
- 12/08/2025 - Road Infrastructure and Plant Advisory Committee (RIPAC) meeting at Northampton Chambers.

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

- 21/07/2025 – Meeting re Doctors situation.
- 22/07/2025 - Meeting with Medibloom Group and Kirrilee Warr, MLA Geraldton, via Teams re closure of Northampton Surgery.
- 23/07/2025 – Northampton Tourist Association AGM.
- 29/07/2025 - - Meeting with Cr Sudlow, Cr Hay and Cr Karl Suckling to look over budget.
- 01/08/2025 - Medibloom meeting, Audit Meeting at Northampton Chambers.
- 01/08/2025 - Special Meeting of Shire of Northampton to endorse Budget.
- 04/08/2025 – Horrocks Community Centre meeting.
- 05/08/2025 - Meeting re options for Northampton Doctor.
- 07/08/2025 - Road Infrastructure and Plant Advisory Committee (RIPAC) inspection of roads across Shire of Northampton.
- 08/08/2025 - Meeting re options for Northampton Doctor.
- 12/08/2025 - Road Infrastructure and Plant Advisory Committee (RIPAC) meeting at Northampton Chambers.
- 15/08/2025 – Meeting re Doctor situation.

6.5 Conference reports: Nil.

7. CONFIRMATION OF MINUTES:

MOVED: Suckling, R SECONDED: Suckling, K

08/25-113

That the Minutes of the Ordinary Meeting of the Council held on 17 July 2025, and the Minutes of the Special Meeting of the Council held on 1 August 2025 be confirmed.

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil.

9. OFFICERS' REPORTS:

9.1.1	Proposed Adoption of the Shire of Northampton Strategic Community Plan 2025-2035
9.2.1	Proposed July 2025 List of Accounts for Endorsement on 21 August 2025
9.4.1	Planning Decisions for July 2025
9.4.2	Review of Local Planning Policy - Repurposed and Second Hand Dwellings
9.4.3	Proposed 'Use Not Listed' (Ancillary Accommodation) at Lot 100 (No. 16) Elliott Street, Isseka
9.4.4	Proposed Overheight and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory
9.5.1	Building Approval Report for July 2025
9.7.1	Endorsement of 2025/2026 Annual Firebreak & Fuel Hazard Reduction Notice
9.8.1	Information Items - Maintenance/Construction - Works Program
9.9.1	Unconfirmed Minutes of the Audit and Risk Management Advisory Committee Held on 1 August 2025

**ATTACHMENT
APPENDIX**

9.1.1 Proposed Adoption of the Shire of Northampton Strategic Community Plan 2025-2035

PROPONENT OWNER	Shire of Northampton
LOCATION / ADDRESS:	Shire of Northampton
ZONE:	Whole of Shire
BUSINESS AREA:	All
FILE REFERENCE:	Office of CEO
LEGISLATION:	4.1.11
AUTHOR:	<i>Local Government Act 1995</i>
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	Andrew Campbell
DECLARATION OF INTEREST:	1 August 2025
	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: 9.1.1 (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: 9.1.1 (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 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 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: 9.1.1 (1).

COUNCIL RESOLUTION:

MOVED: Pike, D SECONDED: Suckling, R

08/25-114

That Council adopt the Shire of Northampton Strategic Community Plan 2025-2035 in accordance with ATTACHMENT: 9.1.1 (1).

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT**9.2.1 Proposed July 2025 List of Accounts for Endorsement on 21 August 2025**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	5 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of July 2025 payments is submitted to Council on 21 August 2025 for consideration.

A copy of the Payment List is attached.

ATTACHMENT: 9.2.1 (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 EFT28008 to EFT28118 totalling \$1,039,646.54; Municipal Fund Cheques 22598 to 22602 inclusive totalling \$2,274.87; Direct Debit payments numbered GJ0103 to GJ0110 inclusive, payroll and superannuation totalling \$456,533.88; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.1 (1).

COUNCIL RESOLUTION:

MOVED: Hay, T

SECONDED: Suckling, R

08/25-115

That Council note Municipal EFT payments numbered EFT28008 to EFT28118 totalling \$1,039,646.54; Municipal Fund Cheques 22598 to 22602 inclusive totalling \$2,274.87; Direct Debit payments numbered GJ0103 to GJ0110 inclusive, payroll and superannuation totalling \$456,533.88; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.1 (1).

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT**9.4.1 Planning Decisions for July 2025**

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Various
ZONE:	Various
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	29 July 2025
DECLARATION OF INTEREST:	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 July 2025.

ATTACHMENT: 9.4.1 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

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

COMMENT (Includes Options):

During July 2025, a total of eighteen (18) applications were determined under delegated authority. **Table 1b** shows the number and value of development applications determined under both delegated authority and by Council for July 2025 compared to July 2024.

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

	July 2024	July 2025
Delegated Decisions	1 - \$0 **1	16 - \$167,500 **11
Council Decisions	0 - \$0	2 - \$0 1 Refusal
Total	1 - \$0	18 - \$167,500

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
Delegated Decisions	30 - \$1,452,936 **8	46 - \$2,771,835.09 **18
Council Decisions	21 - \$5,154,742 **4	11 - \$509,412 **2 2 Refusals
Total	51 - \$6,607,678	57 - \$3,113,767.09

***Includes 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.*

There was also one (1) subdivision referred to the Shire for comment in the month of June 2025. The application was in relation to a boundary rationalisation of two (2) lots. Further information is provided attached.

ATTACHMENT: 9.4.1 (2)

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 Approvals for July 2025 as detailed in ATTACHMENT: 9.4.1 (1).

COUNCIL RESOLUTION:

MOVED: Pike, D SECONDED: Suckling, R

08/25-116

That Council receive the report on Delegated Approvals for July 2025 as detailed in ATTACHMENT: 9.4.1 (1).

MOTION CARRIED 5/0

FOR

Cr L Sudlow

Cr T Hay

Cr D Pike

Cr K Suckling

Cr R Suckling

AGAINST

ATTACHMENT

9.4.2 Review of Local Planning Policy - Repurposed and Second Hand Dwellings

PROPONENT	Shire of Northampton
OWNER	All
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Various
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.4.11
LEGISLATION:	<i>Planning & Development 2005</i> <i>Planning & Development Regulations 2015</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Local Planning Policies (the Policies) are a planning tool used to compliment and clarify requirements of a Local Planning Scheme.

In accordance with Part 2 of the Deemed to Apply Provisions contained in the *Planning and Development Regulations 2015*, “a local government may prepare a local planning policy in respect of any matter relating to the planning and development of the Scheme area.” Part 2 also outlines the procedure for preparing and adopting Local Planning Policies. It also prescribed that a local planning policy:-

- (i) May apply generally or in respect of a particular class of classes of matters specified in the policy;
- (ii) May apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy;
- (iii) Must be based on sound town planning principles;
- (iv) May address strategic or operational considerations in relation to matters to which the policy applies.

The policies assist the local government in imposing development standards on particular land uses, assessing applications, and making determinations under a Local Planning Scheme.

As Councillors are aware, Shire Officers have been progressively reviewing the Shire’s Local Planning Scheme’s. As part of that review, the provisions of Local Planning Policy – Repurposes and Second Hand Dwellings has now been reviewed.

The Policy, which was initially adopted by Council in 2005, was most recently reviewed in 2018. A copy of the current Policy is appended.

APPENDIX: 9.4.2 (A)

A number of changes are proposed within a revised Policy as outlined in the comment section below. A copy of proposed Local Planning Policy 6.1.4 – Repurposed and Secondhand Buildings is shown attached.

ATTACHMENT: 9.4.2 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

A detailed assessment of the current Policy has been undertaken and a new draft Policy has been prepared consistent with other policies adopted in 2024/2025. With the exception of those matters outlined below, the majority of the policy content is proposed to be retained as is.

Statutory Declarations

The current Local Planning Policy, as shown at Appendix: 9.4.2 (A) identifies the need for applications proposing to utilise second hand or repurposed dwellings must provide Statutory Declarations and Bonds to ensure that developments are completed to a suitable standard reflective of the existing or intended amenity of an area.

As identified in previous agenda items relating to Council Policies, It is important to note that the requirement for a Statutory Declaration is substantially flawed in that such a declaration is not legally binding in terms of a landowner's future intent. By way of summary, Statutory Declarations are a legal document that is used to set out facts that a person declares to be true and accurate. Whilst it can be used as evidence, it is not appropriate to use a Statutory Declaration for a landowner to detail a future intent given that circumstances may change for a variety of reasons.

Alternatively, contemporary planning practice is to impose appropriate conditions of approval. Where the conditions are not met, legal action may be taken. Similarly, conditions of approval are a more appropriate mechanism to ensure compliance when compared to the taking of a bond.

Bonds

Strictly speaking, Bonds should only be used in circumstances where the local authority intends to use those funds to complete works to ensure compliance. The current policy provisions are akin to using the potential forfeiture of a bond as a form of penalty, weaponizing the planning framework. Alternatively, the *Planning and Development Act 2005* sets out penalties that may be imposed on a landowner through either modified penalties or court proceedings. Penalties outside of the Act provisions are considered to be ultra-vires.

Having regard to the above, it is recommended the requirements for Statutory Declaration and Payment of Bonds have been removed from the draft policy.

Conclusion

The current Local Planning Policy imposes requirements for the submission of statutory declarations and payment of bonds. For those reasons stated above it is recommended that the new draft Local Planning Policy 6.1.14 be adopted excluding such requirements.

It is recommended that the revised policy as shown at Attachment: 9.4.2 (1) be incorporated into the draft Local Planning Policy manual.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005

POLICY / STRATEGIC IMPLICATIONS:

As per comment section of agenda item.

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 cost of advertising will be wholly contained within the adopted budget for the 2025/26 financial year.

SUSTAINABILITY:

Environmental: Nil.

Economic: Adoption of the revised policy as proposed will make it more viable for proponents to consider the use of second-hand or repurposed dwellings.

Social: Additional dwellings assist with accommodating an increasing population.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Adopt Draft Local Planning Policy 6.1.14 – Repurposed and Secondhand Dwellings for the purposes of advertising over a period of not less than 21 days in accordance the *Planning and Development (Local Planning Scheme) Regulations 2015*; and**
- 2. Await a further report relating to the draft policy following completion of the advertising period referred to in point 1 above.**

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Pike, D

08/25-117

That Council:

- 1. Adopt Draft Local Planning Policy 6.1.14 – Repurposed and Secondhand Dwellings for the purposes of advertising over a period of not less than 21 days in accordance the *Planning and Development (Local Planning Scheme) Regulations 2015*; and**
- 2. Await a further report relating to the draft policy following completion of the advertising period referred to in point 1 above.**

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT

9.4.3 Proposed 'Use Not Listed' (Ancillary Accommodation) at Lot 100 (No. 16) Elliott Street, Isseka

PROPONENT	BM Wyndham & LM McCosh
OWNER	BM Wyndham & LM McCosh
LOCATION / ADDRESS:	Lot 100 (No. 16) Elliott Street, Isseka
ZONE:	Rural Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.9.1; A1571
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	6 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is requested to consider a proposed application for a "Use Not Listed" (Ancillary Accommodation) at Lot 100 (No. 16) Elliott Street, Isseka. A location plan is shown below.

LOCATION PLAN



The subject property has an area of 3.1ha and is located within the Isseka townsite. The site consists of a dwelling, water tank and two existing outbuildings.

The applicant is proposing the construction of ancillary accommodation which will consist of one bedroom, open plan living/dining/kitchen area, bathroom,

laundry with a porch to the front. The dwelling will be 9.6m by 6.2m (59.52m²) in area and the porch is 3.0m by 4.1147m (12.3m²) and will be attached to the front of the building. The materials to be used on the dwelling are cladding to the walls and corrugated sheeting to the roof and colorbond® gutter and fascia's. A copy of the application is attached.

The applicant has stated that the purpose of the Ancillary Accommodation is for two of his teenage children as they have four daughters, and the current house is too small for the size of the family.

Approval to the application involves a 'use not listed' relating to the use of an ancillary accommodation within the Rural Residential zone. The application is therefore presented to Council for determination.

ATTACHMENT: 9.4.3 (1)

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 one (1) adjoining landowner with no submission or objection being received during the comment period.

COMMENT (Includes Options):

Whilst used for primarily for residential purposes, the property is zoned Rural Residential under the Shire's Local Planning Scheme No 10. The objective of the Rural Residential zone is to provide for lot sizes in a range of 1ha to 4ha as well as to provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots with those activities being consistent with the amenity of the locality.

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 not limited to:

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

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

Land Use Definition

Planning Schemes typically include detailed definitions for various typical land uses. In terms of residential type uses, the Local Planning Scheme No 10 (LPS 10) provides definitions for a range of uses but not what is commonly termed Ancillary Accommodation.

The Residential Design Codes of Western Australia (R-Codes) define Ancillary Accommodation as a *“self contained dwelling on the same site as a dwelling which may be attached to, integrated with or detached from the dwelling.”* In accordance with part 5.5.1 of the R-Codes, the establishment of an Ancillary Accommodation associated with a single house or group dwelling that complies with the criteria 5.5.1 – C1, is essentially permitted as of right where the R-Codes comply. However, as the subject land is zoned Rural-Residential, the provisions of the R-Codes do not apply.

Land Use Permissibility

Through the Zoning and Development Table a local planning scheme specifies what is permitted, what requires special approval (discretionary), and what is prohibited within individual zones. In this case the proposed Ancillary Accommodation does not reasonably fit within any of the land definitions contained in the Zoning and Development Table.

Use Not Listed

As outlined within clause 18(4) of LPS 10, where a use is not specifically referred to in the zoning table and that use cannot be reasonably be determined as falling within a use class referred to in the zoning and development table, the local government may:

- (a) Determine that the use is consistent with the objectives of a particular zone and may be permitted subject to conditions; or
- (b) Determine that the use may be inconsistent with the objectives of the zone and advertise the proposal for public comment; or
- (c) Determine that the use if not consistent with the objectives of a zone and therefore not permitted in the zone.

By its definition under the R-Codes, Ancillary Accommodation is a use that is incident to a primary home. A Single House is a “D” within the Rural Residential Zone. That is a use that is *“not permitted unless the local government has exercised its discretion by granting development approval.”* Given that a single house is permissible within the zone, it is considered that Ancillary Accommodation is consistent with the objectives of the zone and the use may be permitted subject to conditions.

Zoning Requirements

As stated in the comment section above, the property is zoned Rural Residential. The setback requirements within the Rural Residential Zone are:

<i>Front/Street Setback</i>	<i>10m</i>
<i>Side Setback</i>	<i>5m and</i>
<i>Rear Setback</i>	<i>10m</i>

The proposed development is to be located 10m from the existing dwelling, about 20m from the existing water tank and sheds, 5m from the western boundary and approximately 110m from the eastern boundary and 160m to the rear boundary. All these setbacks are consistent with the setback requirements for the zoning.

Potable Water

As reticulated water is not available to the property an adequate supply of potable water for the must be supplied to the ancillary accommodation via other means. An appropriate condition of approval is recommended.

Bushfire Prone

Department of Fire and Emergency Services mapping identifies that the whole of the subject land is considered to be bushfire prone. As a result a Bushfire Attack Level Assessment is required to inform the standard of construction required in accordance with AS3959.

To in order to provide a source of water for firefighting on-site, it is recommended that a fire fighting coupling is fitted to either the existing or proposed rainwater storage tank.

Conclusion

The proposed development will assist the landowners in accommodating their family on the property. As the proposal is consistent with an existing residential use, it is unlikely that the development will have a detrimental impact on the amenity of the area.

The proposed ancillary accommodation meets the requirements of the Scheme except for being a 'use not listed'. Conditional approval is therefore recommended.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

The required application fee has been paid in accordance with the Shires Schedule of Fees and Charges as adopted for the 2024/25 annual budget.

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

That Council:

1. Pursuant to clause 18(4) of Local Planning Scheme No 10, determine that the land use of Ancillary Accommodation, being a use not listed or defined by the Scheme, is consistent with the objectives of the Rural-Residential Zone; and
2. In accordance with Local Planning Scheme No. 10 – Northampton grant planning approval for the Use Not Listed (Ancillary Accommodation) on Lot 100 (No. 16) Elliott Street, Isseka in accordance with plans and specifications at ATTACHMENT: 9.4.3 (1), subject to 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 altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:

Reference	Document Title	Date Received
1.	Site Plan	26 May 2025
2.	Floor Plan	26 May 2025
3.	Elevations	26 May 2025

- b) Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval for that use/addition;
- c) The proposed development shall be clad or coloured to complement either the surroundings in which it is located or adjoining developments to the satisfaction of the Shire of Northampton;
- d) The proposed development is to be constructed in accordance with the Australian Standard 3959 “Construction of Buildings in Bushfire Prone Areas” to the satisfaction of the Shire of Northampton;
- f) An on-site potable water supply not less than 135,000 litres storage capacity shall be provided on the site and connected to the development prior to occupation of the building and to the satisfaction of the Shire of Northampton.
- g) All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;

- h) Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton;

Advice to Applicant

- i) With respect to condition f), access shall be permitted to domestic water supplies for emergency fire fighting purposes and to facilitate this, the tank is to be fitted with standard fire fighting couplings (50mm or 100mm male camlock coupling with full flow valve) in accordance with Department of Fire and Emergency Services requirements, to enable fire fighting appliances to draw water. The valve shall be fitted so as to leave 15,000 litres capacity of water in the tank.
- ii) 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).
- iii) If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- iv) Firebreaks and low fuel zones are to be installed and maintained to the satisfaction of the Shire of Northampton around all boundaries and buildings on the subject property, in accordance with the requirements of the Annual Shire Firebreak Notice endorsed by Shire of Northampton.
- v) A wastewater disposal system acceptable to the Shire of Northampton and/or Department of Health shall be installed prior to occupation of the development to the satisfaction of the Shire of Northampton.
- vi) Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- vii) The applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to *Health (Miscellaneous Provisions) Act 1911*, the National Construction Code of Australia and the relevant *Aboriginal Cultural Heritage Act*, is required.
- viii) If an applicant 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: Suckling, R SECONDED: Suckling, K****08/25-118That Council:**

1. Pursuant to clause 18(4) of Local Planning Scheme No 10, determine that the land use of Ancillary Accommodation, being a use not listed or defined by the Scheme, is consistent with the objectives of the Rural-Residential Zone; and
2. In accordance with Local Planning Scheme No. 10 – Northampton grant planning approval for the Use Not Listed (Ancillary Accommodation) on Lot 100 (No. 16) Elliott Street, Isseka in accordance with plans and specifications at ATTACHMENT: 9.4.3 (1), subject to 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 altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:

Reference	Document Title	Date Received
1.	Site Plan	26 May 2025
2.	Floor Plan	26 May 2025
3.	Elevations	26 May 2025

- b) Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval for that use/addition;
- c) The proposed development shall be clad or coloured to complement either the surroundings in which it is located or adjoining developments to the satisfaction of the Shire of Northampton;
- d) The proposed development is to be constructed in accordance with the Australian Standard 3959 “Construction of Buildings in Bushfire Prone Areas” to the satisfaction of the Shire of Northampton;
- f) An on-site potable water supply not less than 135,000 litres storage capacity shall be provided on the site and connected to the development prior to occupation of the building and to the satisfaction of the Shire of Northampton.
- g) All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;
- h) Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton;

Advice to Applicant

- i) With respect to condition f), access shall be permitted to domestic water supplies for emergency fire fighting purposes and to facilitate this, the tank is to be fitted with standard fire fighting couplings (50mm or 100mm male camlock coupling with full flow valve) in accordance with Department of Fire and Emergency Services requirements, to enable fire fighting appliances to draw water. The valve shall be fitted so as to leave 15,000 litres capacity of water in the tank.
- ii) 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).
- iii) If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- iv) Firebreaks and low fuel zones are to be installed and maintained to the satisfaction of the Shire of Northampton around all boundaries and buildings on the subject property, in accordance with the requirements of the Annual Shire Firebreak Notice endorsed by Shire of Northampton.
- v) A wastewater disposal system acceptable to the Shire of Northampton and/or Department of Health shall be installed prior to occupation of the development to the satisfaction of the Shire of Northampton.
- vi) Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- vii) The applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to *Health (Miscellaneous Provisions) Act 1911*, the National Construction Code of Australia and the relevant *Aboriginal Cultural Heritage Act*, is required.
- viii) If an applicant 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 T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

Cr Tim Hay declared a proximity interest in relation to item 9.4.4 – Proposed Overheight and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory. Councillor Hay left the Chambers at 2:23 pm.

ATTACHMENT

9.4.4 Proposed Overheight and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory

PROPONENT	LF Hose
OWNER	PJ & JA Smith
LOCATION / ADDRESS:	Lot 108 (No. 13) Lynton Avenue, Port Gregory
ZONE:	Residential R12.5
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.7.1.1; A610
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	6 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is asked to consider a development application for an outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory. The subject lot has an area of 1,012m² and currently contains a dwelling and an existing outbuilding and lean-to as shown on the location plan is shown below.

Location Plan



The applicant is proposing to demolish the existing outbuilding and lean-to and replace with a 10m by 12m (120m²) with a 4m by 10m (40m²) lean-to – a combined total area of 160m². The outbuilding will have a wall height of 4.0m with a maximum height of 5.16m and the lean-to will have a height of 3.05m and overall height of 3.4m.

The outbuilding is to be constructed of steel framing with Colorbond® sheeting to both the roof and walls. The colours to be used are Colorbond® Classic Cream to the roof and Wall, the roller door in Woodland Grey® with the downpipes, gutters and flashings in Monument®. The lean-to will be constructed of timber frames and Colorbond® sheeting to the roof.

The application is also proposing retaining walls along the rear boundary and 20m of the northern side boundary. The retaining walls along the northern side boundary will consist of two tiers, each being 1.4m in height. 4m each. The retaining wall is to be constructed of limestone blocks.

A copy of the application is attached.

ATTACHMENT: 9.4.4 (1)

Council is requested to consider the application as the proposed Outbuilding exceeds the maximum wall and ridge heights as well as the floor area exceeds the permitted area.

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 no submissions received during this period.

COMMENT (Includes Options):

The provisions of Local Planning Scheme No 10 (the Scheme) include the subject property within Residential with a density coding of R12.5. The proposed development is required to comply with the Scheme Requirements along with provisions relating to R12.5 under the State Planning Policy – Residential Design Codes Volume 1 (the R-Codes and the Shire's Local Planning Policy *Outbuildings*).

To guide Council in 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 not limited to:

- (a) *The aims and provisions of the Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *An 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 report.

Residential Design Codes (R-Codes)

The outbuilding is proposed to be setback 1.0m from the rear boundary and 1.0m from the southern side boundary. In accordance with the R-Codes 4m high walls, 12m long walls with no major openings are normally required to be setback 1.5m. This variation was advertised to the adjoining landowner, who raised no concern to the proposed setback reduction to the rear boundary.

All other setbacks comply with the R-Code requirements.

Relevant Scheme Provisions

Clause 26(4) of the Scheme identifies that within areas having an identified density of R10 or greater, outbuildings that comply with the following development provisions is considered acceptable:

- a) A maximum floor area of 120m², or 20% of the aggregate site area, whichever is the lesser;
- b) A maximum wall height of 3m; and
- c) A total height of 4.5m measured from natural ground level.

As the proposed floor area and building height do not comply with the above requirements, approval may only be granted through a relaxation of the Scheme provisions.

Outbuilding Policy Assessment

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

The Policy reflects the area and wall height provisions as contained in clause 26(4) as stated above. In this case, it is proposed that the outbuilding will have:

- A floor area is 160m² is 33% greater;
- wall height of 4.0 metres is 14.28% greater; and
- ridge height of 5.166 metres is 14.8% greater.

than the deemed-to-comply provisions.

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 scheme provisions relating to maximum size and height.

Increases in the maximum floor area or height of an outbuilding may be considered on lots less than 2,000m², subject to:

- a) *The increase in the aggregate floor area being to a maximum of 10% larger than specified by the Local Planning Scheme's;*
- b) *The outbuilding having a maximum wall height of 3.5m and a total height of 5m measured from the natural ground level;*
- c) *Setbacks complying with the provisions of the Residential Design Codes of Western Australia;*
- d) *The outbuilding not being located within the primary or secondary street setback areas;*
- e) *The outbuilding being designed and constructed so as to complement the existing residence, not to have a commercial appearance or appearance that would otherwise detrimentally impact on the amenity of adjacent land, or the existing or likely streetscape;*
- f) *Consultation with the adjacent landowners in accordance with Local Planning Policy 6.1.2 – Public Consultation;*
- g) *Applications being determined by Council in the event that objections are received as a result of a public consultation process.*

Approval to the application therefore requires a variation of both Scheme and Local Planning Policy Provisions.

Variations to Site and Development Standards and Requirements

In accordance with clause 34 of the Scheme, approval may be granted to a development that does not comply with an additional site and development requirements, except for development in respect of which the R-Codes apply or variations to land use permissibility contained in the zoning table.

The local government may only approve an application for development approval under this clause if the local government is satisfied that:

the non-compliance with the additional site and development requirement will not have a significant adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality

Impact on Amenity

In this instance the increased height in the ridge of the Outbuilding is 1.0m above the height requirements of the Policy. The location of the proposed Outbuilding at the rear of the dwelling is in a similar location to the existing Outbuilding that is to be demolished. The height of the proposed Outbuilding will have a minimal impact on the adjacent neighbouring properties.

It should also be noted that land to the rear is undeveloped crown land.

Given the above it is considered that approval to the application would not detrimentally impact on the amenity of the area.

Conclusion

It is considered that the proposed Outbuilding meets the objectives of the Scheme and the Policy. The location of the Outbuilding will not detract from the streetscape and visual amenity of the neighbouring properties. Also, as no concerns were raised by the neighbouring landowners the proposed height and floor area of the Outbuilding is considered to be in keeping with the community's expectations.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005

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

POLICY / STRATEGIC IMPLICATIONS:

Local Planning Policy – Outbuildings as discussed above.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

The development application fee in accordance with the Shire of Northampton's 2025/2026 Fees and Charges Schedule has been paid.

SUSTAINABILITY:

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

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council in accordance with Local Planning Scheme No. 10 – Northampton grant planning approval for an Over height and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory in accordance with plans and specifications at ATTACHMENT: 9.4.4 (1), subject to the following conditions:

1. 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	Date Received
1.	Site Plan 1	7 July 2025
2.	Site Plan 2	7 July 2025
3.	Shed Elevations	7 July 2025
4.	Retaining Wall Details	7 July 2025

2. The proposed shed/outbuilding shall only be used for domestic purposes such as storage, garaging of vehicles or other approved purposes, excluding human habitation;
3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
4. The proposed development shall be clad or coloured to complement either the surroundings in which it is located or adjoining developments to the satisfaction of the Shire of Northampton, but the use of reflective materials and colours is not permitted;
5. All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;
6. Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton;
7. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

Advice Notes:

- a) 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).

- b) Any retaining walls in excess of 500mm in height required in connection with development shall be so constructed as to accord with plans and specifications prepared by a practising structural engineer to the satisfaction of the Shire of Northampton and details and particulars of the certified plans and specifications shall be provided to Shire of Northampton as part of any application for a building permit.
- c) If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- d) Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- e) The applicant is advised that prior to the commencement of works, a plan showing where the wastewater system is located in relation to the proposed works.
- f) The applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to *Health (Miscellaneous Provisions) Act 1911*, the National Construction Code of Australia and the relevant *Aboriginal Cultural Heritage Act*, is required at all times.
- g) 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: Suckling, K **SECONDED:** Suckling, R

08/25-119

That Council in accordance with Local Planning Scheme No. 10 – Northampton grant planning approval for an Over height and Oversize Outbuilding at Lot 108 (No. 13) Lynton Avenue, Port Gregory in accordance with plans and specifications at ATTACHMENT: 9.4.4 (1), subject to the following conditions:

1. 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	Date Received
1.	Site Plan 1	7 July 2025
2.	Site Plan 2	7 July 2025
3.	Shed Elevations	7 July 2025

4.	Retaining Wall	7 July 2025
----	----------------	-------------

2. The proposed shed/outbuilding shall only be used for domestic purposes such as storage, garaging of vehicles or other approved purposes, excluding human habitation;
3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
4. The proposed development shall be clad or coloured to complement either the surroundings in which it is located or adjoining developments to the satisfaction of the Shire of Northampton, but the use of reflective materials and colours is not permitted;
5. All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;
6. Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton;
7. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

Advice Notes:

- a) 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).
- b) Any retaining walls in excess of 500mm in height required in connection with development shall be so constructed as to accord with plans and specifications prepared by a practising structural engineer to the satisfaction of the Shire of Northampton and details and particulars of the certified plans and specifications shall be provided to Shire of Northampton as part of any application for a building permit.
- c) If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- d) Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

- e) The applicant is advised that prior to the commencement of works, a plan showing where the wastewater system is located in relation to the proposed works.
- f) The applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to *Health (Miscellaneous Provisions) Act 1911*, the National Construction Code of Australia and the relevant *Aboriginal Cultural Heritage Act*, is required at all times.
- g) 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 4/0

FOR

Cr L Sudlow
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

Councillor Hay returned to the Chambers at 2:24 pm.

ATTACHMENT

9.5.1 Building Approval Report for July 2025

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Northampton and Kalbarri
BUSINESS AREA:	Building
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Building Registrations 2012</i>
AUTHOR:	Michaela Simpson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	12 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to assist Council understand the Building and Demolition Permits approved and issued for the period of 01 July 2025 to 31 July 2025.

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT (Includes Options):

During July 2025, seven (7) building and demolition applications were determined under delegated authority.

STATUTORY ENVIRONMENT:

Nil.

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 July 2025 in accordance with Attachment: 9.5.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

08/25-120

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

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT**9.7.1 Endorsement of 2025/2026 Annual Firebreak & Fuel Hazard Reduction Notice**

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Ranger Services
FILE REFERENCE:	5.1.1
LEGISLATION:	<i>Bush Fires Act 1954</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	7 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

As a measure for preventing the outbreak of a bushfire, or to prevent the spread of bush fire, Section 33 of the *Bush Fires Act 1954* allows local government to issue an Annual Firebreak and Fuel Hazard Reduction Notice. The notice, which must be served on all landowners within the district set out the requirements for fire breaks and other mitigation measures that must be prepared and maintained for the duration of the notice period.

A copy of the 2024/2025 Shire of Northampton Annual Firebreak Notice is shown attached.

ATTACHMENT: 9.7.1 (1)

Council is requested to consider and endorse the "Annual Firebreak & Fuel Hazard Reduction Notice for the 2025/2026 annual year, which has been prepared by the Author following a review of the previous notice. A draft copy of the notice is shown attached.

ATTACHMENT: 9.7.1 (2)

Details regarding modifications proposed to the notice are outlined within the comment section below.

PUBLIC CONSULTATION UNDERTAKEN:

A copy of the 2025/2026 Annual Firebreak and Fuel Hazard Reduction Notice has been forwarded to each Fire Brigade within the Shire for comment. Any comments received will be provided to Council prior to the Council Meeting.

COMMENT (Includes Options):

Pursuant to the *Bush Fires Act 1954*, the annual firebreak notice may be used to give require landowners or occupiers to complete the specified mitigation works within a specified time do all or any of the following things:

- (a) Plough, cultivate, scarify, burn or otherwise clear firebreaks as directed and thereafter maintain the fire breaks for an identified period;
- (b) To act as and when specified to do so, *“with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bushfire.”*;
- (c) Specify restricted and prohibited burning times; and
- (d) Impose restrictions on the burning of garden refuse.

To assist Council in considering the proposed 2025-2026 Annual Firebreak and Fuel Reduction Notice, the following comments are offered:

Title of Notice

Previous notices, including the 2024/2025 Notice have been entitled the First and Final Firebreaks Notice. Despite the title, the notice also sets our requirements for the reduction of fuel loading, asset protection zones and prohibited burning periods.

To ensure the title reflects the fact the scope of the notice extends beyond firebreaks, it is recommended that the title be changed to “Annual Firebreak and Fuel Hazard Reduction Notice – 2025/2026.”

Restricted and Prohibited Burning Period

Consistent with previous Annual Firebreak Notices, last years restricted and prohibited burning periods were as follows:

2024/2025 Notice

Restricted Period	Prohibited Burning	Restricted Period
Permit Required		Permit Required
1/9/2024 to 14/10/224	15/10/24 to 14/2/25	15/2/2025 to 7/4/2025

Members of the Shire’s Bush Fire Advisory Committee being present at an informal meeting on 26 May 2025 indicated a preference to review the prohibited burning period and subsequent restricted period having regard to the most recent fire season conditions. By way of summary, it is proposed to extend the prohibited period by 2 weeks and the following restricted period by a week, as follows:

2025/2026 Notice

Restricted Period	Prohibited Burning	Restricted Period
Permit Required		Permit Required
1/9/2024 to 14/10/224	15/10/24 to 28/2/25	1/3/2025 to 14/4/2025

Individual Property Requirements

In previous years the notice has included land within three defined categories, being:

- Residential under 2,000m²;
- Residential over 2,000m²; and
- Rural Land

It is considered that the above categories do not adequately differentiate between Residential Land and larger properties found within the Rural-Residential Zone and Rural Small Holdings Zone. Use of the term Residential also means that strictly speaking other zones within a townsite such as commercial and industrial do not have any identified requirements.

In order to capture all land, it is recommended that the category of Residential be replaced with a category of Townsite.

To ensure appropriate mitigation measures are applied to the varying lot sizes and landscapes, it is also recommended that a category of Rural-Residential be identified and the Rural Zone category be expanded to include reference to Rural Small Holdings.

Townsite Requirements

As stated above, in previous years there have been categories of under 2,000m² and over 2,000m², with firebreaks being the only requirement for lots over 2,000m². The intent of firebreaks is to facilitate access for fire fighting vehicles. It is often impossible to establish firebreaks on a lot around 2,000m² in area due to residential development of homes, outbuildings and landscaping, so a requirement for firebreaks on lots less than 2,000m² often cannot be met.

Given the above, it is recommended that the following be applied to all land under 4,000m² and that firebreaks be required for lots greater than 4,000m²:

Flammable materials shall be mowed, slashed/mulched to a height of 50-100mm and maintained for the entire season, with the exception of live standing trees and selected shrubs. The retention of selected shrubs located more than 3 metres from a building is encouraged to reduce soil instability.

Previously a requirement was imposed to include slashing entire properties to bare earth. This had significant consequences with soil becoming unstable and susceptible to erosion on vacant residential lots in Kalbarri. It is recommended that the reduction and maintenance of flammable materials to a maximum height of 100mm affords a suitable level of protection from fire whilst ensure soils remain stable.

Rural Zone

Previous Annual Firebreak Notices have identified that the following applies to "Rural Areas":

"Graded/ploughed/hoed or chemical applied firebreaks installed within 20 metres inside and along the whole of external boundaries – all buildings must have a minimum of 20m clearance of all flammable material".

It is recommended that this requirement also be applied to all properties zoned Rural Smallholdings given the prevailing lot size within this zone is often similar to rural zoned land. This recommendation is further examined below.

Rural Residential Zone and Rural Small Holding Zone

The Shire's Local Planning Schemes outline the following objectives for these zones:

<i>Zone</i>	<i>Objective</i>
<i>Rural Residential</i>	<ul style="list-style-type: none"> • <i>To provide for lot sizes in the range of 1 ha to 4 ha.</i> • <i>To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</i> • <i>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</i>
<i>Rural Small Holdings</i>	<ul style="list-style-type: none"> • <i>To provide for lot sizes in the range of 4 ha to 40 ha.</i> • <i>To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</i> • <i>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</i>

As reflected within the zone objectives, land within either zone can be utilised for rural activities and/or the retention of vegetation and landform. Given the size of Rural Small Holdings properties, it is recommended that the Rural Small Holding Zone be included within the Rural category under the Annual Firebreak and Hazard Reduction Notice.

Land within the Rural-Residential Zone differs from Rural Small holdings for various reasons, including:

- Rural Residential is established at a much greater density than land within the Rural Small Holdings Zone, with development on adjacent land is often in closer proximity than rural areas;
- Rural-Residential, often contains higher levels of vegetation;
- As a result of the higher levels of vegetation, most Rural-Residential properties are designated Bushfire Prone by Department of Fire and Emergency Services.

For the above reasons, it is proposed that Rural-Residential be identified as a separate zone within the Annual Firebreak and Fuel Hazard Reduction Notice.

No changes are proposed to the requirements currently imposed on the Rural Zone.

Conclusion

A comprehensive review of the 2024/2025 Annual Firebreak Notice has been undertaken. It is proposed that the notice will be renamed the Shire of Northampton Annual Firebreak and Fuel Reduction Notice and modified as outlined within the comment section above.

STATUTORY ENVIRONMENT:
Bush Fires Act 1954

POLICY / STRATEGIC IMPLICATIONS:

Ensuring the Shire's Annual Firebreak and Fuel Reduction Notice reflects best practice limits the potential for bushfire to impact on the community and its assets.

ORGANISATIONAL RISK MANAGEMENT:

The risk rating Modification of the proposed Annual Notice as proposed is considered to be 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

FINANCIAL IMPLICATIONS:
Nil.

SUSTAINABILITY:

Environmental: The proposed modifications to the annual notice may result in some minor additional clearing of vegetation.

Economic: The modifications of the notice as proposed will result in the owners of land within townsites having to comply with the notice at their cost. Previously this has been limited to residential land.

Social: Compliance with the notice will maximise the protection of the community and its assets in the event of a Bushfire.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council adopt the 2025/2026 Annual Firebreak and Fuel Hazard Reduction as shown at Attachment: 9.7.1 (2).

COUNCIL RESOLUTION:

MOVED: Hay, T SECONDED: Suckling, K

08/25-121

That Council adopt the 2025/2026 Annual Firebreak and Fuel Hazard Reduction as shown at Attachment: 9.7.1 (2).

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT

9.8.1 Information Items - Maintenance/Construction - Works Program

PROPONENT	Executive Manager of Works and Technical Services
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	N/A
LEGISLATION:	N/A
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	8 August 2025
DECLARATION OF INTEREST:	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 – Coolcalalaya, Frosty Gully, Ogilvie East, Reynolds, Nolba Stock Route, Burges, Horry, Bluewells, Yambuna, Eastough, Ajana Back, Brooks, O'Connor, Launder, Bowes Spring, Isseka East and Ford Road/s.
- Other Roads - Unsealed Roads Gravel Sheeting / Verge works undertaken on - Gill, Bluewells and Binnu School Road/s.
- Culvert clean outs undertaken on Bluewells, Forrest, Isseka Back, Wundi and Lavender Lane 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 and Rubbish Tip maintenance works.
- General – General drainage and stormwater preparation and cleanup works.

- General – Verge/ Road Cleanup undertaken on Horry and Ogilvie East Road/s.

Other Items

- Traffic Counts placed on Binu West Road, one (1) west of Box Rd, one (1) east of Yerina Springs Road for reporting to Regional Road Group on Mid-West Resource Roads report due 30 September 2025.
- Emergency work carried out on Horrocks Beach Access point due to Coastal Erosion (currently closed).
- Binu School Fire Breaks undertaken in preparation for Cross Country Race
- Various washout repairs carried out in Kalbarri.

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.
- Access friendly fishing platform and ramp construction completed.
- Port Gregory carpark construction-renovations paving is completed, shelter, shower and fencing are outstanding.
- Northwest Coastal Highway (Hampton Road) – Footpath works (Elders South Verge) – Concrete kerb and Driveway is completed.
- 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, August 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 August 2025. In accordance with ATTACHMENT 9.8.1 (1).

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Suckling, R

08/25-122

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

MOTION CARRIED 5/0

FOR

Cr L Sudlow

Cr T Hay

Cr D Pike

Cr K Suckling

Cr R Suckling

AGAINST

ATTACHMENT**9.9.1 Unconfirmed Minutes of the Audit and Risk Management Advisory Committee Held on 1 August 2025**

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	1.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Audit and Risk Management Advisory Committee met on 9 December 2024 to discuss the:

- 2024/25 Draft Interim Financial Audit Findings.

ATTACHMENT: 9.9.1 (1)

- Business Continuity and Disaster Recovery Plan.

ATTACHMENT: 9.9.1 (2)

- Strategic Risk Register 2025.

ATTACHMENT: 9.9.1 (3)

The purpose of this report is for Council to receive the unconfirmed minutes of the Audit and Risk Management Advisory Committee held 1 August 2025 and consider any recommendations arising.

ATTACHMENT: 9.9.1 (4)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The Audit and Risk Management Advisory Committee made the following recommendations:

Committee Recommendation	Officer Comment
1. That the minutes of the Audit and Risk Management Advisory Committee held on 9 December 2024 be received as a true and correct record.	Noted and does not require Council's decision.
2. That the 2024/25 Draft Interim Financial Audit Findings is recommended to Council for adoption.	The 2024/25 Draft Interim Financial Audit Findings is recommended to Council for adoption.
3. That the Business Continuity and Disaster Recovery Plan is recommended to Council for adoption with the change of the nominated legal representatives McLeods being changed to Legal Representatives selected from the WALGA Preferred Supplier List.	Supported.
4. That the Strategic Risk Register 2025 is recommended to Council for adoption.	Supported.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation prescribe the statutory requirements that deal with audit and risk functions in Local Government organisations in Western Australia.

POLICY / STRATEGIC IMPLICATIONS:

The Audit and Risk Management Advisory Committee is an important part of the operation of a local government organisation. It is essential that Council retains oversight of the business of the organisation and an Audit and Risk Advisory Management Committee fulfils this obligation.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 4 – Major mainly based on non-compliance and reputation.

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 Audit and Risk Management Committee and its activities are funded within existing budgets.

SUSTAINABILITY:

Environment: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1) Receive the minutes of the Audit and Risk Advisory Committee meeting held 1 August 2025 in accordance with ATTACHMENT: 9.9.1 (4);
- 2) Adopts the 2024/25 Draft Interim Financial Audit Findings in accordance with ATTACHMENT: 9.9.1 (1);
- 3) Adopts the Business Continuity and Disaster Recovery Plan in accordance with ATTACHMENT: 9.9.1 (2) subject to the change of the nominated legal representatives McLeods being changed to Legal Representatives selected from the WALGA Preferred Supplier List; and
- 4) Adopts the Strategic Risk Register 2025 in accordance with ATTACHMENT: 9.9.1 (3).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

08/25-123

That Council:

- 1) Receive the minutes of the Audit and Risk Advisory Committee meeting held 1 August 2025 in accordance with ATTACHMENT: 9.9.1 (4);**
- 2) Adopts the 2024/25 Draft Interim Financial Audit Findings in accordance with ATTACHMENT: 9.9.1 (1);**
- 3) Adopts the Business Continuity and Disaster Recovery Plan in accordance with ATTACHMENT: 9.9.1 (2) subject to the change of the nominated legal representatives McLeods being changed to Legal Representatives selected from the WALGA Preferred Supplier List; and**
- 4) Adopts the Strategic Risk Register 2025 in accordance with ATTACHMENT: 9.9.1 (3).**

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

10. LATE REPORTS:

L.1 CONSIDERATION OF THE POTENTIAL PROCUREMENT OF MEDICAL SERVICES IN NORTHAMPTON

REFER TO SECTION 14.1.

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:

MATTER OF URGENCY:

MOVED: Suckling, R SECONDED: Suckling, K

08/25-124

That Council discuss changing the words on the Shire logo from Simply Remarkable to incorporate Unique, Diverse and Proud.

CARRIED: 5/0

MATTER ARISING:

MOVED: Suckling, R SECONDED: Suckling, K

08/25-125

To remove the words "Simply Remarkable" from the Shire logo and replace with the words "Unique, Diverse and Proud".

CARRIED: 5/0

14. Meeting Closed to the Public:

14.1 Matters for which the meeting may be closed.

VOTING REQUIREMENTS: SIMPLE MAJORITY**OFFICER RECOMMENDATION:****MOVED: Suckling, R SECONDED: Hay, T****08/25-126****That Council goes behind closed doors to consider:****Item L.1 as under Section 5.23(2) (c) it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.****MOTION CARRIED 5/0****FOR**Cr L Sudlow
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling**AGAINST****14.1.1 Consideration of the Potential Procurement of Medical Services in Northampton**

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	51 Robinson Street, Northampton (Doctor's Surgery) 5 Bateman Street, Northampton (Doctor's Residence)
ZONE:	Residential
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	7.2.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	18 August 2025
DECLARATION OF INTEREST:	Nil

MOVED: Suckling, R SECONDED: Suckling, K

08/25-128

That Council come from behind closed doors.

MOTION CARRIED 5/0

FOR

Cr L Sudlow

Cr T Hay

Cr D Pike

Cr K Suckling

Cr R Suckling

AGAINST

14.2 Public reading of resolutions that may be made public.

RESOLUTION WAS READ OUT

That Council:


- 1) Delegate to the Chief Executive Officer, subject to the ongoing support of the Shire President, the authority to procure health services if possible for a twelve-month period in accordance with any limitations established by this resolution and the *Local Government Act 1995*;**
- 2) Authorise the Chief Executive Officer to procure health services in accordance with Point 1) above by direct purchase from one supplier; and**
- 3) Make a 2025/26 budget amendment and allocate up to \$180,000 (ex GST) from the Health Services Reserve for the purposes of Point 1) above.**

15. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

16. CLOSURE:

There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.38pm.

SIGNED: 
Cr Liz Sudlow
Shire President

DATE: 18 September 2025