



AGENDA

COUNCIL MEETING

19 FEBRUARY 2026

SHIRE OF NORTHAMPTON – COUNCIL MEETING AGENDA**19 FEBRUARY 2026****NOTICE TO ALL COUNCILLORS**

An Ordinary Meeting of Council is called for Thursday 19 February 2026 commencing at 2:00 PM in the Allen Centre, Kalbarri.



**Andrew Campbell
CHIEF EXECUTIVE OFFICER**

16 February 2026

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SHIRE OF NORTHAMPTON**COUNCIL MEETING THURSDAY 19 FEBRUARY 2026****TO BE HELD
IN THE ALLEN CENTRE, KALBARRI****COMMENCING AT 2:00 PM****AGENDA**

- 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:**
- 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:**

- 3.1 Apologies:
- 3.2 Approved Leave of Absence:

- 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.]

- 5. PUBLIC QUESTION TIME:**

- 5.1 Response to public questions taken on notice
- 5.2 Public Question Time

[Under meeting procedure this is the only opportunity for members of the public to ask up to a maximum of two questions of Council. There is no further opportunity to question the Shire of Northampton during the meeting. Questions can be asked on any Shire matter, not just on issues included in the meeting agenda and each person shall have up to 3 minutes to ask their questions which may be extended by an additional 3 minutes where considered appropriate by the Presiding Member. Persons asking questions are entitled to a response unless the question is declared "out of order" by the Presiding Member. If a matter requires further investigation, that response may be in writing. Any person asking questions of Council must state their correct name and address as this will form part of the public record of this meeting]

6. PRESENTATIONS:

- 6.1 Petitions
- 6.2 Presentations
- 6.3 Deputations
- 6.4 Councillor reports
- 6.5 Conference Reports

7. CONFIRMATION OF PREVIOUS MINUTES:

_____ / _____

That the Minutes of the Ordinary Meeting of the Council held on 18 December 2025 be confirmed.

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**9. OFFICERS' REPORTS:**

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9.1.1 Report Back on Delegation from Council to Chief Executive Officer 19 December 2025 to 2 February 2026.

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.14
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	22 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the Council meeting 18 December 2025, Council resolved the following:

<p>COUNCIL RESOLUTION:</p> <p>12/25-173</p> <p>MOVED: SMITH, C SECONDED: Suckling, K</p> <p>That Council delegate to the Chief Executive Officer for the period 19 December 2025 to 2 February 2026 power to determine matters which are unable to be held over until the 19 February 2026 Council meeting subject to this delegation being limited to:</p> <ol style="list-style-type: none"> 1. Any matter that arises during the delegated period not subject to any restrictions outlined below; 2. Any matter advertised for public comment to which no valid objection has been received; 3. Any matter to which the Shire President raises no objection; 4. Preclusion of those matters with delegation prohibition prescribed under the <i>Local Government Act 1995</i>; and 5. A report being presented at the 19 February 2026 Council meeting detailing any such delegations exercised. <p style="text-align: right;">MOTION CARRIED 7/0</p>
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The purpose of this report is for the Chief Executive Officer to report back to Council on the exercise of delegation during this period.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

During the period 20 December 2024 to 3 February 2024 the Chief Executive Officer made no delegated decisions relevant to Council's decision of 18 December 2025.

STATUTORY ENVIRONMENT:

Section 5.42 of the *Local Government Act 1995* enables the authority for Council to delegate certain functions to the Chief Executive Officer.

POLICY / STRATEGIC IMPLICATIONS:

A delegation such as this will enable most business of the Shire of Northampton to be undertaken without being held up due to the period between Council meetings. With a large gap between meetings, statutory time frames for decision determination may be compromised.

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note that the Chief Executive Officer did not exercise any delegated authority in accordance with Council resolution number 12/25-173 from the Council meeting of 18 December 2025.

ATTACHMENT**9.1.2 Chief Executive Officer Activity Report October to December 2025**

PROPONENT	Chief Executive Officer
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	13 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

A copy of the CEO Activity Report October 2025 to December 2025 is attached.

ATTACHMENT: 9.1.2 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

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

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

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

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

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

ATTACHMENTS

1 ⇨ October to December Quarterly Report 6 Pages

ATTACHMENT

9.1.3 Unconfirmed Minutes of the 2024/25 Annual Electors Meeting

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:	20 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the meeting 18 December 2025 Council resolved:

COUNCIL RESOLUTION:	
MOVED: Hay, T	SECONDED: Suckling, R
12/25-01	
That Council:	
<ol style="list-style-type: none"> 1) Adopt the 2024/25 Annual Report including the 2024/25 Annual Financial Report as tabled; 2) Publish the 2024/25 Annual Report on the Shire website within 14 days of Council's resolution to accept it; 3) Endorse the scheduling of the 2024/25 Annual Electors Meeting to be held in the Allen Centre, Grey Street, Kalbarri on Thursday 29 January 2026 commencing at 5pm; and 4) Request the Chief Executive Officer give local public notice of the 2024/25 Annual Electors Meeting and the availability of the 2024/25 Annual Report of the Shire of Northampton. 	
MOTION CARRIED 7/0	

As per the resolution of Council, the 2024/25 Annual Electors meeting was held on 29 January 2026 commencing at 5pm at the Allen Centre, Kalbarri. The purpose of this report is for Council to receive the 2024/25 Annual Electors Meeting minutes and address any matter raised as part of that meeting.

PUBLIC CONSULTATION UNDERTAKEN:

The 2024/25 Annual Electors Meeting was advertised in the Geraldton Guardian, Shire Notice Boards and the Shire of Northampton website. Given the timing, the meeting was unable to be advertised in the Northampton News or Kalbarri Town Talk.

The Minutes of the 2024/25 Annual Electors Meeting are attached.

ATTACHMENT: 9.1.3 (1)**COMMENT (Includes Options):**

Arising from the Annual Electors Meetings the following resolutions were made:

RESOLUTION	ADMINISTRATION COMMENT
The minutes of the 2023/24 Annual Electors Meeting held on 6 February 2025 be confirmed as true and correct record.	Noted and the matter will be dealt with administratively.
That the Annual Report for the year ended 30th June 2025 be received.	Noted and the matter will be dealt with administratively.

There were no additional matters considered at the meeting.

STATUTORY ENVIRONMENT:

Sections 5.27, 5.29 and 5.54 of the *Local Government Act 1995*. Section 5.53(2) requires the Annual Report to contain the following:

- (a) Report from the President;
- (b) Report from the CEO;
- (e) Overview of the plan for the future including major initiatives to commence next year;
- (f) Financial Report for the year;
- (g) Prescribed information regarding payment to employees;
- (h) Auditors report for the year;
- (ha) Report required under the Disabilities Services Act;
- (hb) Details regarding complaints made against Councillors during the year;
- and
- (i) Other prescribed information.

POLICY / STRATEGIC IMPLICATIONS:

The Annual Report captures progress against the Shire's adopted Corporate Business Plan.

ORGANISATIONAL RISK MANAGEMENT:

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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
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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 financial performance for the year ended 30 June 2025 is detailed in the 2024/25 Annual Financial Report. The organisations financial performance has also been the subject of quarterly financial review reports previously presented to and adopted by Council.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the unconfirmed minutes of the 2024/25 Annual Electors Meeting in accordance with ATTACHMENT: 9.1.3 (1).

ATTACHMENTS

1 ⇨ Unconfirmed Minutes of the 2024/25 Annual Electors Meeting

2
Pages

**ATTACHMENT
APPENDIX**

9.1.4 Western Australian Local Government Association Electoral Reform Advocacy Position Review

PROPONENT OWNER	Shire of Northampton Western Australian Local Government Association
LOCATION / ADDRESS:	N/A
ZONE:	N/A
BUSINESS AREA:	Office of the CEO
FILE REFERENCE:	4.1.4
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	27 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Western Australian Local Government Association (WALGA) has requested Local Government provide feedback to inform a review of its advocacy position on electoral reform.

WALGA seeks comment on:

1. Full spill elections; and
2. Compulsory voting at Local Government elections.

Comment is sought by the end of February 2026, and the Draft Electoral Reform Discussion Paper (Discussion Paper) is attached.

ATTACHMENT: 9.1.4 (1)

PUBLIC CONSULTATION UNDERTAKEN:

WALGA is consulting with Local Government across Western Australia.

COMMENT (Includes Options):

At the Council meeting 17 October 2024, Council, through resolution, provided feedback to WALGA that informed their Local Government Election Advocacy Position. This item is appended in full.

APPENDIX: 9.1.4 (A)

Whilst Council's decision of 17 October 2024 went beyond WALGA's current request, the first two items of that decision specifically deal with WALGA's current request. The resolution of Council was as follows:

MOVED: Horstman, R SECONDED: Suckling, K

10/24-111

That the Council of the Shire of Northampton recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1	PARTICIPATION	The sector continues to support voluntary voting at Local Government elections.
2	TERMS OF OFFICE	The sector continues to support four-year terms with a two-year spill.
3	VOTING METHODS	The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.
4	INTERNAL ELECTIONS	The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
5	VOTING ACCESSIBILITY	The sector supports the option to hold general elections through: (a) Electronic voting; and (b) Postal voting; and (c) In-Person voting.
6	METHOD OF ELECTION OF SHIRE PRESIDENT	1. Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

MOTION CARRIED 6/0

Based on this previous decision, Council must now consider whether the decision is still acceptable relative to the current WALGA request. If Council determines that they are no longer willing to support points 1 and/or 2 of resolution 10/24-111, a rescission process will be required to substantially change the previous decision as there appears to be no significant difference between what was asked in 2024 and what is currently being asked.

In the Discussion Paper WALGA asks for a response to a series of questions:

Election Frequency

1. Does your Local Government support half spill elections every two years or full spill elections every four years?

Officer Comment: Council's previous resolution is in support of half spill elections every two years.

2. What are the key considerations informing this view?

Officer Comment: There is significant concern about large Councillor turnover potentially resulting from full spill elections that could diminish the knowledge base of the Council including in areas such as strategic direction, governance, and technical understanding particularly about development and compliance matters. It also potentially could create a scenario of isolated controversial community issues influencing election outcomes and distorting the purpose of Council.

3. Any other comments?

Officer Comment: Four year full spill elections would result in reduced costs and possible reductions in administration output however this needs to be balanced against the benefits of Councillor continuity maintained through half spill elections held every two years.

Compulsory or Voluntary Voting

4. Does your Local Government support compulsory voting or voluntary voting in Local Government elections?

Officer Comment: Council's previous resolution is in support of voluntary voting at Local Government elections.

5. If the frequency of Local Government elections were changed to every four years, would your Local Government support compulsory or voluntary voting?

Officer Comment: This would be a matter for Council's determination however if Council's position is to maintain voluntary voting for two year elections then it is likely it would hold this view for four year elections. The predominant consideration for this question would be in relation to whether improvement to voter fatigue for compulsory voting at two year elections versus four year elections would make a difference to Council's position.

6. What are the key considerations informing this view?

Officer Comment: The question relates to how much benefit or value would the Local Government receive by making voting compulsory for Local Government elections. Turnout rates would obviously significantly improve, and this could help provide a more representative election to Council. However, fines for not voting would impact local communities and the counter argument in favour of non-compulsory voting would be that only the people who have an interest in voting in Local Government elections will vote.

7. Any other comments?

Officer Comment: The transition to compulsory voting would undoubtedly cause community disruption that could fuel some community resentment of Local Government and the work that it does. Non-compulsory voting still provides clear and fair elected representation.

STATUTORY ENVIRONMENT:

This item is only to inform WALGA's advocacy position to the State Government on future Local Government electoral reform.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered insignificant as it is only informing WALGA's advocacy position.

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
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FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council advise the Western Australian Local Government Association that the Shire of Northampton:

- 1) Supports the maintenance of two year half spill elections that currently exist; and**
- 2) Supports non-compulsory voting to be maintained for Local Government elections regardless of whether elections are held every two years (half spill) or every four years (full spill).**

ATTACHMENTS

1 ⇨ WALGA Draft Electoral Discussion Paper 10 Pages

APPENDICES

A ⇨ WALGA Local Government Election Advocacy Position 8 Pages

ATTACHMENT**9.1.5 Proposed Memorandum of Understanding between the Shire of Northampton and Yamatji Southern Regional Corporation**

PROPONENT	Shire of Northampton / Yamatji Southern Regional Corporation
OWNER	N/A
LOCATION / ADDRESS:	Port Gregory and Lucky Bay
ZONE:	Various
BUSINESS AREA:	Office of the CEO
FILE REFERENCE:	10.7.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	28 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Following on from Yamatji Southern Regional Council's (YSRC) presentation to the Shire of Northampton (Shire) on 16 October 2025, YSRC have approached the Shire with a request to establish a Memorandum of Understanding (MoU).

The purpose of the MoU is to establish a framework for collaboration to support coordinated precinct planning, land activation, tourism development, and future funding opportunities within the Shire area, with a particular focus on Port Gregory, Pink Lake, Lucky Bay, and surrounding coastal environments. It is important to note that the MoU is not legally binding and is not designed to commit the Shire to any matter in the future.

A copy of the draft MoU is attached for Council's consideration.

ATTACHMENT: 9.1.5 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The draft MoU provides reasonable guidance for a collaborative non-binding relationship between the Shire and YSRC for matters at Port Gregory and Lucky Bay. It is considered that the demonstration of a non-binding partnership would build relationships and make it more viable to access grant funding opportunities in the future.

There are several minor corrections to be made within the document that would not change the intent, and it is recommended that if Council wants to support the establishment of the MoU, the corrections are carried out under delegation by the Chief Executive Officer.

STATUTORY ENVIRONMENT:

Nil as the MoU is non-binding.

POLICY / STRATEGIC IMPLICATIONS:

It is important to collaborate and build relationships between the Shire and Traditional Owners.

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:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council, in relation to the Memorandum of Understanding contained within ATTACHMENT: 9.1.5 (1), delegate to the Chief Executive Officer authority to make minor amendments to the document and execute on behalf of the Shire of Northampton.

ATTACHMENTS

1 	Draft Memorandum of Understanding between the Shire of Northampton and Yamatji Southern Regional Corporation	6 Pages
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ATTACHMENT**9.2.1 Monthly Financial Statements for the Period Ending 31 December 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:	29 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

The Monthly Statements of Financial Activity for the period ending 31 December 2025 are detailed from page 1 to page 24 per the attached Monthly Financial Report.

A copy of the Monthly Financial Report is attached.

ATTACHMENT: 9.2.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

A summary of the 31 December 2025 financial position is comprised of the following which are variances between year-to-date budget and actual figures from the Statement of Financial Activity (page 2).

- Total operating revenue was below year-to-date budget by \$939,854 (10.02%). Variance due to timing in receiving grants and contributions, and disposal of assets.
- Operating expenditure was under year-to-date budget by \$89,087 1.24%. As the year progresses with budgeted works, Officers will continue overall efficient financial management within tight budget constraints.

- Capital inflows were below year-to-date budget by \$6,526,684 (94.80%), as the year progresses funding will be received, and revenue recognised.
- Capital outflows were below year-to-date budget by \$8,298,945, 91.60%, as capital projects progress the variance will reconcile.
- The 2025/26 rates of \$5,648,743 were raised on 29 August 2025.
- The 2024/25 Annual Financial Statements have been finalised.

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 1996.
Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

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

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

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

As noted in comment section above.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the Monthly Financial Report for the period ending 31 December 2025 in accordance with ATTACHMENT: 9.2.1(1).

ATTACHMENTS

1 ➡ Monthly Financial Statements for the Period Ending 31 December 2025	24 Pages
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ATTACHMENT**9.2.2 Monthly Financial Statements for the Period Ending 31 January 2026**

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:	4 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

The Monthly Statements of Financial Activity for the period ending 31 January 2026 are detailed from page 1 to page 24 per the attached Monthly Financial Report.

A copy of the Monthly Financial Report is attached.

ATTACHMENT: 9.2.2 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

A summary of the 31 January 2026 financial position is comprised of the following which are variances between year-to-date budget and actual figures from the Statement of Financial Activity (page 2).

- Total operating revenue was below year-to-date budget by \$1,022,780 (10.68%). Variance due to timing in receiving grants and contributions, and processing of assets as they are disposed.
- Operating expenditure was below year-to-date budget by \$266,325 3.22% due to timing as the year progresses with budgeted works and overall efficient financial management within tight budget constraints.

- Capital inflows were below year-to-date budget by \$7,664,601 (95.54%), as the year progresses funding will be received and recognised.
- Capital outflows were below year-to-date budget by \$9,705,236, 91.97%, as capital projects progress the variance will reconcile.
- The 2025/26 rates of \$5,648,743 were raised on 29 August 2025.

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 1996.
Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

As noted in comment section above.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the Monthly Financial Report for the period ending 31 January 2026 in accordance with ATTACHMENT: 9.2.2(1).

ATTACHMENTS

1 ➡ Monthly Financial Statements for the Period Ending 31 January 2026	24 Pages
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ATTACHMENT**9.2.3 Proposed December 2025 and January 2026 List of Accounts for Endorsement on 19 February 2026**

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:	29 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of December 2025 and January 2026 payments is submitted to Council on 19 February 2026 for consideration.

A copy of the Payment List is attached.

ATTACHMENT: 9.2.3 (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 EFT28643 to EFT28857 totalling \$1,424,089.34; Municipal Fund Cheques 22634 to 22644 inclusive totalling \$16,938.61; Direct Debit payments numbered GJ0603 to GJ0712 inclusive, payroll and superannuation totalling \$911,489.78; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.3 (1).

ATTACHMENTS

1 ⇨ Proposed December 2025 and January 2026 List of Accounts for Endorsement on 19 February 2026

10
Pages

**ATTACHMENT
APPENDIX**

9.2.4 Outcome of Public Notice - Proposed Disposal of Vacant Land being Lot 29 (No. 2) Rake Place, Northampton

PROPONENT	Amelita Elisabeth La Paz
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Lot 29 (No. 2) Rake Place, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	10.8.2.4/A4897
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	10 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton currently owns freehold property within Rake Place, Northampton being two vacant residential parcels of land.

Rake Place is a residential subdivision located close to central town facilities with mains water and underground power available nearby. The subdivision was developed by the Shire of Northampton consisting of ten lots with Certificates of Title for individual lots issued in February 2012. One lot was recorded as sold by May 2012, with three others selling later in 2012, 2013 and 2022. Lot 29 is one of two lots that have remained unsold since subdivision.

Council at its meeting held on 18 December 2025 considered the proposed disposal of Lot 29 Rake Place. Council resolution 12/25-194 resolved to dispose of Lot 29 as follows:

That Council, in accordance with section 3.58 of the *Local Government Act 1995*:

- 1. Subject to point 3, agree to dispose of property Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz.**
- 2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz for the sum of \$100,000 (including GST).**
- 3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the Council meeting on 19 February 2026.**

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995*, and to seek

Council's determination whether to proceed with the sale of Lot 29 (No. 2) Rake Place, Northampton.

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with section 3.58 of the *Local Government Act 1995*, publication of the local public notice for a period of 35 days was conducted between 19 December 2025 and 23 January 2026.

Public Notice

Local Public Notice was provided in the following ways:

- Published on the Shire's website;
- Posted to the Shire's social media platforms; and
- Posted to the Shire of Northampton and Local Community Noticeboards.

ATTACHMENT: 9.2.4 (1)

Submissions and responses

No submissions or responses were received.

COMMENT (Includes Options):

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995* and to seek Council's determination whether to proceed with the proposed disposal of vacant land being Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz.

STATUTORY ENVIRONMENT:

Local Government Act 1995 - Section 3.58 Disposing of Property

Any private treaty negotiations to lease with the Proponent will be required to comply with section 3.58 *Disposing of Property* under the *Local Government Act 1995* which sets out the requirements for the disposal of property, including leased and licensed land, vacant land and buildings.

The Local Government must give two weeks local public notice of the proposed lease. Any submissions must be considered by Council and the decision regarding those submissions recorded in the Council Minutes.

POLICY / STRATEGIC IMPLICATIONS:

The proposed disposal of Lot 29 Rake Place will be in accordance with Council Policy 4.1 *Disposal of Shire of Northampton Property*.

Council Policy 2.8 *Authority to Execute Documents on Behalf of Council* requires matters concerning the disposal Shire property to be put before Council. For reference, Council Policy 4.1 and Council Policy 2.8 are appended.

APPENDIX: 9.2.4 (A)

APPENDIX: 9.2.4 (B)

Council's *Strategic Community Plan 2025 – 2035* outlines the community's long-term vision, aspirations and priorities and recognises that the Shire's performance strongly influences the liveability, productivity, wellbeing, connection and identity of the community. Central to achieving these outcomes is the effective development, maintenance and optimisation of the Shire's properties, assets and facilities to ensure they meet current and future community needs.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered moderate due to financial and social accountability pressures on public sector property management including missed opportunity to support services or businesses that benefit the community.

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:

Accepting an offer to purchase land provides the Shire with immediate financial gain through sale proceeds, while also offering certainty if the offer is unconditional. Whilst transaction costs will be incurred including valuation, administrative and settlement fees and payment of GST, overall, the sale will convert a fixed asset into liquid funds to implement initiatives as planned in the approved budget.

SUSTAINABILITY:

Environmental: Sale of vacant land allows for planning and managed development that incorporates sustainable practices, reduces environmental risks and supports responsible land use.

Economic: Sale of land will provide immediate revenue and generate required funds for budgeted initiatives.

Social: Sale of vacant land allows the local government to fund projects and infrastructure that enhance the wellbeing and quality of life of residents.

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

That Council, pursuant to section 3.58(3) of the *Local Government Act 1995*, and following the publication of local public notice of intention to dispose of property on 19 December 2025, resolves to dispose of Lot 29 (No. 2) Rake Place, Northampton, being the whole of the land comprised in Deposited Plan 67169 and Certificate of Title Volume 2791 Folio 916, by way of sale, and:

- 1. Notes that no submissions or objections were received within the public notice period;**
- 2. Accepts the offer from Amelita Elisabeth La Paz to purchase Lot 29 Rake Place for the sum of \$100,000 (inclusive of GST); and**
- 3. Authorises the Chief Executive Officer to negotiate, execute and complete the Contract of Sale and any associated documentation necessary to give effect to this resolution.**

ATTACHMENTS

1 ⇨ Public Notice Disposal of Property - Lot 29 (No. 2) Rake Place, Northampton	1 Page
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APPENDICES

A ⇨ Council Policy 4.1 - Disposal of Shire of Northampton Property	3 Pages
B ⇨ Council Policy 2.8 - Authority to Execute Documents of Behalf of Council	2 Pages

ATTACHMENT

9.2.5 Outcome of Public Notice - Proposed Disposal of Vacant Land being Lot 22 (No. 1) Rake Place, Northampton

PROPONENT	Craig Mitchell Milroy Walker and Kaylene Evans
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Lot 22 (No. 1) Rake Place, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	10.8.2.4/A4897
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	4 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton currently owns freehold property within Rake Place, Northampton being two vacant residential parcels of land.

Rake Place is a residential subdivision located close to central town facilities with mains water and underground power available nearby. The subdivision was developed by the Shire of Northampton consisting of ten lots with Certificates of Title for individual lots issued in February 2012. One lot was recorded as sold by May 2012, with three others selling later in 2012, 2013 and 2022. Lot 22 is one of two lots that have remained unsold since subdivision.

Council at its meeting held on 18 December 2025 considered the proposed disposal of Lot 22 Rake Place. Council resolution 12/25-195 resolved to dispose of Lot 22 subject as follows:

That Council, in accordance with section 3.58 of the *Local Government Act 1995*:

- 1. Subject to point 3, agree to dispose of property Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans.**
- 2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans for the sum of \$80,000 (including GST).**
- 3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the Council meeting on 19 February 2026.**

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995*, and to seek Council's determination whether to proceed with the sale of Lot 22 (No. 1) Rake Place, Northampton.

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with section 3.58 of the *Local Government Act 1995*, publication of the local public notice for a period of 35 days was conducted between 19 December 2025 and 23 January 2026.

Public Notice

Local Public Notice was provided in the following ways:

- Published on the Shire's website;
- Posted to the Shire's social media platforms; and
- Posted to the Shire of Northampton and Local Community Noticeboards.

ATTACHMENT: 9.2.5 (1)

Submissions and responses

No submissions or responses were received.

COMMENT (Includes Options):

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995* and to seek Council's determination whether to proceed with the proposed disposal of vacant land being Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans.

STATUTORY ENVIRONMENT:

Local Government Act 1995 - Section 3.58 Disposing of Property

Any private treaty negotiations to lease with the Proponent will be required to comply with section 3.58 *Disposing of Property* under the *Local Government Act 1995* which sets out the requirements for the disposal of property, including leased and licensed land, vacant land and buildings.

The Local Government must give two weeks local public notice of the proposed lease. Any submissions must be considered by Council and the decision regarding those submissions recorded in the Council Minutes.

POLICY / STRATEGIC IMPLICATIONS:

The proposed disposal of Lot 22 Rake Place will be in accordance with Council Policy 4.1 *Disposal of Shire of Northampton Property*.

Council Policy 2.8 *Authority to Execute Documents on Behalf of Council* requires matters concerning the disposal Shire property to be put before Council. For reference, Council Policy 4.1 and Council Policy 2.8 are provided in Appendices 9.2.4(A) and 9.2.4(B).

Council's *Strategic Community Plan 2025 – 2035* outlines the community's long-term vision, aspirations and priorities and recognises that the Shire's performance strongly influences the liveability, productivity, wellbeing, connection and identity of the community. Central to achieving these outcomes is the effective development, maintenance and optimisation of the Shire's properties, assets and facilities to ensure they meet current and future community needs.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered moderate due to financial and social accountability pressures on public sector property management including missed opportunity to support services or businesses that benefit the community.

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:

Accepting an offer to purchase land provides the Shire with immediate financial gain through sale proceeds, while also offering certainty if the offer is unconditional. Whilst transaction costs will be incurred including valuation, administrative and settlement fees and payment of GST, overall, the sale will convert a fixed asset into liquid funds to implement initiatives as planned in the approved budget.

SUSTAINABILITY:

Environmental: Sale of vacant land allows for planning and managed development that incorporates sustainable practices, reduces environmental risks and supports responsible land use.

Economic: Sale of land will provide immediate revenue and generate required funds for budgeted initiatives.

Social: Sale of vacant land allows the local government to fund projects and infrastructure that enhance the wellbeing and quality of life of residents.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, pursuant to section 3.58(3) of the *Local Government Act 1995*, and following the publication of local public notice of intention to dispose of property on 19 December 2025, resolves to dispose of Lot 22 (No. 1) Rake Place, Northampton, being the whole of the land comprised in Deposited Plan 67169 and Certificate of Title Volume 2791 Folio 909, by way of sale, and:

- 1. Notes that no submissions or objections were received within the public notice period;**
- 2. Accepts the offer from Craig Mitchell Milroy Walker and Kaylene Evans to purchase Lot 22 Rake Place for the sum of \$80,000 (inclusive of GST); and**
- 3. Authorises the Chief Executive Officer to negotiate, execute and complete the Contract of Sale and any associated documentation necessary to give effect to this resolution.**

ATTACHMENTS

1 ➡ Public Notice Disposal of Property - Lot 22 (No. 1) Rake Place, Northampton	1 Page
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APPENDIX

9.2.6 Finalisation of Major Review of Shire of Northampton Policy Manual 2022

PROPONENT OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.15
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	27 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Chief Executive Officer (CEO) formally commenced a review of the Shire of Northampton Policy Manual 2022 on 18 August 2023 following identification of significant flaws in the policy approach and the requirement to separate Council policies from Management policies.

A copy of the Shire's Policy Manual 2022 (dated 24 April 2025) is appended.

APPENDIX: 9.2.6 (A)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

As of June 2024, the existing Policy Manual contained 81 policies, comprising both Council Policies and Management Policies. Following subsequent reviews, and at the time of preparing this report, 15 policies within the 2022 Policy Manual remained subject to review and consideration.

The primary principle guiding this review process has been to contemporise the policy framework, ensure compliance with the current requirements of the *Local Government Act 1995*, and confirm that all policies accurately reflect contemporary practices and operational realities.

Assessment of the 15 policies that remain in the 2022 Policy Manual is provided below:

Policy	Review (R) Delete (D)	Officer Comment
1.6 Legal Representation – Costs Indemnification	Review and rename	1.6 Legal Support for Shire Representatives

1.12 Community Engagement Policy	Delete	Dealt with on a case-by-case basis
2.10 Debt Recovery	Review	4.3 Debt Collection
2.11 Financial Hardship Policy and Procedures – Rates Debtors	Review and rename	4.2 Financial Hardship (Rate Relief)
5.3 Camping for Aboriginal Cultural Purposes	Delete	Policy specifically related to Lucky Bay Camping area which now falls under the responsibility of DBCA
6.9 Roadside Vegetation Clearing – Fence Line Clearing	Review and rename	10.1 Road Reserve Vegetation Management
6.10 Gravel/Sand Royalties	Delete	These matters are dealt with on a case-by-case basis
6.11 Roadside Memorials	Review and rename	Dealt with under new policy 1.7 Memorials
8.2 Trading in Public Places	Delete	Dealt with by Local Laws under delegation to the CEO
8.5 Conditions of Approval of Itinerant Food Vendors	Delete	Dealt with by Local Laws under delegation to the CEO
8.7 Independent Inspection of Council Owned Assets - Buildings	Delete	Dealt with by Shire's Building Department with structural reports forming part of Shire's Asset Management program.
9.2 Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities	Delete	Dealt with under State Government requirements
10.4 Memorial Seats	Review and rename	Dealt with under new policy 1.7 Memorials
10.6 Petroleum, Gas, Mining & Extractive Industries Policy	Delete	Dealt with under Local Planning Policy 'Extractive Industries' and the <i>Mining Act</i>
11.1 Tourism Policy	Delete	Dealt with under Shire's Strategic Community Plan and Corporate Business Plan

The outcome of the assessment recommended that eleven policies be rescinded, and four policies be amended into the new policy framework. This report seeks Council's approval to formally rescind eleven policies, amend and review 4 policies and close the 2022 Policy Manual.

A separate agenda item will address amendment of the four policies.

STATUTORY ENVIRONMENT:

Policies are created under the *Local Government Act 1995* and sometimes incorporate other instruments. All Council Policies require decision of Council to take effect.

POLICY / STRATEGIC IMPLICATIONS:

The Shire of Northampton 2022 Policy Manual is deficient and required immediate attention. Given the magnitude of the task, it has taken some months to finalise and has involved considerable resources to complete.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered 4 (Major) particularly because of deficient governance related matters. Policies provide necessary guidance for consistent and compliant decision making which is an important part of a functional Local Government.

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 direct financial implications, however considerable human resources have been required to complete the full review.

SUSTAINABILITY:

Environmental: Environmental considerations are a common and integral component of decision-making in the development of Shire policies.

Economic: Economic factors are routinely considered and incorporated into the formulation and review of Shire policies.

Social: Many Shire policies involve social considerations, with impacts on the community assessed as part of the policy formulation process.

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

That Council:

- 1) Rescind the following policies of the Shire of Northampton 2022 Policy Manual:**
 - **1.12 Community Engagement Policy**
 - **5.3 Camping for Aboriginal Cultural Purposes**
 - **6.10 Gravel/Sand Royalties**
 - **6.11 Roadside Memorials**
 - **8.2 Trading in Public Places**
 - **8.5 Conditions of Approval of Itinerant Food Vendors**
 - **8.7 Independent Inspection of Council Owned Assets – Buildings**
 - **9.2 Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities**
 - **10.4 Memorial Seats**
 - **10.6 Petroleum, Gas, Mining and Extractive Industries Policy**
 - **11.1 Tourism Policy**
- 2) Acknowledge the following policies from the Shire of Northampton 2022 Policy Manual be subject to amendment and review:**
 - **1.6 Legal Representation – Costs Indemnification**
 - **2.10 Debt Recovery**
 - **2.11 Financial Hardship Policy and Procedures – Rates Debtors**
 - **6.9 Roadside Vegetation Clearing – Fence Line Clearing**
- 3) Request the Chief Executive Officer to coordinate the amendment and publication of the Shire of Northampton Council Policy Manual 2026 to establish a single, consolidated policy framework that**

reflects Council's current and future policy decisions. This is to include:

- **Review and amendment of four (4) policies for inclusion in the new Council Policy Manual; and**
- **Formal closure of the Shire of Northampton 2022 Policy Manual.**

APPENDICES

[A⇒](#) Shire of Northampton Policy Manual 2022 40 Pages

**ATTACHMENT
APPENDIX**

9.2.7 Proposed Review and Amendment of Four Policies of Shire of Northampton 2022 Policy Manual and Five New Proposed Policies of Shire of Northampton Council Policy Manual

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.15
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	27 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Chief Executive Officer (CEO) formally commenced a review of the Shire of Northampton Policy Manual 2022 on 18 August 2023, following identification of significant deficiencies in the existing policy framework and the need to clearly separate Council policies from Management policies.

A final assessment of the 2022 Policy Manual was conducted recently and identified 15 policies were still subject to review and consideration with recommendation that 11 policies be rescinded and four policies be amended and incorporated into the new policy framework. This report seeks Council's approval to:

1. Amend and review four policies; and
2. Adopt five new policies.

A separate agenda item will address the rescinding of 11 policies and closure of the 2022 Policy Manual.

The purpose of this report is for Council to consider 9 policies for inclusion in the current Shire of Northampton Council Policy framework.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

As part of the review process to modernise the Council's policy framework, an assessment of four policies from the 2022 Policy Manual identified the need for updates to reflect current and contemporary practice. The policies for review are:

- 1.6 Legal Representation – Costs Indemnification;

- 2.10 Debt Recovery;
- 2.11 Financial Hardship Policy and Procedures – Rates Debtors: and
- 6.9 Roadside Vegetation Clearing – Fence Line Clearing.

A copy of the four policies from 2022 Policy Manual requiring amendment and review are appended.

APPENDIX: 9.2.7 (A)

Recent review of these policies identified the need for several changes and their expansion to allow for broader application and included renaming and renumbering in accordance with the new policy framework. Copies of the revised and renamed policies is attached as follows:

- 1.6 Legal Support for Council Representatives
The purpose of this policy is to define the circumstances, processes and conditions under which the Shire will provide legal representation and support to its elected members and employees.

ATTACHMENT: 9.2.7 (1)

- 4.3 Debt Collection
This policy serves as a framework for how the Shire of Northampton will fairly, consistently and lawfully recover all monies owed to the Shire, while balancing financial responsibility with community obligations.

ATTACHMENT: 9.2.7 (2)

- 4.2 Financial Hardship (Rate Relief)
This policy serves as a framework for the Shire of Northampton's commitment in providing fair, transparent and consistent rate relief to ratepayers experiencing financial hardship, while ensuring legislative compliance, responsible financial management and community wellbeing.

ATTACHMENT: 9.2.7 (3)

- 10.1 Road Reserve Vegetation Management
The purpose of this policy is to provide guidelines for the construction and maintenance of rural roads while acknowledging the importance of the protection and conservation of native vegetation contained within rural road verges under the care, control and management of the Shire of Northampton.

ATTACHMENT: 9.2.7 (4)

The current review, undertaken to finalise the rescission of the 2022 Policy Manual, highlighted the need to develop new policies to establish a contemporised Council policy framework that supports the organisation's ability to adapt, respond to industry best practice, and comply with legislative changes. A copy of the new policies is attached as follows:

- 1.7 Memorials

The policy serves as a framework for the Shire of Northampton to manage, approve, maintain, and (if necessary) remove memorials in public spaces. The main purpose of this policy is to ensure memorials are handled fairly, legally, safely and sensitively while balancing community wishes with council's responsibilities.

ATTACHMENT: 9.2.7 (5)

- 1.8 Naming of Shire Assets, Tree Plantings, Memorials and Parks

This policy provides a clear and consistent framework for how the Shire of Northampton owned assets, parks, memorials, and commemorative tree plantings are named or dedicated.

ATTACHMENT: 9.2.7 (6)

- 3.1 Records Management

The purpose of this policy is to ensure records are properly created, maintained, accessible, protected and disposed of in order to meet legal requirements, support transparency and ensure efficient and accountable operations.

ATTACHMENT: 9.2.7 (7)

- 10.2 Private Services in Road Reserves

The purpose of this policy is to clearly regulate how privately owned infrastructure is proposed, installed, maintained, and managed within road reserves, while protecting public safety, road assets, and environmental values.

ATTACHMENT: 9.2.7 (8)

- 10.3 Private Works

This policy provides guidelines for the undertaking of private works by the Shire of Northampton.

ATTACHMENT: 9.2.7 (9)

STATUTORY ENVIRONMENT:

Policies are created and guided by the requirements of both State and Commonwealth legislation. The *Local Government Act 1995* provides the mechanism to guide the creation of Council policies and outlines statutory processes to follow. All Council policies require decision of Council to take effect.

POLICY / STRATEGIC IMPLICATIONS:

Policies are considered to be guiding documents and decisions may be varied by Council on a case-by-case basis. Council policies are able to be amended by Council at any time and are subject to a review period.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered 4 (Major) particularly because of deficient governance related matters. Policies provide necessary guidance for consistent and compliant decision making which is an important part of a functional Local Government.

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 direct financial implications, however considerable human resources have been required to complete the review of existing policies and development of new policies.

SUSTAINABILITY:

Environmental: Environmental considerations are a common and integral component of decision-making in the development of Shire policies.

Economic: Economic factors are routinely considered and incorporated into the formulation and review of Shire policies.

Social: Many Shire policies involve social considerations, with impacts on the community assessed as part of the policy formulation process.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1) **Adopts the revised and renamed Council Policies:**
 - a) **Council Policy 1.6 Legal Support for Council Representatives Policy as contained in accordance with ATTACHMENT: 9.2.7 (1);**
 - b) **Council Policy 4.3 Debt Collection as contained in accordance with ATTACHMENT: 9.2.7 (2);**
 - c) **Council Policy 4.2 Financial Hardship (Rate Relief) as contained in accordance with ATTACHMENT: 9.2.7 (3); and**
 - d) **Council Policy 10.1 Road Reserve Vegetation Management as contained in accordance with ATTACHMENT: 9.2.7 (4).**
- 2) **Adopts the following new Council Policies:**
 - a) **Council Policy 1.7 Memorials as contained in accordance with ATTACHMENT: 9.2.7 (5);**
 - b) **Council Policy 1.8 Naming of Shire Assets, Tree Planting, Memorials and Plaques as contained in accordance with ATTACHMENT: 9.2.7 (6);**
 - c) **Council Policy 3.1 Records Management as contained in accordance with ATTACHMENT: 9.2.7 (7);**
 - d) **Council Policy 10.2 Private Services in Road Reserves as contained in accordance with ATTACHMENT: 9.2.7 (8);**
 - e) **Council Policy 10.3 Private Works as contained in accordance with ATTACHMENT: 9.2.7 (9).**
- 3) **Supports the Shire of Northampton registering with the Fines Enforcement Registry to enable referral of unpaid infringements for enforcement and recovery.**

ATTACHMENTS

1 ⇨	1.6 Legal Support for Council Representatives	5 Pages
2 ⇨	4.3 Debt Collection	5 Pages
3 ⇨	4.2 Financial Hardship (Rate Relief)	5 Pages
4 ⇨	10.1 Road Reserve Vegetation Management	7 Pages
5 ⇨	1.7 Memorials	5 Pages
6 ⇨	1.8 Naming of Shire Assets, Tree Plants, Memorials and Parks	5 Pages

7 ⇒	3.1 Records Management	4 Pages
8 ⇒	10.2 Private Services in Road Reserves	2 Pages
9 ⇒	10.3 Private Works	3 Pages
 APPENDICES		
A ⇒	Four policies from Shire of Northampton 2022 Policy Manual	8 Pages

9.2.8 Request for Reconsideration of Condition of Approval - Proposed Purchase of Part Lot 9003 Glance Street, Horrocks

PROPONENT OWNER:	Ms AJ Lee-Steere Lot 62 – Ms A J Lee-Steere Lot 9003 – Shire of Northampton
LOCATION / ADDRESS:	Lot 62 (No 7) Horan Way, Horrocks Lot 9003 Glass Street, Horrocks
ZONE:	Lot 62 – Residential Pt Lot 9003 – Public Open Space
BUSINESS AREA:	Corporate Services
FILE REFERENCE:	10.5.3.5 & A781
LEGISLATION:	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Transfer of Land Act 1893</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	14 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the Ordinary meeting held on 18 December 2025, Council considered a request from the owner of Lot 62 (No 7) Horan Way for the purchase of 48.5m² of Lot 9003 Glass Street, being Shire of Northampton freehold land. The proponent was seeking to acquire the land to rectify a minor encroachment into the Shire property as shown on the location plan below.

Location Plan



Council resolved (Resolution 12/25-183) to approve the sale subject to compliance with the following at the cost of the applicant:

- a) ***Preparation of a diagram of survey by a licensed land surveyor to reflect a new boundary consistent with the applicants proposed boundary alignment, being not less than 1m from the existing dwelling;***
- b) ***A market valuation being obtained from a licensed real estate valuer;***
- c) ***Application being made to the Department of Planning, Lands and Heritage for conditional approval to the proposed subdivision/amalgamation and compliance with any conditions identified on any approval;***
- d) ***The titles of Lots 62 and Lot 9003 being adjusted accordingly; and***
- e) ***Following issue of new titles, the applicant shall erect a fence being a minimum of 1.2m in height of post and rail construction within 60 days;***

A request has been received from the landowner seeking reconsideration of condition e) above on the following grounds:

- i) *The encroachment was a genuine mistake, and we are working hard and incurring significant costs to rectify this as soon as possible;*
- ii) *We're committed to sticking to the final boundary with the subdivision providing a clean and clear boundary in line with our neighbour;*
- iii) *We have no intension of using the land beyond the proposed boundary in any way and are committed to that; and*
- iv) *We love having land with unobstructed sandhills and bush view to the south and west.*

As condition (e) was imposed by resolution of Council, the condition may only be reconsidered by Council.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

As a relatively informal urban settlement, many properties with the Horrocks community are not fenced. This has resulted in many circumstances where landowners have either deliberately, or mistakenly, extended their activities and on occasions infrastructure such as fencing, retaining walls and even outbuildings onto Shire land.

An examination of aerial photography has identified that there are:

- i) A total of 5 properties in Horan Way (more than 50% of properties in the street) that have encroached into Shire owned land.
- ii) Immediately adjacent in Stokes Street another two properties have encroached including one which has fenced portion of the Shire land into their property; and

- iii) There are numerous examples where landowners have undertaken works at the rear of properties on the eastern side of Mitchell Street to construct substantial retaining walls, gardens and outbuildings without approval.

A previous audit by Shire Officers between 2016-18 resulted in the Shire agreeing to sell portion of their landholding to 1 property in Horan Way and 3 properties in Mitchell Street. More recently:

- a) It has been identified that encroachments into Shire property still exist, some involving substantial building works. Original boundaries and the encroachments remain; and
- b) Council agreed to sell portion of Lot 9003 to the owner of Lot 65 Horan Way. This purchase is currently being finalised.

Current Ownership

The proponent has been the registered owner of Lot 62 since September 2014. Aerial photography held by the Shire demonstrates that historically the landform behind Lot 62 has been modified both in terms of levels and vegetation coverage. Whilst Shire Officers are not suggesting that the current owner undertook works on Shire land, it is considered that the current boundary issue would have been avoided had the rear boundary been clearly defined by way of fencing.

Future boundary delineation will ensure any confusion of the location of the boundary is removed. Without such fencing, the potential for encroachment, whether intentional or not, can be avoided.

As a case in point, an inspection of Lot 62 has identified that a children's playground set has been erected at the rear of the home. In the absence of a clear boundary, it is difficult to tell whether portion of equipment enters Shire land.

Conditions of Sale

The portion of land being sold to the owner of Lot 62 currently forms portion of Council's freehold property. Sale of the land may therefore only occur at the discretion of Council. It is considered that the requirement for the new boundary to be fenced is a reasonable requirement to ensure that the remaining portion of Lot 9000 remains free from additional encroachments in the future.

Minimum Fencing

Condition (e) of Council's Resolution 12/25-183 required fencing being erected along the new boundary as follows:

- e) *Following issue of new titles, the applicant shall erect a fence being a minimum of 1.2m in height of post and rail construction within 60 days;*

Notwithstanding that it is recommended fencing be required, Council may wish to specify post and wire fencing as a minimum in order to keep the associated cost to a minimum.

Adverse Possession

In accordance with the *Transfer of Land Act 1893*, it is possible for a person or corporation to apply for “adverse possession” over land that they do not own, where that person or corporation can prove that they have been in continuous possession of the land, to the exclusion of others for the required length of time under the Limitation Act 1935. This period is:

- a) 12 years where the true owner can be proved to have been under no legal disability at the time of possession commenced; or
- b) 30 years where it cannot be proven that the true owner was not under a legal disability at the time possession commenced.

A legal disability may be defined as infancy, idiocy, lunacy or unsoundness of mind.

As reflected within an article by Leah Christie at McLeod’s Lawyers, Section 76 of the Limitation Act 2005 prevents any party applying for adverse possession over crown land. However, *“there is no corresponding provision excluding the operation of adverse possession principles against land owned by a local government in fee simple.”*

To avoid any potential future claims for adverse possession it is strongly recommended that fencing be required on the proposed new boundary, at the applicants cost.

Conclusion

Council agreed to the sale of 48.5m² of Lot 9003 to the owner of Lot 62 Horan Way at its December 2025 meeting. The applicant has provided written agreement to the conditions identified in Council’s resolution but has requested that Council reconsider fencing requirements imposed under point e) of the resolution.

Whilst the request to reconsider the requirement for fencing is not supported, it is recommended that the standard of fencing be reduced from a post and rail fence to a post and wire fence, minimising costs for the landowner.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

The sale of land as proposed will resolved a rear setback issue where the eave of the now existing home passes over the boundary of Lot 62. Due to the configuration and topography of the subject portion of Lot 9003, there are no strategic implications associated with the sale.

Insisting on the applicant fencing the new boundary is consistent with the following Desired Outcome as outlined within the Shire’s Strategic Community Plan 2025-2035:

5.2 Best Practice stewardship

Our Shire continues to expand capacity and capability to maintain excellence in all areas of leadership and Council operations.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating associated with requiring fencing of the new property boundary is considered Moderate.

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

FINANCIAL IMPLICATIONS:

It is recommended that the applicants be required to meet all costs associated with the purchase of the land, modification of the titles and the erection of suitable boundary fencing.

Once the sale is complete, Council will be requested to consider the allocation of the funds, which could include the funding of other projects within the Horrocks Community.

SUSTAINABILITY:

Environmental: Nil.

Economic: By purchasing portion of Lot 9003 from the Shire, the landowner avoids the need to modify their now existing dwelling.

Social: Fencing of the property as recommended will ensure clear boundaries are established and prevent encroachments onto Shire freehold property.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Advise the applicant that it is not prepared to reconsider the request to waive the requirements of point (e) of Council's 18 December 2025 resolution (Resolution 12/25-193) given the need to ensure clear identification of the new boundary in perpetuity; and**
- 2. Notwithstanding point 1 above and the standard of fencing specified in Resolution 12/25-193, Council approve the use of post and wire as a suitable alternative fencing material.**

**ATTACHMENT
APPENDIX**

9.3.1 Proposed Budget Amendment - Grant Funding for Northampton Community Event - Story Harvest - Echoes of the Past

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Northampton Community Centre
ZONE:	N/A
BUSINESS AREA:	Community Service
FILE REFERENCE:	11.4.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	7 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire's Community Development Officers have been working with the Shire President and other community members regarding a Shire event being the Story Harvest – Echoes of the Past which is to be held in April 2026.

At its Ordinary Meeting held on 20 November 2025, Council resolved (Resolution 11/25-157) to allocate \$19,300 from the Shire's Community Grant Fund for the Story Harvest event. As mentioned within the agenda item, the Shire's Community Development Officers were continuing to *“seek external funding sources through Lotterywest and the Foundation for Rural & Regional Renewal (FRRR).”*

On 26 November the Shire received advice from FRRR that the Shire had been successful in securing \$10,000 funding towards the Story Harvest project. A copy of the correspondence received is shown attached.

ATTACHMENT: 9.3.1 (1)

Council is now requested to consider:

- a) Amending the 2025/26 annual budget to reflect the grant income received; and
- b) Adjusting the balance of the Community Grants Program budget to be allocated under round 2 of the Shire's Community Grants Program.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Set to take place on Saturday, April 11, 2026, marking the 5-year anniversary of Cyclone Seroja, this event aims to bring together community members from

diverse backgrounds to share their stories and experiences. By focusing on current and historical themes of resilience, it is intended to highlight how the Northampton community has overcome challenges and thrived through cooperation, unity, and historical strength.

Further details on the event, as attached to the November 2025 agenda item are appended.

APPENDIX: 9.3.1 (A)

As reflected within Council's November 2025 resolution, Council resolved (Resolution 11/25-157) to allocate a total of \$49,000 to four projects as follows:

Event/Project	Funding Amount
Story Harvest: Echoes of the Past (community event)	\$19,300.00
Community Impact Incubators (stage one of an 18-month program)	\$6,060.00
JK Foundation 12-month program (one day per week)	\$20,000.00
Northampton Bowling Club	\$4,000
Total	\$49,000

This left an estimated remaining balance of \$30,010 in the 2025/26 Community Grants Program budget, to be allocated under Round 2 of the program. Following the receipt of \$10,000 grant from FRRR:

- a) The Shire allocation for the event can be reduced from \$19,300 to \$9,300; and
- b) The balance of the program budget will increase from approximately \$30,010 to \$40,010.

An adjustment to the Shire's budget is required to reflect the receipt of the grant and the above changes.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

Applications for the Shire's Annual Community Grants Program are assessed in accordance with Community Development Policy 5.1 – Community Grants Program. As outlined within the Policy, the objectives of the program are:

1. *To support the community to improve liveability, support, connectedness and participation by evolving the sense of community;*
2. *To improve visitation and liveability by supporting community led events;*
3. *To encourage the social activation of youth in the district;*
4. *To provide seed funding or co-contribution financial support for the community to make funding applications;*

5. To provide an open, transparent and equitable mechanism for Council to distribute community grants; and
6. To grow the funding pool for the Community Grants Program through sourcing additional funds through external sources.

Shire led initiatives to support local projects as proposed is consistent with the following Desired Outcomes contained in the Shire of Northampton Strategic Community Plan:

3.1 Socially connected and included

We feel supported to live well and prosper together, whatever our age or diversity of needs.

3.2 Outstanding recreation and tourism experiences

Community life and tourism is being enriched through a strong portfolio of events, activities, attractions and historical heritage.

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:

As reflected within the comment section above.

SUSTAINABILITY:

Environmental: Nil.

Economic: The receipt of \$10,000 in external grant funding significantly reduces the Shire's contribution towards the Story Harvest Event and will allow Council the opportunity to allocate an \$10,000 as part of Round 2 of the Community Grants Program.

Social: The event will create opportunities for community members and individuals to connect and learn new skills that can strengthen capacity and thus establish a stronger social fabric.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Acknowledge the receipt of a \$10,000 grant towards the Shire Event Story Harvest – Echoes of the past being received from the Foundation for Rural & Regional Renewal.
2. Amend the 2025/26 annual budget as adopted by Council as follows:

Budget Item	Adopted Budget	Amended Budget (ex GST)	Variation
FRRR Grant for Story Harvest Event	\$0	(\$10,000)	(\$10,000)
Shire Event – Story Harvest	\$0	\$10,000	\$10,000
Net (\$)	\$0	\$0	\$0

3. Consider the allocation of the remaining balance of the 2025/26 Community Grants Program budget allocation, being an estimated \$40,010, under Round 2 of the Shire of Northampton Community Grants Program.

ATTACHMENTS

- 1⇒ Attachment No 1 - FRRR Grant Approval for Story Harvest Event 2 Pages

APPENDICES

- A⇒ Appendix A - Story Harvest Event Outline 5 Pages

9.3.2 Proposed Budget Amendment to Recognise State Library Grant Funding - Mind Robotics Program

PROPONENT OWNER	Shire of Northampton
LOCATION / ADDRESS:	Shire of Northampton
ZONE:	Northampton and Kalbarri Libraries
BUSINESS AREA:	N/A
FILE REFERENCE:	Community Services
LEGISLATION:	1.1.1
AUTHOR:	<i>Local Government Act 1995</i>
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	Brian Robinson
DECLARATION OF INTEREST:	15 January 2026
	Nil

BACKGROUND:

In mid-September 2025, the Shire's Community Development Officers identified an opportunity to apply for a Technology and Digital Inclusion Grant from the Western Australian State Library.

With the support of the Shire Chief Executive Officer, an application was lodged to facilitate a Mind Robotics school holiday program for youth aged 6-13 years old in both Northampton and Kalbarri. With a focus on Science, Technology, Engineering and Mathematics, the program was designed to inspire curiosity and tech invaluable skills such as problem solving, critical thinking and teamwork including a collaborative session for parents and children.

The Shire's application for funding of \$4,000 was successful late in 2025 allowing the program to proceed in January 2026. Council is requested to amend the current budget to recognise the funding and associated expenditure.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The Shire's Community Development Officers play a key role in identifying and making application for grant funding to undertake various community based activities, events and programs that are consistent with the aspirations and objectives of the Shire of Northampton's Strategic Community Plan.

The Mind Robotics Program was run by a third party consultant leading the sessions during the January 2026 school holidays with the assistance of the Shire's two Community Development Officers. The program was well attended with the first 5 sessions being fully subscribed. Each session having 12 attendees. A detailed report on the program is currently being prepared by the consultant and will be made available to Council shortly.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

The Mind Robotics program was identified as being consistent with the following Desired Outcomes detailed within the Shire of Northampton Strategic Community Plan 2025-2035:

3.1 Socially connected and included.

We feel supported to live well and prosper together, whatever our age or diversity of needs.

3.2 Outstanding recreation and tourism experiences

Community life and tourism is being enriched through a strong portfolio of events, activities, attractions and historical heritage.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Minor due to the level of funding involved.

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:

Amendment of the budget as proposed has nil impact given that the received funding meets all costs associated with program.

SUSTAINABILITY:Environmental: Nil.Economic: Nil.Social: Identification and obtainment of suitable grant funding builds on the Shire's capacity to facilitate and/or hold events that positively contribute to education and the sense of inclusion and wellbeing of the community.**VOTING REQUIREMENTS: ABSOLUTE MAJORITY****OFFICER RECOMMENDATION:**

That Council amend the 2025/2026 annual budget as follows:

Budget Item	Adopted Budget	Amended Budget (ex GST)	Variation
State Library Grant - Mind Robotics School Holiday Program	\$0	(\$4,000)	(\$10,000)
Mind Robotics School Holiday Program	\$0	\$10,000	\$10,000
Net (\$)	\$0	\$0	\$0

APPENDIX**9.4.1 Request for Extension of Approval - Gas Hub**

PROPONENT OWNER	Hancock Energy Outback Carbon Pty Ltd; and State of Western Australia
LOCATION / ADDRESS:	Lot 5065 (4138) Balla-Whellara Road, Binnu; and Portion of Unallocated Crown Land, Binnu Rural
ZONE:	Rural
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.9.1
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At its Ordinary Meeting held on 20 March 2025, Council considered two temporary accommodation proposals associated with an exploration well (Yuna West 1) by Warrego Energy EP512 Pty Ltd. The proposed temporary accommodation sites were proposed to consist of:

1. A mini temporary workers accommodation camp and associated officers at the drill site; and
2. A main temporary accommodation site for between 55 and 60 workers to support the drill site.

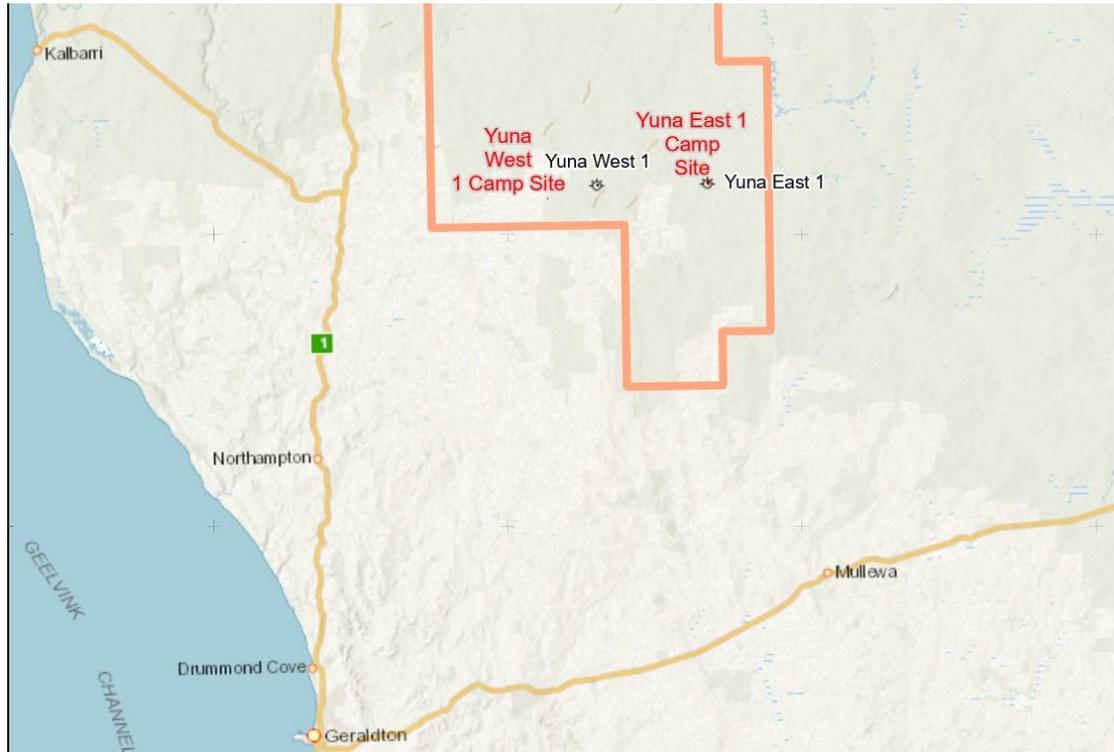
The proposed developments are located approximately 98km north/north-east of Northampton and 116 km from Kalbarri and will be in place for an estimated period of 3 months. A location plan is shown overleaf.

Council resolved (Resolution 03/25-39) to grant conditional approval to both workers camps for a period of six months, as requested by the applicant. An excerpt of the relevant Council minutes, including the original agenda item is appended.

APPENDIX: 9.4.1 (A)

Whilst Hancock Energy proceeded with environmental assessments and other activity, they did not proceed with the proposed camps within the original timeframe. Warrego Energy EP512 Pty Ltd has now been purchased by Hancock Energy and as a result work schedules have been impacted.

Council is now requested to consider granting a further approval for a further 12 month period.

Location Plan**PUBLIC CONSULTATION UNDERTAKEN:**

Prior to being determined by Council in March 2025, the proposal was referred to adjacent landowners, providing an opportunity to comment over a 21 day period. As detailed in the March 2025 agenda item, a total of 3 submissions were received, one supportive and two expressing concern and raising objections to the proposal.

Copies of the submissions, as previously presented to Council are Appended, whilst their content is discussed within the comment section below.

APPENDIX: 9.4.1 (B)**COMMENT (Includes Options):**

Clause 77(1) of the Deemed to Apply provisions under the *Planning and Development (Local Planning Schemes) Regulations 2017*, specifies that an application may be made to the local government to amend a Development Approval. Permissible amendments include the period of approval, conditions of approval and minor amendments to approved designs.

An application for amendment to an approval may be made during or after the approval period by using the required application form.

In accordance with clause 77(3), the local government may waive requirements for advertising of the proposal, provided that it considers the application relates to a minor amendment. In this case the granting of an additional 12 months is not considered a significant amendment.

Matters to be Considered

As detailed in the March 2025 agenda item clause 67(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed to Apply Provisions* requires that the local government have regard to various matters when determining an application for Development Approval.

The officer assessment as detailed in the March 2025 agenda item concluded that having regard to those matters, it was appropriate for conditional approval to be granted. A summary of those considerations is provided below.

Zoning

The provisions of the Shire's Local Planning Scheme No 10 (the Scheme) include both Lot 5065 and the Unallocated Crown land within the Rural Zone.

Land Use Definition & Permissibility

Temporary accommodation camps fall within the land use classification of "Workforce Accommodation", which the Scheme defines as follows:

Workforce Accommodation: means premises, which may include modular or relocatable buildings used:

- (a) *Primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) *For any associated catering, sporting and recreation facilities for the occupant and authorised visitors.*

Workforce Accommodation is an "A" use within the Rural Zone. That is a use which is not permitted unless approved at the discretion of the local authority following public consultation. Given that the proposal details remain unchanged, other than timeframe, it is recommended that the application be determined without a requirement for re-advertising.

Summary of Submissions

The following is a summary of those matters raised in two submissions received that expressed concern/objected to the proposal:

- Increased traffic and the transportation of the accommodation during peak traffic movement times April-June (seeding) and October-December (Harvest) when moving oversize equipment resulting in traffic conflict;
- Concern relating to extra vehicles driving around during "off times" and the potential impact on property security;
- The potential for noise and light pollution from the main camp and well site;
- Concern over both Shire and local ratepayers being left with a deteriorated road network;
- We need clear information of dates and times when large infrastructure movements are to occur so common sense decision making can occur; and
- Suggestions that road up-grades being made a requirement before any development.

The comments raised are;

Proposed Well Site

In determining the application, it must be acknowledged that the actual establishment of the well has been approved by the State of Western Australia and no approval is required from the Shire for the well itself. Council is therefore effectively requested to approve the accommodation arrangements only.

In the event that the applications for temporary accommodation are not approved, this will not prevent the well from being established and could result in additional traffic volumes with all workers arriving and leaving the site daily using vehicles that may be driven as of right on the Shire road network.

Road Access and Condition

The proposed operation will utilise the existing public roads to access both the Main and Mini-Camps, and a portion of the unmaintained 'rabbit proof fence' and an access road which is pending approval from the Department of Planning, Lands and Heritage.

Initially it was proposed that Bella-Whellara Road and Ajana East Road/Wickens Roads would be utilised under a "Road Use and Maintenance Agreement". The Shire's previous Executive Manager of Works and Technical Services supported the concerns expressed within the submissions received and has advised that Ajana East Road and Wickens Road are completely unsuitable. As a result, and to ensure a safe road network, the applicants revised the proposed traffic routes to utilise Balla-Whellara Road and Binnu East Road only.

To minimise the potential for traffic conflict it is recommended that the transportation of the accommodation units be prevented during the months of November and December.

Impact on Amenity

Due to its proximity to other private property in the area, the installation, operation and demobilisation of the main camp have the greatest potential to impact on adjacent properties. That said the Main Camp location is approximately 2km away from the nearest dwelling.

Given the limited period for which approval is being sought, the potential for impact is minimised. Impacts can be further minimised through:

- a) Maintenance of the local road network;
- b) Appropriate management of the accommodation and its occupants; and
- c) On-site lighting being designed to minimise any light spillage.

Appropriate conditions of approval are recommended in order to minimise the impact of the proposal during its anticipated operational period of 3 months.

Local Planning Policy

The Shire's Local Planning Policy – Temporary Accommodation Camps was adopted in 2014 to guide both applicants and the Shire in the design and assessment process. An assessment of the proposal has identified that subject to road access arrangements being finalised, the proposal complies with the Policy Requirements.

Conclusion

The applicants have an approval from the State of Western Australia for the installation of an exploration well and seek the Shire's approval to the temporary accommodation at both the well site and the main site at which accommodation will be provided for construction crew associated with the well construction and commissioning.

Given that the camps will be self-contained and only on-site for a period of approximately 3 months, the primary issues relate to the suitability, use and maintenance of the local road network. As these matters were addressed through the conditions of approval imposed in March 2025, extension of the current approval is recommended.

As detailed above, it is recommended that an additional condition be imposed to ensure that significant vehicle movements do not occur during November and December due to the potential conflict with harvest vehicle movements.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005.

POLICY / STRATEGIC IMPLICATIONS:

As outlined in Comment Section above.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered minor provided appropriate road access is established and maintained and provided that harvest vehicle movements are not impeded during the months of November and December.

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:

Application fees have previously been paid for each of the two applications in accordance with the adopted Schedule of Fees and Charges.

SUSTAINABILITY:

Environmental: The applicant will be installing appropriate self-contained effluent disposal systems. Whilst the main camp will be located on cleared land, the mini-camp will require some clearing. This clearing has been approved by the State.

Economic: Operation of the temporary accommodation will result in some economic benefit for the local community, with some use of accommodation in Northampton expected to occur prior, during and after the activity.

Social: No detrimental impacts are anticipated given the short nature of the use hereby approved.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

A. In accordance with Local Planning Scheme No 10 - Northampton grant approval to the proposed Temporary Accommodation Camp at Lot 5065 (4138) Balla-Whellara Road, Binu subject to compliance with the following conditions:

- The use hereby permitted shall operate in accordance with the submitted plans and supporting documents as listed below:**

Reference	Document Title	Dated
1	Application Form	12 December 2024
2	Revised Location Plan	19 December 2024
2	Mobile Gas Rig Village Design	19 December 2023
3	Supporting correspondence and attached information relating to the 'main camp'	15 November 2024

- 2. Unless otherwise approved, this approval shall be valid for a period of twelve (12) months from the date of the approval.**
- 3. Prior to commencement of the use hereby approved:**
 - i) A Road Condition Report shall be prepared by a suitably qualified consultant, to the satisfaction of the Shire of Northampton to: -**
 - assess the current condition and suitability of the local road network to safely cater for all traffic movements associated with the activity; and**
 - identify any upgrades and maintenance requirements to ensure that the road network is maintained in the same or better condition, catering for the safe movement of vehicles.**
 - ii) A road user agreement shall be entered into with the Shire of Northampton on the basis of the findings from the Road Condition Report referred to in Condition 3(i) above.**
- 4. Any 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;**
- 5. The use hereby approved shall be managed so as not to detrimentally impact on the amenity of the private properties to the west through noise, light or other means to the satisfaction of the Shire of Northampton.**
- 6. Unless otherwise approved, all stormwater and drainage runoff is to be retained on the subject property to the satisfaction of the Shire of Northampton;**
- 7. Arrangements are to be made to provide an adequate water supply of potable water. Potable water is defined as water in which levels of physical, chemical and microbiological constituents does not exceed the guideline values set out in the National Health and Medical Research Council and Australian Water Resources Council publication “Guidelines for Drinking Water quality in Australia 1987”, which has been approved by the local government subject to any conditions which may be laid down by the Commissioner for Health.**
- 8. On expiration of the temporary accommodation use, all temporary structures, waste disposal facilities, road, parking areas and drainage facilities are permanently removed from the site. The site is to be left in a neat and tidy condition to the satisfaction of the Shire of Northampton.**

Advice Notes:

- i) This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).
 - ii) A private Building Surveyor will need to be appointed by the landowner to certify the structural integrity of the building and compliance with the requirements of the Building Code of Australia.
 - iii) Further to condition 6 above, the potable water supply shall be of a capacity to provide a minimum of 80 litres per person per day and all tanks and vessels used for the storage of drinking water shall be so constructed and covered as to prevent water stored therein from becoming polluted or contaminated.
 - iv) All ablution facilities shall be connected to an appropriate effluent disposal system in accordance with the requirements of the Department of Environment and Conservation and Health Department of Western Australia.
- B. In accordance with Local Planning Scheme No 10 – Northampton grant approval to the proposed Temporary Accommodation Camp (Mini-Camp) on Unallocated Crown Land subject to compliance with the following conditions:**
1. The use hereby permitted shall operate in accordance with the submitted plans and supporting documents as listed below:

Reference	Document Title	Dated
1	Application Form	12 December 2024
2	Mobile Gas Rig Village Design	19 December 2023
3	Supporting correspondence and attached information relating to the 'minicamp'	15 November 2024

2. Unless otherwise approved, this approval shall be valid for a period of twelve (12) months from the date of the approval.
3. Prior to commencement of the use hereby approved:
 - i) A Road Condition Report shall be prepared by a suitably qualified consultant, to the satisfaction of the Shire of Northampton to: -
 - assess the current condition and suitability of the local road network to safely cater for all traffic movements associated with the activity; and
 - identify any upgrades and maintenance requirements to ensure that the road network is maintained in the same

or better condition, catering for the safe movement of vehicles.

- ii) A road user agreement shall be entered into with the Shire of Northampton on the basis of the findings from the Road Condition Report referred to in Condition 3(i) above.
- 4. Any conditions 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;
- 5. Unless otherwise approved, all stormwater and drainage runoff is to be retained on the subject property to the satisfaction of the Shire of Northampton;
- 6. Arrangements are to be made to provide an adequate water supply of potable water. Potable water is defined as water in which levels of physical, chemical and microbiological constituents does not exceed the guideline values set out in the National Health and Medical Research Council and Australian Water Resources Council publication "Guidelines for Drinking Water quality in Australia 1987", which has been approved by the local government subject to any conditions which may be laid down by the Commissioner for Health.
- 7. On expiration of the temporary accommodation use, all temporary structures, waste disposal facilities, road, parking areas and drainage facilities are permanently removed from the site. The site is to be left in a neat and tidy condition to the satisfaction of the Shire of Northampton.

Advice Notes:

- v) 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).
- vi) A private Building Surveyor will need to be appointed by the landowner to certify the structural integrity of the building and compliance with the requirements of the Building Code of Australia.
- vii) Further to condition 6 above, the potable water supply shall be of a capacity to provide a minimum of 80 litres per person per day, and all tanks and vessels used for the storage of drinking water shall be so constructed and covered as to prevent water stored therein from becoming polluted or contaminated.
- viii) All ablution facilities shall be connected to an appropriate effluent disposal system in accordance with the requirements of the Department of Environment and Conservation and Health Department of Western Australia.

- C. The Chief Executive Officer be authorised to enter into the road user agreement, prepared to their satisfaction, based on the findings of the Traffic Impact Assessment required under conditions A3 and B3 above on the condition that transportation of the accommodation to and from site does not occur during the local agricultural harvest period of November and December in order to minimise and avoid where possible potential traffic conflict with agricultural equipment/vehicle movements.**

APPENDICES

- | | | |
|------------|---|-------------|
| A → | Appendix A - Excerpt from March 2025 meeting minutes | 15
Pages |
| B → | Appendix B - Copies of Submissions Considered in March 2025 | 4 Pages |

**ATTACHMENT
APPENDIX**

9.4.2 Proposed Review of Local Planning Policy - Mobile Food Vehicles

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Various
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.1.4 & 7.1.6
LEGISLATION:	<i>Planning & Development Act 2005 Local Government Act 1995; and Food Act 2008</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council's current Local Planning Policy – Mobile Food Vehicles (the Policy) was adopted by Council 2019 as a local planning policy under both the Local Planning Scheme No 10 and Local Planning Scheme No 11. The Policy provides guidance on the assessment and requirements for applications seeking development approval relating to mobile food vehicles with the following objectives:

- 2.1 Provide guidance on the requirements for the operation of mobile food vehicles within the Shire of Northampton;*
- 2.2 Allow mobile food vehicles to operate in locations which support the activation of underutilised public spaces;*
- 2.3 Ensure mobile food vehicles operate in a way which complements existing food businesses within town sites;*
- 2.4 Ensure mobile food vehicles are of a temporary nature;*
- 2.5 Ensure mobile food vehicles do not unreasonably compromise the amenity of the surrounding residential area; and*
- 2.6 Ensure mobile food vehicle operators practice safe food handling in accordance with the Food Act 2008.*

The operation of mobile food vehicles must also be approved under the Shire of Northampton Activities on Throughfares and Trading in Public Places Local Law (Local Law) and the *Food Act 2008*.

A copy of the policy as adopted is appended.

APPENDIX: 9.4.2 (A)

For reasons outlined within the comment section overleaf, it is recommended that Council determine that as temporary uses, the operation of a mobile food

vehicles on Public Land is exempt from the need to obtain Development Approval. It is therefore recommended Council revoke Local Planning Policy – Mobile Food Vendors and consider the adoption of a revised Environmental Health Policy to guide the assessment of future applications under the Local Law. A copy of a draft Environmental Health Policy that has been prepared for Council consideration is shown attached.

ATTACHMENT: 9.4.2 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The following comments and advice are provided to assist Council in considering this matter.

Local Planning Scheme Provisions

Neither Local Planning Scheme No 10 – Northampton nor Local Planning Scheme No 11 – Kalbarri contain land use definitions or scheme provisions relating to mobile food vehicles. Where approval is sought to operate a mobile food vehicle on land under the care or control of the Shire, the land is usually located within a crown reserve with a management order in favour of the Shire.

Clause 67 of the Deemed to Apply provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* outlines those matters to be considered when determining an application for Development Approval. Where that use is located within a Local Planning Scheme reserve, clause 67(2)(j) requires that the objectives for the reserve are to be considered.

Deemed to Apply Provisions

Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* identifies a range of “Deemed to Apply” provisions which apply to all local planning schemes within Western Australia. Where there is a conflict between a local planning scheme and the Deemed to Apply provisions, the later prevail.

As outlined within clause 61(2)(f) of the Deemed to Apply provisions outlines that the Development Approval of the local government is not required for a temporary use as follows:

“(f) a temporary use that is in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period.”

Consistent with the objectives of the policy mobile food vehicles are required to vacate the location outside of these hours and are to be temporary in nature.

Whilst the total hours of operation of food vehicles regularly exceed 48 hours in any 12 month period, as reflected in clause 62(2)(f) of the Deemed to Apply provisions, it is open for Council to agree to a longer period whilst still considering the use to be temporary.

Activities in Throughfares and Public Places Trading Local Law 2017

This local law applies to all roadways, thoroughfares and public open space under the care and control of the Shire of Northampton. Part 6 of the local law contains specific provisions relating to trading of all forms within thoroughfares or public places, requiring that a permit is obtained prior to undertaking the activity.

Clause 6.5 of the local law outlines that in determining an application for a permit, the local government is to have regard to:

- (a) *Any relevant policies of the local government;*
- (b) *The desirability of the proposed activity;*
- (c) *The location of the proposed activity;*
- (d) *The principles set out in the Competition Principles Agreement; and*
- (e) *Other such matters as the local government may consider to be relevant in the circumstances of the case.*

Clause 6.6 of the local law also outlines that conditions may be imposed regarding a wide range of matters. Potential conditions under clause 6.6. include, but are not limited to requirements relating to the place, days and hours, the types of goods and services, vacating the area when the stall is not being carried on and the period for which the permit is valid. Additionally, prohibitions or restrictions may be imposed relating to the use of amplifiers, signage and lighting.

Current Local Planning Policy Provisions

The current key policy provisions are summarised as follows:

- a) An outline of the policy objectives, including a requirement to ensure stationary mobile food vehicles are of a temporary nature;
- b) Under clause 3.3 the policy reflects the need to obtain permits under both the Shire's Activities in Thoroughfares and Public Places and Trading Local Law 2017 and the *Food Act 2008*;
- c) Identifies that the Shire may consider approving up to two (2) applications at each of the following specific locations:
 - Northampton – Hampton Gardens carparking area (Site A);
 - Horrocks – Carpark on Lot 202 south of the jetty carpark (Site B);
 - Kalbarri – Adjacent to the land backed wharf (Site C) and Red Bluff Beach Road (Site D).
- d) Identifies that alternative locations may be considered if they meet the purpose of the policy;
- e) Applies the following locational requirements to all applications:
 - 50m from an established food and beverage business;
 - 500m from a business selling the same, or similar, food product during that business' trading hours; and
- f) Stipulates operational requirements including waste management, the use of temporary furniture, noise management, advertising the need for their own power supply, approval process, public liability insurance and standard permit conditions.

Proposed Policy Provisions

Given the current provisions are consistent with the provisions of Part 6 of the local law, it is proposed that the current policy provisions be carried forward except for those clauses relating to the Shire's Local Planning Scheme(s). Some consolidation and refinement of the policy objectives and policy provisions is also proposed.

The following is a summary of the modifications proposed:

- a) Removal of references to the Shire's Local Planning Scheme(s) and associated processes;
- b) Consolidation of the Policy Objectives, which are now identified as the Policy Purpose;
- c) Modification of the Definitions section to remove the term Permit holder, but include cross reference to the local law and its definitions;
- d) Removal of requirements already contained within the local law to prevent duplication of information;
- e) Removal of the Kalbarri Canoe and Cray Festival as an example of a Shire of Northampton approved community event;
- f) Inclusion of an additional statement that the Policy and the requirements for mobile food vehicle/stallholders permit is not required on private land given the local law provisions apply to thoroughfares and public places only. A note has been included that development approval may be required;
- g) Modification of the list of "approved" locations to include the carpark on Grey Street, Kalbarri being opposite Clotworthy Street;
- h) Refinement of policy provisions to ensure applications include all details regarding temporary fixtures and signage;
- i) Consolidation and simplification of provisions relating to waste management, noise and advertising; and
- j) Introduction of a statement that unless otherwise approved by the Shire, mobile food vehicles are not permitted to use Shire power or water supplies.

Conclusion

Until now the Shire of Northampton has required three forms of approval for mobile food vehicles being Development Approval, a Stallholders Permit under the Shire's Activities in Throughfares and Public Places and Trading Local Law and a Food Registration certificate.

Accepting that mobile food vehicles are temporary land uses, the use of the Development Approval (Planning) process is not appropriate. Given that all relevant matters are dealt with under the local law, it is recommended that Council revoke Local Planning Policy – Mobile Food Vehicles and adopt a revised Environmental Health Policy to simplify the process.

STATUTORY ENVIRONMENT:

Local Planning Policies are prepared, reviewed and revoked in accordance with deemed to apply provisions outlined in Schedule 2 of the *Planning and*

Development (Local Planning Schemes) Regulations 1997. The purpose of Local Planning Policies can be generally described as:

- a) Complement the Local Planning Scheme provisions;
- b) Outline procedures to be followed in the advertising and assessment of application; and
- c) To clarify how discretion will be applied to applications seeking to vary the Local Planning Scheme provisions.

In this case, as outlined in the comment section above, the use of a Local Planning Policy to guide applications for mobile food vehicles is not considered appropriate given that such uses are temporary and therefore may be considered exempt from the need to obtain prior Development Approval. It is therefore recommended that the policy be revoked.

POLICY / STRATEGIC IMPLICATIONS:

Revoking and replacing the Shire's Local Planning Policy – Mobile Food Vehicles as proposed will remove the Shire's Planning Officer from the process whilst ensure all relevant matters continue to be considered. The approach is consistent with Shire's commitment to good governance as outlined within the Shire's Strategic Community Plan 2025-2035.

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:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Revoking the current policy as proposed will simplify the process for approvals to mobile food businesses.

Social: Consistent with the current and proposed policy provisions, approval to mobile food vehicles is aimed at complimenting existing food businesses for both residents and tourists alike whilst activating underutilised public spaces within the Shire's townsites.

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

That Council:

- 1. Revoke Local Planning Policy – Mobile Food Vehicles and give notice of the revocation in accordance with clause 6 of the Deemed to Apply provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and**
- 2. Adopt draft Environmental Health Policy 8.1 – Mobile Food Vehicles as shown at ATTACHMENT: 9.4.2 (1).**

ATTACHMENTS

1 ➡ Attachment No 1 - Draft Environmental Health Policy 8.1 - Mobile Vehicles 8 Pages

APPENDICES

A ➡ Appendix A - Current Local Planning Policy - Mobile Food Vehicles 12 Pages

ATTACHMENT

9.4.3 Delegated Planning Decisions for December 2025 and January 2026

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:	7 January 2026
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 Schemes) 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 Development Approvals, detail those decisions made under delegated authority in December 2025 and January 2026.

ATTACHMENT: 9.4.3 (1)

ATTACHMENT: 9.4.3 (2)

PUBLIC CONSULTATION UNDERTAKEN:

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

COMMENT (Includes Options):

During December 2025 a total of eight (8) applications were determined under delegated authority. **Table 1(a)** shows the number and value of development applications determined under both delegated authority and by Council for December 2025 compared to December 2024.

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

	December 2024	December 2025
Delegated Decisions	6 - \$807,866.36 **2	4 - \$464,793 **2
Council Decisions	**2	**1 **1 Refusal
Total	8 - \$807,866.36	6 - \$464,793

During January 2026 a total of five (5) applications were determined under delegated authority. **Table 1(b)** shows the number and value of development applications for January 2026 compared to January 2025.

Table 1(b): Planning Decisions made in January 2025 and January 2026

	January 2025	January 2026
Delegated Decisions	9 - \$726,500 **2	5 - \$303,900 **2
Council Decisions	0**	0**
Total	9 - \$726,500	5 - \$303,900

Table 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2024-2025 compared to the previous Financial Year:

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

	YTD 2024	YTD 2025
Delegated Decisions	82 - \$6,028,815.36 **29	91 - \$6,090,956.81 **36
Council Decisions	30 - \$5,196,517 **2	19 - \$5,817,452.00 **5 5 Refusals
Total	112 - \$11,225,332.36	110 - \$11,908,408.81

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

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* creates and gives powers to Local Governments. The Act then empowers the local government to delegate its powers to the CEO and committees, which gives the CEO authorisation to exercise its power 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 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 processed under delegated authority has been processed and advertised, where required, and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the report on Delegated Development Approvals for December 2025 and January 2026 as detailed in Attachment 9.4.3 (1) and Attachment 9.4.3 (2).

ATTACHMENTS

1 [⇒](#) Attachment No. 1 - Planning Decisions December 2025 1 Page

2 [⇒](#) Attachment No. 2 - Planning Decisions January 2026 1 Page

ATTACHMENT

9.4.4 Proposed Dwelling Alterations and Additions - Strata Lot 42, Lot 100 (No 31) Glance Street, Horrocks

PROPONENT	S Vigilante
OWNER	HJ Carson
LOCATION / ADDRESS:	Strata Lot 42, Lot 100 (31) Glance Street, Horrocks
ZONE:	Commercial
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.5.1.1 & A921
LEGISLATION:	<i>Planning and Development Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	14 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The subject land is a 298m² strata lot located on the southern side of Second Avenue being an internal strata access driveway. Currently the site is developed with a single dwelling having a substantial covered area on the northern and western sides of the building, supported by an existing limestone block retaining wall.

As reflected within the location plan below, similar strata properties abut the site in all directions, with the exception of land abutting the eastern boundary, being a common property lot.

Location Plan



Approval is being sought to complete substantial additions/alterations to the existing dwelling. These works are described as follows:

- a) Reconfiguration of the existing dwelling to establish a larger kitchen, dining and lounge area;
- b) Replacement of two windows located on the western side of the dwelling with doors;
- c) A 3.63m extension to the southern side of the dwelling comprising two bedrooms, a bathroom, laundry and toilet; and
- d) Construction of a 12m deep carport on the eastern side of the dwelling providing two tandem parking bays.

Copies of the submitted plans are shown attached.

ATTACHMENT: 9.4.4 (1)

Council is requested to determine the application due to variations sought under the Residential Design Codes of Western Australia and Local Planning Scheme No 10 (the Scheme).

PUBLIC CONSULTATION UNDERTAKEN:

The application as submitted has been supported by the Strata Body Corporate.

Given the variations sought under the Scheme and Residential Design Codes of Western Australia the proposal was referred to adjacent strata owners to provide an opportunity to comment on 17 December 2025. No submissions were received, with the comment period expiring on 7 January 2026.

COMMENT (Includes Options):

The provisions of the Scheme include the land within the Commercial Zone. In accordance with clause 32(21)(a) of the Scheme where land in the Commercial Zone is connected to reticulated sewerage, residential development may be permitted in accordance with the provisions of R40 of the Residential Design Codes (R-Codes).

To assist Council in its consideration of the proposal, the following comments and advice are offered:

Setback Requirements

The Scheme contains two provisions relating to setbacks for residential development within the Commercial zone. Firstly clause 32(19) identified the following requirements:

Zone	Minimum Setbacks ^{*1}	Open Space/Landscaping
Commercial	Front/Street – Nil ^{*2} Rear – see footnote ^{*3}	10%

Footnotes:

^{*2}. The Front/Street setback within the Commercial Zone is a mandatory setback and as such it is both the minimum and maximum permitted.

- *3. The minimum setback is to be the same as if it were a residential development assessed under the provisions of the Residential Design Codes based on the height, length and openings in the wall/s adjacent to the rear boundaries.

Clause 32(19) does not detail any requirements for side setbacks, which must therefore be assessed against requirements of the R-Codes.

Front Setback

As reflected at Attachment: 9.4.4 (1), the existing dwelling is setback from the Second Avenue boundary a distance of approximately 1.14m to the verandah supporting posts and 0.74m to the roof line. The applicants are proposing to establish the carport in line with these existing setbacks.

Given the new development will comply with the existing setback to Second Avenue, it is recommended that Council vary the requirements for a nil setback as outlined within clause 32(19).

Rear Setback

The proposed extension will result in a wall being 15m long setback 1m from the rear boundary of the Strata. As reflected on the southern elevation at Attachment: 9.4.4 (1), windows to habitable rooms (the bedrooms) have been proposed with the base of the window approximately 1.25m from ground level.

As prescribed within clause 32(19) and associated footnote, the rear setbacks are to be in accordance with the Residential Design Codes. In accordance with the R-Codes, the bedroom windows are classified as Major Openings. A wall having a length of 15m being less than 3.5m high, with major openings to habitable rooms is required to have a minimum setback of 1.5m in order to meet the deemed to comply provisions of the R-Codes.

The proposal as submitted therefore does not meet the deemed to comply provisions of the R-Codes and must be assessed against the Design Principles. In this case the design principle is:

P3.1 Buildings setback from lot boundaries or adjacent buildings on the same lot so as to:

- *Reduce impacts of building bulk on adjoining properties;*
- *Provide adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties; and*
- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

In assessing the proposal against the above criteria, it is noted that the extension to the south side (rear) of the dwelling has been designed with a wall height of approximately 3.49m, which is to be clad in colourbond. The building will not reduce sunlight and ventilation to buildings or open space adjacent to the property. No objection was received from the strata owner(s) to the south.

It is also observed that generally speaking there are no standard residential fences within the strata providing strata owners with an expectation of private

open space. For these reasons it is considered that the proposed rear setback is consistent with the objectives of the Residential Design Codes.

Side Setbacks

As the provisions of clause 32(19) are silent in respect of side setbacks within the Commercial Zone, these setbacks are determined in accordance with the R-Codes. If approved, both proposed bedrooms are proposed to have a setback of 1m. These setbacks comply with the requirements set out in Table 2a of the R-Codes.

As reflected on the site plan shown at Attachment: 9.4.4 (1), the proposed carport is to be setback 1.1m to the supporting posts, with the roof line being setback 1m from the eastern side boundary. Combined with the bedroom wall, the development will span 15.76m of the 17.5m boundary.

The proposed setback to the carport is considered acceptable on the basis that it abuts common strata property and the structure is open sided.

Parking

The proposed design includes provision for two parking bays in site, being on tandem. This complies with the requirements of clause 5.3.3 of the R-Codes.

Open Space

The R-Codes identifies a requirement for a minimum of 45% of the property to remain open space. This would equate 133m² of the strata being required for open space. In this case an assessment of the plans against the above criteria has identified open space areas totalling of 98.75m² or approximately 33% of the site.

Notwithstanding the above, clause 32(19) of the Scheme identifies a minimum of 10% open space is required within the Commercial Zone. It is therefore considered that the proposal complies with the Scheme.

Outdoor Living Area

In addition to open space requirements, the R-Codes outline a requirement for a 20m² outdoor living area that has a minimum dimension of 4m. Whilst the development complies with the area requirement, the Deemed to Comply provisions of clause 5.3.1 of the R-Codes also require that at least two-thirds of the required area is without permanent roof cover. The proposal must therefore be assessed against the Design Principles under clause 5.3.1 of the R-Codes.

By way of summary, the Design Principles under clause 5.3.1 include requirements to ensure that each grouped dwelling design provides for entertaining, leisure and connection to the outdoors that is of sufficient size and capable of use in conjunction with the dwelling. In this case, the existing dwelling includes a substantial patio on the western side of the home. The majority of this patio is to be retained and new doors will be installed increasing the patio's connection to the living areas within the home. It is therefore considered that the proposal is consistent with the Design Principles.

Variation of Scheme Provisions

Council may in accordance with clause 34(2) of the Scheme, “*approve an application for development approval 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.*” However, the exercise of this discretion may only be used where the local government is satisfied that:

- (a) *Approval to the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*
- (b) *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.*

It is considered that variation of the requirement for a nil front setback in accordance with clause 32(19) of the Scheme is appropriate given that it is consistent with the existing development on-site and prevailing development within the strata complex.

Current Zoning

The justification for including the Glance Street strata within the Commercial Zone is not known or understood. The result is however that approval could be sought to use properties within the strata for commercial land uses. Given that the primary use of dwellings within the strata is for residential and holiday accommodation it is considered that Residential would have been a more appropriate zone.

Whilst a formal review of the Shire’s Local Planning Scheme No 10 is not yet underway, it is recommended that the strata should be rezoned under any future scheme to prevent unintended commercial development.

Conclusion

Approval to the application as submitted requires a relaxation of standard R-Code setback requirements to the rear and eastern side of the dwelling. It also requires a relaxation of the requirement for Outdoor Living areas to have two thirds of the area without roof. As detailed above, an assessment against the Design Principles of the R-Codes has been completed and approval to these variations is recommended.

In addition, approval to the application requires a variation of the setback requirements for development in the Commercial Zone. As detailed in the comment section above, this variation is also supported. Conditional approval is therefore recommended.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005.

POLICY / STRATEGIC IMPLICATIONS:

Approval to the application as submitted is consistent with the Shire's Commitment to accountability and good governance as outlined Shire's Strategic Community Plan – Our Leadership

It should be noted that approval to the application as submitted may result in the creation of a precedent for future development within the Gance Street strata.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered 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:

The application fee as set out in the Shire's Schedule of Fees and Charges has been paid.

SUSTAINABILITY:

Environmental: Nil.

Economic: Approval to the development will result in the creation of work for the related trades and associated local business.

Social: Approval to the application as proposed will result in the existing small dwelling being reconfigured to provide more substantial living areas and bedrooms.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

A) In accordance with Local Planning Scheme No 10 – Northampton, vary the requirements of clause 32(19) and grant Development Approval to the proposed Dwelling alterations and additions on Strata Lot 42 on Lot 100 (No 31) Glance Street, Horrocks in accordance with the plans and specifications shown 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	5 December 2025
2.	Floor Plan	5 December 2025
3.	North and West Building Elevations	5 December 2025
4.	South and East Building Elevations	5 December 2025

- 2. The area set aside for the parking of vehicles, as shown on the attached approved plans, together with the associated access as delineated on the approved plan shall:**
 - i be provided and completed to the approval of the local government, prior to the occupation of the dwelling as hereby approved;**
 - ii thereafter be maintained to the approval of the local government;**
 - iii be made available for such use at all times and not used for any other purpose unless specifically approved; and**
 - iv be properly formed to such levels that it can be used in accordance with the plan.**
- 3. The vehicle crossover to the internal access road shall be constructed and drained and thereafter maintained to the approval of the local government.**
- 4. All stormwater is to be disposed of on-site to the specifications and approval of the local government.**
- 5. The development shall be connected to the Water Corporation's reticulated sewerage system prior to occupation.**

Advice Notes:

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

Services BEFORE the commencement of any site and/or development works.

- B) Await the preparation of an agenda item to be presented to Council's Ordinary Meeting to be held on 19 March 2026 regarding the potential rezoning of land contained within Lot 100 (No 31) Glance Street, Horrocks from "Commercial" to "Residential".**

ATTACHMENTS

- 1** [↗](#) Attachment No 1 - Copies of Submitted plans 4 Pages

ATTACHMENT**9.4.5 Executive Manager of Community, Development & Regulation
Quarterly Activity Report - October to December 2025**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	N/A
BUSINESS AREA:	Community, Development & Regulation
FILE REFERENCE:	N/A
LEGISLATION:	Various
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	14 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This agenda item has been prepared to assist Councillors in their understanding of the activities undertaken by the Executive Manager of Community, Development and Regulation and the business area for the period of 1 October to 31 December 2025. A copy of the report is shown attached.

ATTACHMENT: 9.4.5 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

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

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

All activities undertaken were in accordance with the Shire of Northampton's adopted budget and/or budget variations as passed by absolute majority of Council.

SUSTAINABILITY:

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

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

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

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the Quarterly Activity Report from the Executive Manager Community, Development and Regulation for the period 1 October to 31 December 2025 as shown at ATTACHMENT: 9.4.5 (1).

ATTACHMENTS

1 [↗](#) Executive Manager Community, Development and
Regulation Activity Report October to December 2025

6
Pages

**ATTACHMENT
APPENDIX**

9.4.6 Proposed Two Lot Subdivision - Lot 9000 Second Avenue, Northampton

PROPONENT	Hille Thompson & Delfos
OWNER	PM Maver & KM Maver
LOCATION / ADDRESS:	Lot 9000 Second Avenue, Northampton
ZONE:	Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.8.2 & A4796
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	19 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The subject land is a 15ha parcel of land that surrounds the Gwalla Church remains and Cemetery forming part of the planned Settlers Hill Residential Estate. Previously being Lot 71, in 2009 the property was subdivided in to create the first stage of the Settlers Hill Residential Estate, consisting of:

- 14 residential lots ranging from 2,015m² to 2,612m², with the majority of the properties fronting Seventh Avenue and Forrest Street;
- Portion of a new road being Settlers Loop, which provided road access to two of the 14 lots;
- A drainage reserve in the northern portion of the land extending westward off Forrest Street; and
- The balance of title now known as Lot 9000.

As part of the subdivision portion of Settlers Loop was constructed off Forrest Street. The property also has frontage to First and Second Avenue and Gwalla Street as shown on the location plan overleaf.

Subsequently in 2012 the Western Australian Planning Commission granted conditional approval to the subdivision of Lot 9000 into:

- A further 54 residential lots ranging from 2,001m² to 3,109m² and an internal road network; and
- 8,622m² public open space surrounding the existing reserve containing the Gwalla Church remains and cemetery

A copy of the approved plan of subdivision is shown attached.

APPENDIX: 9.4.6 (A)

The owners of Lot 9000 did not proceed with Stage 2 of the estate and have subsequently sold the land. The Western Australian Planning Commission is now seeking comment from the Shire on a proposal to subdivide Lot 9000 into two lots, being a 2,576m² and a balance of title. Plans submitted in support of the application show that, if approved, the new lot will be located on the southern side of the existing Settlers Loop road reserve, immediately west of Lot 529 as shown below. A copy of the submitted plan is shown attached.

ATTACHMENT: 9.4.6 (1)

Location Plan



PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in its consideration of the proposed two lot subdivision, the following comments are offered:

Zoning

The provisions of the Shire's Local Planning Scheme No 10 (Northampton) include the subject land within the Residential Zone, with an applicable density of R5. At that density, a minimum lot size of 2,000m² is required along with a 30m road frontage.

Detailed Area Plan

Prior to the creation of Stage 1 of the Settlers Hills Estate, the previous landowners/developers were required to prepare a Detailed Area Plan, outlining a Subdivision Guide Plan for the site, including design guidelines to demonstrate how the land would be subdivided whilst minimising potential impacts on the heritage significance of the precinct, particularly the Gwalla Church and Cemetery Site.

The Detailed Area Plan was supported by the Shire of Northampton and approved by the Western Australian Planning Commission following consultation with the Heritage Council of Western Australia. The approved plan of subdivision shown at Appendix: 9.4.6 (A) was consistent with the Detailed Area Plan.

Being approved under the Shire's previous Town Planning Scheme No 6, the Design Guidelines have been effectively carried forward into Local Planning Scheme No 10 – Northampton through adoption of a Local Planning Policy.

Status of Subdivision Guide Plan

The *Planning and Development (Local Planning Scheme) Regulations 2015* identify:

- a) That plans previously known as an Outline Development Plan and Subdivision Guide Plans are all taken as being a form of "Structure plan"; and
- b) Structure Plans are only valid for a period of 10 years and that plans that were approved before 19 October 2015 are taken to have been approved on that day.

Given the above, the approval of the previous Subdivision Guide Plan/Structure Plan effectively expired in October 2025.

Local Planning Policy

Council first resolved to adopt Local Planning Policy – Detailed Area Plan – Settlers Hill Estate in September 2009, complimenting the Settlers Hills Detailed Area Plan. The purpose of the Policy is to outline design guidelines consistent with the following objectives:

- To protect the cultural significance of the Gwalla Precinct and in particular the Gwalla Church and Cemetery site;
- To encourage development that acknowledges the strong visual linkages to the heritage precinct and rural setting in which it is located;
- To promote a coordinated approach to building design, colour palette and use of materials which references the historic built fabric of the Gwalla Precinct and Northampton townsite in general; and
- To identify building envelopes to maximise the retention of vistas and sightlines of the Gwalla Church and Cemetery.

Plans associated with the Local Planning Policy reflect the previous Subdivision Guide Plan.

It should be noted that the Detailed Area Plan does not apply building envelopes in the area of the proposed lot.

Structure Plan Requirements

The purpose of a structure plan is to guide the subdivision and development of land in a manner that is co-ordinated with adjacent properties. A structure plan can apply to a single large property, or a precinct consisting of several individual properties. It is common practice for structure plans to be prepared in support of a scheme amendment seeking to rezone land, or prior to a major subdivision.

Clause 15 of the Deemed to Apply provisions under the *Planning and Development (Local Planning Scheme) Regulations 2015*, state that a structure plan may be required in accordance with State Planning Policy, or the Western Australian Planning Commission considers one is required to ensure orderly and proper planning. Alternatively, a structure plan may be required where specified within a local planning scheme.

In this case, the Shire's Local Planning Scheme No 10 does not specify that a plan is required.

State Planning Policy

The provisions of State Planning Policy No 3 – Urban Settlement identify that the “*orderly planning or urban growth and settlement should be facilitated by structure plans, which should take into account the strategic and physical context of the locality...*”. Furthermore, that the “*Liveable Neighbourhoods principles apply to the preparation and review of regional and district structure plans for new growth areas, local structure plans for new subdivisions, and in planning for the revitalisation or redevelopment of existing areas.*”

In this case, the balance of title is a substantial area for residential development and a review of the previous Detailed Area Plan is likely to be required prior to further subdivision.

Proposed Subdivision

As reflected at Attachment: 9.4.6 (2), proposed Lot 1 has an area of approximately 2,576m² and will have a front of 31.9m to Settlers Loop in

compliance with the zoning and density requirements. The balance of title will remain with an area of 14. 8026ha.

The proposed lot occupies portion of an area previously proposed to be two lots as shown at Appendix: 9.4.6 (A). Lot 530 having an area 2,103m² and lot 531 being a battleaxe lot having an area of 2,435m². The proposal therefore represents a minor variation from the previous subdivision design.

Given the substantial size of the balance of title, there is sufficient flexibility to ensure that the creation of a single lot will not prejudice the need for orderly and proper planning prior to subdividing the balance of the estate. Given this and the fact that technically the previous Detailed Area Plan has expired, it is recommended that Council conditionally support the proposal.

Road Access

If approved the proposed lot will have direct frontage to Settlers Loop. Settlers Loop is a formally constructed road with a bitumen surface and kerbing for that portion of the road reserve abutting proposed Lot 1. Whilst the road reserve currently terminates on the western edge of the proposed lot, it has been designed and constructed to extend into the balance of the estate.

Whilst the existing road provides suitable access to the property it is recommended that consideration should be given to the extension of the existing road reservation to create a temporary cul-de-sac, facilitating vehicle turn arounds and access by service and commercial vehicles (i.e. rubbish trucks). This is a particularly relevant consideration given the timing of any future subdivision is unknown at this point.

Whilst a gravel turnaround was previously established at the western end of Settlers Loop, this is within private property and is currently fenced off. It is recommended that Council request the current road reserve to be extended to include the gravel turnaround.

Lot 513, directly opposite the proposed lot, was created as part of Stage 1 of the estate, with a standard street truncation in the southwest corner of the property. The purpose of this truncation was to reflect the future creation of a street extending northward of an extension of Settlers Loop. A logical approach to extending the road reserve would be the dedication of an additional area as shown on the sketch plan at Attachment: 9.4.6 (2).

ATTACHMENT: 9.4.6 (2)

Conclusion

The applicant is seeking to create a single residential lot of a slightly different configuration than reflected on the Detailed Area Plan and subdivision designs that have previously been applicable to the property. However, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, approval to the Detailed Area Plan has expired.

Given that the creation of a single property as proposed will not prejudice the preparation of a structure plan for the balance of the estate, it is recommended that Council conditionally support the proposal.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Approval to the application as proposed will not impede subdivision of the balance of title following the completion of a Structure Plan review.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Insignificant given that the subdivision as proposed will be inconsequential.

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:

Subdivision of the land as proposed will result in the creation of an additional rateable property.

SUSTAINABILITY:

Environmental: Nil as the site is currently cleared of vegetation and the land is suitable for on-site wastewater disposal.

Economic: Approval to the application will facilitate the landowner establishing a lot to retain for their use and development whilst allowing for the sale of the balance of the land parcel.

Social: Approval of the application as submitted will result in the construction of an additional home in the community.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council advise the Western Australian Planning Commission that it supports the subdivision of the land as shown at Attachment: 9.4.6 (1) subject to compliance with the following conditions:

- 1. Prior to the Western Australian Planning Commission’s endorsement of a diagram or plan of survey (deposited plan) for the creation of the lots proposed by this application, the lot that is the subject of this application being created on a separate diagram or plan of survey (deposited plan) and the plan being endorsed by the Western Australian Planning Commission. (Western Australian Planning Commission);**
- 2. A notification, pursuant to Section 165 of the *Planning and Development Act 2005/Section 70A of the Transfer of Land Act 1983* is to be placed on the title of proposed Lot 2. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). This notification is to state as follows:**

“The development and use of this lot may be affected by the location of disused mine shafts associated with historic mining activity on the property.”
- 3. Arrangements being made with a licensed electricity network operator for the provision of an underground electricity distribution system that can supply electricity to each lot shown on the approved plan of subdivision. (Western Power / Horizon Power); and**
- 4. The existing Settlers Loop road reserve being extended in accordance with the sketch attached at Attachment: 9.4.6 (2) so as to ensure the previously constructed temporary cul-de-sac/vehicle turn around is wholly contained within the gazetted road reserve.**

Advice to Applicant:

- a) The applicant is advised that specific design guidelines apply to the future development of proposed Lot 1 as prescribed within the Shire of Northampton Local Planning Policy Detailed Area Plan – Settlers Hill Estate.**

ATTACHMENTS

1  Attachment No 2 - Sketch of Potential Additional Road Reserve to be dedicated off Settlers Loop 1 Page

APPENDICES

A  Appendix A - 2012 Approved Plan of Subdivision 1 Page

ATTACHMENT

9.4.7 Request for Approval to Erect Outbuilding Prior to Home Construction - Lot 9000 Second Avenue, Northampton

PROPONENT OWNER	P Maver & KM Maver
LOCATION / ADDRESS:	Lot 9000 Second Avenue, Northampton
ZONE:	Residential (R5)
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.8.2 & A4796
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	20 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Lot 9000 is a 15ha land parcel located between Second Avenue and Forrest Street, enveloping the Gwalla Church remains and Cemetery as shown on the location plan below. The land which forms the balance of the proposed Settlers Hill Residential Estate is currently vacant except for fencing.

Location Plan



The applicant is seeking approval to construct a shed prior to the construction of their home. Plans submitted with the application identify a proposed cream coloured shed being 9m by 6m, with a wall height of 2.7m, setback 5 metres from the common boundary with Lot 529. A copy of the submitted plans and correspondence supporting the request are shown attached.

ATTACHMENT: 9.4.7 (1)

As reflected at item 9.4.6 of this agenda, the Western Australian Planning Commission has requested comments on a proposed subdivision of Lot 9000 to create a new lot (Lot 1) on the southern side of Settlers Loop immediately west of Lot 529. The submitted plans demonstrate that the shed will be contained within future lot 1.

Council is requested to consider the proposal on the basis that the application is contrary to provisions of Local Planning Scheme No 10 – Northampton.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

In determining applications for development approval, clause 67(2) of the Deemed to Apply Provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015* outlines those matters required to be considered. These matters include, but are not limited to:

- a) *The aims and provisions of the Scheme;*
- b) *The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Provisions 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- k) *the built heritage conservation of any place that is of cultural significance;*
- g) *any local planning policy for the Scheme area;*
- m) *the compatibility of the development with the desired future character of its setting, including –*
 - (i) *the compatibility of the development with the desired future character of its setting; and*
 - (ii) *the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development; and*
- n) *the amenity of the locality including the following:*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality; and*
 - (iii) *social impacts of the development.*

Scheme Provisions

The provisions of the Shire's Local Planning Scheme No 10 (the Scheme) include the subject land within the Residential Zone with an applicable density of R5.

As prescribed by clause 32(9)(a) of the Scheme, "*No outbuilding shall be erected on any land zoned Residential where there is no dwelling located on the lot.*" Given this clause, approval to the application may only be granted through a variation of the standards and requirements prescribed by the Scheme.

Proposed Setbacks

In accordance with the applicable density of R5, development is required to comply with the following setback requirements in order to meet the Deemed to Comply provisions of the Residential Design Codes of Western Australia (R-Codes):

Front Setback:	12 metres
Rear Setback:	6 metres
Side Setback:	As per Table 2 being 1m for a 9m wall less than 3.5m in height.

The submitted plans identify that if approved, the shed will comply with the front setback and will be setback 5m from the common boundary with Lot 529. Whilst an exact rear setback is not identified on the plan, the setback appears to be approximately 5m from the rear boundary. Unless a rear setback of 6m is provided, the proposal must be assessed against the Design Principles of clause 5.1.3 of the R-Codes, being:

P3.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:

- *Reduce the impacts of building bulk on adjoining properties;*
- *Provide adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties; and*
- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

A proposed setback of 5m represents a minor variation of the required setback and is consistent with the above Design Principles.

Variation of Standards

In accordance with clause 34(2) of the Scheme, *“The local government may approve an application for a development approval 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.”* As prescribed by clause 32(5), approval may only be granted if the local government is satisfied that:

- (a) Approval of the proposed development would be appropriate having regard to the matters the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*
- (b) The non-compliance with the additional site and development requirement will not have a significantly adverse effect upon the occupiers of users of the development, the inhabitants of the locality or the likely future development of the locality.*

Given the above, it is open to Council to vary the requirements of the scheme and permit the construction of a shed/outbuilding prior to a dwelling, provided Council is satisfied that the proposal is consistent with the above two requirements.

Local Planning Policy – Outbuildings

The Shire's Local Planning Policy – Outbuildings outlines that on lots great than 2,000m² approval may be granted to an outbuilding 240m² in area, with a maximum wall height of 4.0m and total maximum height of 6.5m measured from natural ground level. The shed as proposed complies with these requirements.

The policy also provides clarification on the construction of outbuildings on vacant residential land under clause 3.8, stating that the erection of an outbuilding on vacant residential land shall not be approved unless the following requirements have been satisfied:

- a) *The residence has been completed up to, and including, the pouring of a concrete house slab (although variation to this is permitted where the slabs for the residence and outbuilding are poured concurrently); or*
- b) *A building permit having been issued for the construction of the residence on the property with written evidence of a signed building contract with a registered builder for the construction of the residence, and a commitment date that is within 6 months by that builder for the commencement of construction of the residence; or*
- c) *In the case of an owner builder, a building permit for a residence has been issued by the local government and the applicant shall lodge with the local government a Statutory Declaration providing a commitment to construct a residence and an accompanying commencement date that is within 6 months. The applicant will also be required to lodge a bond of amount of \$10,000.00 that will be repaid to the applicant upon completion of the final inspection of the residence.*

Additionally, clauses 3.8.2 and 3.8.3 state that:

- the approval of an outbuilding, prior to the residence, will be subject to the outbuilding not being used for habitable purpose in residential zoned areas; and
- The applicant/landowner will also be required to complete fencing of the side and rear boundaries for the purpose of lessening the visual impact of the building from neighbouring properties and the road.

Draft Local Planning Policy – Outbuildings

In June 2025, Council adopted a revised draft Local Planning Policy relating to Outbuildings for the purposes of advertising. It is anticipated that the draft Policy will be advertised as part of a revised Local Planning Policy manual shortly. In the interim, the draft Policy can be considered as it is a seriously entertained planning instrument.

In accordance with the Draft Policy, the construction of an outbuilding on vacant land with an area of more than 2,000m² may be considered and where approved they shall be subject to the following conditions:

- a) Require the commencement of a residence on the property within 6 months of the date of the approval. The residence having been granted a Building Permit prior to the commencement of construction;

- b) Unless otherwise approved in accordance with Local Planning Policy 6.1.4 – Temporary Accommodation, no outbuilding shall be used for any form of human habitation;
- c) The approval being valid for a maximum period of 2 years, with extension of the approval period only to be granted where construction of the dwelling has achieved lock up stage; and
- d) Should construction of the dwelling not comply with the requirements of point 2.3.6(a) and (c) above, the outbuilding shall be removed from the property to the satisfaction of the Shire of Northampton.

Consistent with the above policy requirements, it is appropriate for Council to consider approval of the request.

Settlers Hill Estate Design Guidelines.

Due to the proximity of the land to the Gwalla Church remains and Gwalla Cemetery, proposed development has the potential to impact on the heritage values of the area. In order to minimise the potential impact of future development on those heritage values, the Detailed Area Plan included design guidelines relating to any future development. These guidelines were subsequently reflected within Local Planning Policy – Detailed Area Plan – Settlers Hill Estate, which were first adopted by Council in September 2009.

Whilst strictly speaking, the Detailed Area Plan has now expired as detailed in Item 9.4.6, the Local Planning Policy still contains the design guidelines. Specific requirements of the local planning policy that would relate to subsequent development on proposed Lot 1 include, but are not limited to:

- a) A roof height no greater than 10 metres above natural ground level;
- b) No more than 0.5m of fill from the highest point of the natural ground level;
- c) The dwelling style is required to be sympathetic to and provide continuity of the historic fabric evident in the Gwalla Precinct and Northampton generally;
- d) A roof pitch of between 18 and 25 degrees. A shallower pitch may be acceptable for verandahs and canopies;
- e) Roofs should incorporate minimum eaves of 540mm and should not contain visual intrusions (e.g. satellite dishes, aerials and air conditioners) visible from public areas;
- f) Building materials for external areas visible from public areas complementing and referencing historic built fabric evident in the Gwalla Precinct and Northampton Generally;
- g) A prohibition on the use of zincalume as a roofing material;
- h) Limitations on the use of colours to colours used in the Gwalla precinct or selected from heritage ranges;
- i) Outbuildings having a similar appearance to the main dwelling.

The proposed shed complies with points a), b), f) and g) above. With reference to the proposed colours and the requirement for the outbuilding having a similar appearance to the dwelling, the following comments are offered:

- a) Although an application for a building permit is yet to be lodged for the proposed home, preliminary plans have been supplied. These plans identify

- that it is intended to construct a 4 bedroom two bathroom steel frame dwelling with verandahs on the front and western side of the home;
- b) The dwelling is to be clad in fibre cement weather boards to be painted “Colorbond ® Blue”;
 - c) The roof, having a 22.5 degree pitch will be Colorbond ® Surf Mist.

The proposed dwelling design is consistent with adjacent homes and complies with the design requirements. Details supplied with respect to the dwelling are shown attached.

ATTACHMENT: 9.4.7 (2)

With reference to the proposed outbuilding having a similar design to the main dwelling, the submitted plans shown at Attachment: 9.4.7 (2) detail that the outbuilding will be cream Colorbond ® walls with a cream Colorbond ® roof. Notwithstanding this, the applicant has advised that the outbuilding will have a Surf Mist colour roof, matching the proposed dwelling plans.

Although the wall colour of the outbuilding will not match the colour of the dwelling walls, it is noted that a cream walled outbuilding on the corner of Settlers Loop and Forest Street has already been approved and established despite the home being constructed with red brick walls. Approval to the outbuilding would therefore be consistent with existing development in the area.

Given the above, it is recommended that approval be granted to the shed as proposed, subject to a condition requiring the same roofing colour to be used as the proposed dwelling.

Conclusion

As outlined above, the provisions of Local Planning Policy – Detailed Area Plan – Settlers Hill Estate require the proposed outbuilding design is generally consistent with the design guidelines and existing development on adjacent properties. Conditional approval is therefore recommended.

STATUTORY ENVIRONMENT:

Planning and Development Act 1995

POLICY / STRATEGIC IMPLICATIONS:

Details of the applicable Local Planning Policies applicable to the application are provided within the Comment Section above.

ORGANISATIONAL RISK MANAGEMENT:

The Risk rating associated with the Officer recommendation 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 application as required by the Schedule of Fees and Charges adopted as part of the 2025/26 annual paid have been paid.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: The establishment of an outbuilding prior to a dwelling has potential to impact on the amenity of the area through visual appearance and use. Appropriate conditions should be imposed to ensure timely construction of a dwelling in accordance with Draft Local Planning Policy – Outbuildings as adopted by Council for advertising purposes.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council approve a variation of clause 32(8) of Local Planning Scheme No 10 and grant approval to the proposed outbuilding on Lot 9000 Second Avenue, Northampton in accordance with the plans and specifications shown at Attachment: 9.4.7 (1), subject to compliance with 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	10 January 2026
2.	Floor Plan	10 January 2026
3.	Building Elevations	10 January 2026

2. Notwithstanding condition No 1 above, the proposed outbuilding is to be constructed with the same colour roofing material as the future home;
3. Construction of a residence on the property is to commence within 6 months of the date of the approval, or greater period as may be approved by the Shire of Northampton. The residence having been granted a Building Permit prior to the commencement of construction;
4. Unless otherwise approved by the Shire of Northampton, the outbuilding hereby approved shall only be used for domestic purposes such as storage, garaging of vehicles or other approved purposes, excluding human habitation, temporary accommodation or camping;
5. All stormwater and drainage runoff is to be retained on the subject property or to be provided with stormwater drainage connections to the drainage system in the area at the developers cost to the satisfaction of the Shire of Northampton;
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; and
8. Should construction of the dwelling not be completed to the satisfaction of the Shire of Northampton within 2 years of this approval, above, the outbuilding shall be removed from the property to the satisfaction of the Shire of Northampton.

Advice to Applicant

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

ATTACHMENTS

- | | |
|--|------------|
| 1⇒ Attachment No 1 - Copies of Submitted Plans and Supporting Correspondence | 4
Pages |
| 2⇒ Attachment No 2 - Supplied Home Design Details | 9
Pages |

ATTACHMENT

9.4.8 Proposed Transfer of Reserve 43472 (Lot 12028) Port Gregory Road, Yallabatharra to Bundi Yamatji Aboriginal Corporation

PROPONENT	Department of Planning, Lands and Heritage
OWNER	Crown Land (unallocated)
LOCATION / ADDRESS:	Reserve 43472 (Lot 12028) Port Gregory Road, Yallabatharra
ZONE:	Rural
BUSINESS AREA:	Planning Services
FILE REFERENCE:	A3770
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Land Administration Act 1997</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	28 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Crown Reserve 43472 is an unallocated reserve with an area of 1,032m² that is located on the eastern side of Port Gregory Road, approximately 450m north of Yallabatharra Road as shown on the location plan below. The reserve extends between 7.29m and 23.9m from the road reserve. Reserves associated with the Hutt River are located abutting the eastern boundary and on the west side of Port Gregory Road.

Location Plan



Correspondence has been received from the Department of Lands and Heritage outlining a proposal to transfer the reserve to the Bundi Yamatji Aboriginal Corporation as part of the Yamatji Nation Indigenous Land Use Agreement. It is proposed that the reserve will be transferred for the purpose of "Yamatji Social, Cultural and/or economic purposes". A copy of the email correspondence received is shown attached.

ATTACHMENT: 9.4.8 (1)

Council is requested to consider the request as Shire Officers do not have delegated authority to respond.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in determining its response to the request for comment, the following comments and advice are offered:

Past Tenure

Reserve 43472 was originally created as Crown Land under section 20A of the now revoked *Town Planning and Development Act 1928* in July 1997. The "C" class reserve was previously vested with the Shire of Northampton for the purpose of Public Recreation.

At the request of the Shire the vesting order was cancelled in February 2015.

Intended Purpose

Whilst the vesting order indicated that the purpose of the reserve was for Public Recreation, the location, topography and size of the reserve seems to indicate that the vesting of the reserve was originally intended as an extension of the adjacent river reserve.

Zoning

The provisions of the Shire's Local Planning Scheme No 10 – Northampton (LPS No 10) include the subject land within the Rural Zone. As outlined within clause 16 of LPS No 10, the purpose of the Rural Zone is:

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

- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

Given the extremely limited size, topography and other land use characteristics there is no potential for broadacre cropping or other rural land uses, the current Rural zoning is questionable. It is considered that it would have been more appropriate for the subject and adjacent river reserve to be included as a local reserve under LPS No 10.

As prescribed within clause 32(19) of LPS No 10, the following setbacks normally apply for development within the Rural Zone:

Front/Rear:	20 metres; and
Side:	10 metres.

As the land only extends between 7.29m and 23.9m from the road reserve, no development would comply with the revised setbacks.

Landform

With Reserve 43472 forming part of the Hutt River Floodway, the land drops steeply away from the road reserve. It is assumed that the majority, if not all of the land would flood at times the Hutt River flows.

Road Access

Given the riverbed and steep topography, Port Gregory Road contains a bridge immediately abutting Reserve 43472. Direct road access is not available to the subject land given the extent of the bridge and the steep embankments associated with the river.

Conclusion

As detailed in the comment section above, no direct road access is available to the site which is located in the floodway of the Hutt River. Given the lack of access, the nature of the topography including the fact the landforms part of the Hutt River floodway and the zoning, potential uses and development of the site are severely restricted.

Whilst no objection is raised to transfer of the land as proposed, it is strongly recommended that the restrictions on potential development are highlighted to the Department of Planning, Lands and Heritage.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and Land Administration Act 1997.

POLICY / STRATEGIC IMPLICATIONS:

Management of the reserve as part of the greater Hutt River reserve would be consistent with Desired Outcome 2.1 of the Shire's Strategic Community Plan 2025-2035, being:

2.1 A healthy ecosystem

The interconnected biodiversity of our flora and fauna is protected and nurtured.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate as the property is unlikely to be suitable for use and development.

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: Given the sites location and topography, it recommended that the land be managed in association with the Hutt River reserve.

Economic: Nil.

Social: Should the land be transferred as proposed, it is likely that the land will not be suitable for development or use given the topography, lack of road access and land use restrictions.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That the Department of Planning, Lands and Heritage be advised that whilst the Shire of Northampton has no objection to the transfer as proposed, it should be noted that:

- a) The land forms part of the Hutt River riverbed/floodway and it is strongly recommended that the land be managed in conjunction with the existing river reserve;
- b) There is no direct access available from Port Gregory Road reserve given the existing bridge over the floodway and adjacent topography. Access can only be achieved through adjacent private property, being Lot 9 Yallabatharra Road; and
- c) The provisions of the Shire's Local Planning Scheme No 10 include the subject land within the Rural Zone where development could not be established given non-compliance with the required setbacks, the existing topography and lack of access from a gazetted road.

ATTACHMENTS

- 1  Attachment No 1 - DPLH Request for Comment - Transfer of Reserve 43472 2 Pages

9.4.9 Request for Regional Joint Development Assessment Panel Representatives

PROPONENT	Department of Planning, Lands and Heritage
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	28 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Within Western Australia applicants may seek to have developments with a value of more than \$2 million to be determined by a Development Assessment Panel (DAP), rather than the local government. There are three (3) DAPs within the state, being Metro – Inner, Metro – Outer and Regional, with each panel consisting of two (2) local government members and three (3) specialist members.

DAPs were initially established following the gazettal of the *Planning and Development (Development Assessment Panels) Regulations 2011 (the Regulations)* with the aim of ensuring that significant planning proposals were determined consistently and based on technical advice.

At its Ordinary Meeting of Council held on 17 November 2023, Council resolved (Resolution 11/23-11) to recommend the following appointments with the term expiring on 26 January 2026:

- a) Cr Richard Burgess and Cr Des Pike as local members to the Regional Development Assessment Panel; and
- b) Cr Rob Horstman and Cr Trevor Gibb as first and second alternates for those Councillors nominated above.

With current local member appointments now expired the Department of Planning, Land and Heritage is seeking nominations for a two year term, expiring on 28 January 2028. Consistent with past requests, nominations for two local representatives and two alternates are sought.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Historically larger developments in Western Australia have had potential to be controversial within a local community, leading to local government determining applications on a political basis rather than on their technical merit. The purpose of a Development Assessment Panel is to ensure that applications are determined in a consistent manner, based on technical advice.

DAP Members

To ensure consistency is achieved, three specialist members are appointed to each DAP. The Specialist members being qualified and experienced professionals with expertise in a range of fields including, but not limited to, urban and regional planning professionals whose sole employment is as a DAP member. Two local government elected members are appointed to each DAP to ensure local knowledge and community insights are taken into account.

In accordance with clause 30 of the Regulations a person cannot perform the functions of a DAP member until they have satisfactorily completed the training, or in the case of a continuing member, retraining.

Local members of a DAP are entitled to a range of payments in accordance with Schedule 2 of the Regulations. These fees are currently:

- Training Fee: \$400;
- Retraining Fee: \$200;
- Attendance at DAP meeting of State Administrative Tribunal: \$425;
and
- Meeting attendance to determine application to amend or cancel an approval: \$100.

Meeting Frequency

As DAP meetings are only held when there is an application to be considered there is no set frequency to the meetings. A search of Shire records indicates that no applications have been lodged with the DAP for proposals in the Shire for the past 5 years.

STATUTORY ENVIRONMENT:

The *Planning and Development Act 2005* and *Planning and Development (Development Assessment Panels) Regulations 2011* provide the statutory framework for the formation and operation of DAPs in Western Australia.

As set out in the *Regulations*, only persons elected to a local government may be appointed to a DAP as a local member. In addition to two DAP representatives, two alternates are also required to be nominated. The alternates sitting on the DAP in the event a member is not available or has a conflict of interest.

In accordance with the *Regulations* DAP member appointments are determined by the Honourable Minister for Planning.

POLICY / STRATEGIC IMPLICATIONS:

Inclusion of two elected members as Local Representatives on the DAP ensures that local knowledge and comment is considered when determining applications lodged through the DAP process.

ORGANISATIONAL RISK MANAGEMENT:

Should no DAP members be appointed to represent the Shire of Northampton on the panel, there is a risk that members from another local authority will be appointed, and the Shire will not be represented during any DAP process. The risks associated with this are considered moderate to major.

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

FINANCIAL IMPLICATIONS:

All costs associated with the DAP Councillor training that are to be borne by the local authority will be wholly contained within the adopted budget.

SUSTAINABILITY:

Environmental: Nil.

Economic: Shire representatives must undergo appropriate training as soon as possible to ensure that any application to the DAP can be processed without delay.

Social: Elected member participation in DAP processes ensures that the view of elected members and their constituents are considered when the DAP is determining an application.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. In accordance with Regulation 28 of the *Planning and Development (Development Assessment Panels) Regulations 2011* make the following nominations for the term expiring 28 January 2028:**
 - a) Cr _____ and Cr _____ as local members to the Regional Development Assessment Panel; and**
 - b) Cr _____ and Cr _____ as first and second alternates respectively for those Councillors nominated in point 1a) above;**
- 2. Subject to the Ministers appointment of the members nominated in point 1 above, direct those elected members to undertake Development Assessment Panel Training as required by the Planning and Development (Development Assessment Panels) Regulations 2011; and**
- 3. Advise the Department of Planning, Lands and Heritage of Council's resolution accordingly.**

**ATTACHMENT
APPENDIX**

9.4.10 Proposed Outbuilding at Lot 89 (No. 111) Wannerenooka Road, Northampton

PROPONENT	Midwest Sheds and Garages
OWNER	JA & C Dalglish
LOCATION / ADDRESS:	Lot 89 (No. 111) Wannerenooka Road, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.8.1.1; A975
LEGISLATION:	<i>Planning and Development Act 2005 Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	4 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At its Ordinary Meeting held on 17 July 2025, Council was requested to consider an application for the same shed at Lot 89 (No. 111) Wannerenooka Road, Northampton. A location plan of the property is shown overleaf.

At the time the property was vacant, and the stated purpose of the outbuilding was to store a number of commercial vehicles. Given this, Council resolved (07/25-96) to refuse the application on the following grounds:

- a) *The storage of more than two commercial vehicles as proposed falls within the land use definition of transport depot as contained within Local Planning Scheme No 10, which is a prohibited use within the Residential Zone;*
- b) *Approval to the application would facilitate the storage of commercial vehicles within the Residential Zone, contrary to the requirements; and*
- c) *Given that the construction of a dwelling has not commenced on the property, approval to the application would be contrary to clause 32(9) of Local Planning Scheme No 10;*

An excerpt of the March 2025, including the officer's agenda item is Appended.

APPENDIX: 9.4.10 (A)

With a new modular home now located on the property and the applicant making alternative arrangements for the storage of their commercial vehicles, Council is requested to consider a new application. Copies of the submitted plans are shown attached.

ATTACHMENT: 9.4.10 (1)

Location Plan



The property has an area of 4,290m² and contains a modular home which was delivered onsite at the beginning of January. The final fit out of the dwelling is currently being undertaken.

As reflected at Attachment: 9.4.10 (1) it is proposed to construct the 237m² outbuilding with a setback of 1.5m from Erwood Road side boundary and 2m from the rear boundary. The structure will have a skillion roof with the height of the wall on the northern side being 3.95m and a maximum height of 5.0m. The Outbuilding will also have a lean-to attached to both sides of the outbuilding and will have a wall height of 3.66m. A copy of the application is attached.

Council is requested to determine the application as approval to the development involves a relaxation of the maximum wall height and size permitted in accordance with current Council policy and a relaxation of setbacks under the Residential Design Codes of Western Australia (R-Codes).

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 21 day period to two (2) adjacent landowners with no submissions being received during this period.

COMMENT (Includes Options):

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

Matters to be Considered

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

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

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

Zoning

The provisions of the Shire's Local Planning Scheme No 10 (the Scheme) include the land within the Residential Zone with an applicable density coding of R10 in accordance with the R-Codes.

Residential Design Codes (R-Codes)

The proposed outbuilding is to be setback 1.5 from the eastern boundary and 2.0m from the rear boundary at the closest point. The following setbacks are required in order to meet the Deemed to Comply provisions of the R-Codes:

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

As the side setback does not comply with the Deemed to Comply R-Code provisions, the application must be assessed against the following Design Principles:

“Buildings set back from lot boundaries or buildings on the same lot so as to:

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

In this case, the property slopes significantly from the rear boundary down to Wannerenooka Road and the applicants are proposing the shed in its location given that this area of the property is relatively level.

Outbuilding Policy Assessment

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

On lots larger than 2,000m², the Policy outlines that an outbuilding should not exceed 4m in wall height and 6.5m in ridge height. In this case, it is proposed that the shed will be constructed with a skillion roof, with the maximum height wall being 5m. As the proposed outbuilding complies with the maximum height specification, the application is considered to comply with these standards.

Aggregate Floor Area

In accordance with the Policy, outbuildings shall have a maximum aggregate floor area of 240m² on lots with an area of 2,000m² or larger. With the proposed outbuilding having a floor area of 237m², the application is consistent with the Policy.

Supporting Documentation

In support of the application, the applicant has supplied a letter in support of the construction of the outbuilding stating that their clients have several vehicles that need to be stored securely and out of the elements as they have already encountered problems.

As with the previous application, the landowner was contacted by Shire officers to clarify the type of vehicles that are to be stored on the property. In response the landowners have advised that the outbuilding will be used to house a landcruiser, boat, caravan, camper trailer, two dinghies, several motorcycles and trailers.

The landowner also advised that all other plant and equipment will be relocated to a rural property that they have purchased in Cunderdin and that the machinery and equipment were purchased for private use on the property and were not for commercial use or hire. A copy of the email received is attached.

ATTACHMENT: 9.4.10 (2)

Impact on Amenity

The subject property is located within the Residential zone of Northampton with a density of R10 and the property currently contains a new modular home, which is located at the front of the property. The landowner owns the properties surrounding the subject lot.

The above said, use of the outbuilding to store a large number of vehicles for personal use may impact on the future amenity of the area given vehicle movements and maintenance.

Commercial Vehicles

The provisions of the Scheme define a commercial vehicle as follows:

Commercial vehicle: means a vehicle, whether licensed or not, that has a gross vehicle mass of greater than 4.5 tonnes, including-

- A utility, van, truck, tractor, bus or earthmoving equipment; and
- A vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a)

In accordance with clause 32(18) of the Scheme, Council may only permit the parking of one commercial vehicle only on a residential lot, provided it does not exceed 3m in height and 12m in length, with any vehicle exceeding 8m being screened from public view.

Given that the landowners have advised that a range of commercials on-site were purchased for private use, it is strongly suggested that they be advised earthmoving equipment etc are considered commercial vehicles whether used for commercial purposes or not.

Conclusion

Whilst the advertising of the proposed outbuilding was undertaken, resulting in no objections, it is recommended that the application be granted approval as the applicants have stated that no commercial vehicles are to be stored on the property.

It is also recommended that the owners be given a time frame of six months from the date of approval for all heavy-duty machinery to be relocated from the property.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

As detailed in the comment section above.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil.

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 Outbuilding at Lot 89 (No. 111) Wannerenooka Road, Northampton in accordance with plans and specifications at Attachment: 9.4.10 (1), subject to the following conditions:

1. The development hereby approved is to be carried out generally in accordance 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	11 December 2025
2.	Floor & Elevations	11 December 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, temporary accommodation or camping;
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 satisfaction 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 emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise; and
8. The landowner is to remove all heavy-duty machinery from the subject property within six (6) months of the date of approval.

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) 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.
- c) 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.
- d) The applicant be advised that in accordance with the provisions of Local Planning Scheme No 10, earthmoving and other vehicles consistent with the definition of commercial vehicle are considered to be commercial vehicles whether used for commercial purposes or not. Whilst the applicant may apply for a maximum of one commercial vehicle, no commercial vehicles may be stored on Residential land without the prior approval of the Shire of Northampton.
- e) 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 2002 Part 14. An application must be made within 28 days of determination.

ATTACHMENTS

- 1** ⇨ Attachment No. 1 - Site Plan and Shed Elevations 2 Pages
- 2** ⇨ Attachment No. 2 - Justification Email 1 Page

APPENDICES

- A** ⇨ Appendix A - Council Resolution 17 July 2025 Council Meeting 1 Page

ATTACHMENT

9.4.11 Proposed Avgas Fuel Storage for Tour Operator at Kalbarri Airport

PROPONENT OWNER	Joel Stanich - Stanich Aviation Shire of Northampton
LOCATION / ADDRESS:	Location 12570 Fawcett-Broad Drive, Kalbarri
ZONE:	Public Purpose Reserve
BUSINESS AREA:	Planning Services
FILE REFERENCE:	12.2.3 & A3897
LEGISLATION:	<i>Planning and Development Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Kalbarri Airport is located approximately 9km east of the Kalbarri townsite and is owned freehold and operated by the Shire of Northampton. A location plan is shown below.

Location Plan



The airport is used for a range of aircraft operations including private flights, small commercial operators (i.e. tours), various government operations such as National Park management and the Royal Flying Doctors Service (RFDS).

Previously Councillors verbally supported the Shire supplying a letter of support to Stanich Aviation who are seeking to operate sea plane tours from Kalbarri. With the applicant expecting delivery of their aircraft shortly, the Shire has received an application for Development Approval to:

- a) The installation of a 1,000 litre self-bunded aviation gasoline (Avgas) tank at the Kalbarri Airport, including the construction of a 2.4m by 2.4m paved foundation to support the tank;
- b) Use of existing tie down points located adjacent to the proposed Avgas Tank.

Details submitted in support of the application identify that, if approved, the tank will be positioned 2m north of the General Access Apron (referred to as aircraft parking area by the applicant), 4m north of the existing hanger located on the western side of the General Access Apron and 6m north of the existing aircraft tie down points. A copy of details submitted in support of the application are shown attached.

ATTACHMENT: 9.4.11 (1)

Council is requested to determine the application as Shire Officers do not have delegated authority to do so.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

Local Planning Scheme Provisions

The provisions of the Shire's Local Planning Scheme No 11 – Kalbarri (LPS No 11) include the land with the Local Scheme Reserve of "Public Purposes", with an identified use of Infrastructure Services. As outlined within clause 2 of LPS No 11, the objective of the Public Purposes Reserves is "*To provide for a range of essential physical and community infrastructure.*"

Matters to be Considered

Clause 67 of the deemed provisions for local planning schemes set out in Schedule 2 of *Planning and Development (Local Planning Scheme) Regulations 2015* outlines those matters that must be considered in determining an application for development approval. Matters relevant to consideration of this proposal are as follows:

- (a) *The aims and provisions of the Scheme (including any planning codes that area, with or without modifications into this Scheme) and any other local planning scheme operating within the Scheme area;*
- (j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve.*
- (q) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (zb) *any other planning consideration the local government considers appropriate.*

Aims and Objectives

As detailed above, the provisions of LPS No 11 include the land within the Local Scheme Reserve of Public Purposes with the identified use of Infrastructure Services. The establishment of a fuel storage facility for the use of the applicant whilst operating a charter aircraft from the airport is consistent with the purpose of the reserve.

Proposed Location and Setbacks

The proposed fuel storage location as proposed was determined in consultation with Shire Officers. As the provisions of the Scheme do not identify setbacks for development within a local planning scheme reserve, boundary setbacks are at the Shire's discretion.

Given the size of the proposed fuel cell (1,000 litres) the proposed setback from the adjacent aircraft hangar complies with Australian Standards.

Proposed Tiedown Use

From examination of Council records, the existing aircraft tiedowns were installed by the Shire to replace concrete blocks previously used for the purposes of securing aircraft in adverse weather. Whilst the tiedowns are used by other aircraft operators from time to time, they are not currently located within a lease and therefore they are not currently for the exclusive use of any one party.

Given the aircraft tiedowns already exist, development approval is not required for the use. An application for Development Approval is not considered an appropriate mechanism to determine use of the tie-downs. Alternatively the potential for the applicant to use the tiedowns on a regular, or permanent basis, should be determined under a Shire approved use.

It is recommended that prior to determining a request to lease the tiedown facilities, other airport users should be consulted.

Airport Management

In addition to being the regulatory authority for LPS No 11, the Shire of Northampton is the owner and operator of the airport. All proposed for development and use may therefore only occur where the Shire permits. Should Council resolve to conditionally approved the proposed fuel cell, the applicant will be required to enter into a lease.

Conclusion

From a land use perspective, the proposed establishment of a private refuelling facility to support aircraft operations is consistent with the provisions of Local Planning Scheme No 11 and the location of the proposed fuel cell has been identified in consultation with Shire Officers. It is therefore recommended that the application be conditionally approved.

It is however recommended that the proposed use of the aircraft tiedown facilities be determined as part of any lease that the Shire may be prepared to enter into following consultation with existing airport users.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

The operation of an additional aircraft tour business would be consistent with the following Desired Outcomes outlined within the Shire's Community Strategic Plan 2025-2035:

1.1 Local and thriving

We feel supported to work and grow out businesses in the Shire and are confident in the Shire's willingness to make appropriate commercial investment to fill unmet needs for future development.

1.2 Diverse and prosperous

We are driving balanced and sustainable growth by embracing new opportunities for our economy, people, and culture to thrive whilst ensuring primary industries remain profitable into the future.

1.3 Attractive and popular

Our reputation as a prime visitor destination is strong and we are optimising an ecologically friendly tourism industry.

ORGANISATIONAL RISK MANAGEMENT:

The risk rating associated with approving the application for a refuelling facility as proposed is considered Minor.

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

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

The required application fee has been paid in accordance with the Schedule of fees and charges as adopted by Council as part of the 2025/26 annual budget.

SUSTAINABILITY:

Environmental: Establishment of the fuel cell in the proposed location will result in minor clearing to ensure that the adequate firebreaks are established around the facility.

Economic: Approval to the establishment of a refuelling facility as proposed will support an additional tour operator within the Kalbarri community utilising the existing Kalbarri Airport infrastructure.

Social: An additional tour operator will provide residents and visitors alike with an opportunity for a different tour experience.

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

That Council:

A. in accordance with Local Planning Scheme No. 10 – Northampton grant planning approval for the proposed self funded avgas fuel cell at Location 12570 Fawcett-Broad Drive, Kalbarri in accordance with plans and specifications at Attachment: 9.4.11 (1), subject to the following conditions:

- 1. This approval relates to the proposed fuel cell and refuelling facilities only;**
- 2. The development hereby approved is to be carried out generally in accordance 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	4 November 2025
2.	Proposed Fuel Cell design and specifications	4 November 2025
3.	Proposal Summary	4 November 2025

- 3. Notwithstanding condition No 1 above, the fuel cell hereby approved along with the associated infrastructure shall be positioned so as to ensure that other airport operators are not impeded to the satisfaction of the Shire of Northampton;**

4. The proposed fuel cell/refuelling facility being for the sole use of the applicant unless otherwise approved by the Shire of Northampton;
5. 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;
6. All stormwater and drainage runoff associated with the development hereby approved shall be managed so as not to detrimentally impact on the existing airport facilities to the satisfaction of the Shire of Northampton;

Advice to Applicant:

- a) 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.
 - b) 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.
 - c) The request for approval for use of the existing aircraft tie down facility has not been assessed as part of the application for Development Approval and is required to be determined as part of an application to lease from the Shire of Northampton;
- B. Advise the applicant that notwithstanding that conditional development approval has been granted, no development or associated works are permitted to commence until such time as a lease is obtained from the Shire of Northampton; and**
- C. Await a further agenda item on the potential lease of the area to be occupied by the refuelling facilities hereby approved and the requested use of the tiedown facilities.**

ATTACHMENTS

- | | |
|---|------------|
| 1 ⇒ Attachment No 1 - Copy of supporting correspondence and plans | 6
Pages |
|---|------------|

**ATTACHMENT
APPENDIX**

9.4.12 Proposed Revised Plans for Retaining Wall and Alteration of Existing Contours at Lot 77 (No 106) Mitchell Street, Horrocks

PROPONENT	G Kay & K Waters
OWNER	G Kay & K Waters
LOCATION / ADDRESS:	Lot 77 (No 106) Mitchell Street, Horrocks
ZONE:	Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.5.1.1 & A859
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	9 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At its Ordinary Meeting held on 20 November 2025, Council was requested to determine a retrospective application for a retaining wall and alterations to existing contours at Lot 77 (No 106) Mitchell Street, Horrocks. With portion of the works previously being undertaken without approval, the application was retrospective in nature. A location plan is shown below.

Location Plan



Having regard to an objection received and the Shire Officers recommendation, Council resolved (Resolution 1/25-158) to refuse the application as submitted on various grounds. Council furthermore resolved to advise that it was

prepared to consider a revised application that complies with the following principles:

- “a) Demonstration as to how exposed soils on site will be stabilised to prevent water and wind based erosion;***
- b) Demonstration as to how stormwater associated with the development of the subject land will be managed;***
- c) Revision of the proposed retaining wall design to ensure disturbed soils are wholly contained within the subject land and do not rely on any structure located on adjacent properties; and***
- d) Identification of an appropriate methods to prevent overlooking in accordance with the Residential Design Codes of Western Australia.”***

An excerpt of the Council minutes, including the agenda item is shown appended.

APPENDIX: 9.4.12 (A)

The applicant has now submitted revised plans for Council consideration. Whilst comments and advice on the revised plans is provided within the comment section below, copies of the revised plans are shown attached.

ATTACHMENT: 9.4.12 (1)

PUBLIC CONSULTATION UNDERTAKEN:

As identified in Appendix: 9.4.12 (A), the previous application was referred to the adjacent landowners for comment. Two submissions were received, with the landowner to the north objecting to the proposal on various grounds, whilst the landowner to the south raised no objection.

COMMENT (Includes Options):

To assist Council in considering the revised plans, the following comments and advice are offered:

Matters to be Considered

Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed to Apply Provisions*, requires that in determining an application for Development Approval, local governments must have a regard to various matters, including:

- (a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) Any approved State planning policy;
- (c) Any policy of the Commission;
- (d) The compatibility of the development with its setting, including:
 - i) the desired future character of its setting;
 - ii) the relationship of the development to development on adjoining land or other land in the locality, but not limited to, the likely effect

- of the height, bulk, scale, orientation and appearance of the development;
- (e) the amenity of the locality including the character of the locality; and
 - (f) Comments received in response to consultation on a proposal.

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

Zoning and Zone Objectives

The provisions of Local Planning Scheme No. 10 (the Scheme) include the subject land within the Residential Zone, with an applicable density of R12.5 in accordance with the Residential Design Codes of Western Australia (R-Codes). As set out in Part 3 of the Scheme, the objectives of the Residential Zone are:

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

Amenity

In determining the potential impact a development may have on the Amenity of the area, consideration must be given to the following matters in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- the desired future character of its setting;
- the relationship of the development to development on adjoining land or other land in the locality, including, but not limited to, the likely effect of the appearance of the development; and
- the amenity of the locality including the character of the locality.

Prior to commencement of the excavation, the bank at the rear of the subject land was well vegetated. With this vegetation having been removed, there is currently an issue with wind blown soil detrimentally impacting on the adjacent landowner. It is considered that soil stabilisation techniques, including revegetation of disturbed areas is required to prevent ongoing impacts on the amenity of the area.

Proposed Earthworks

As previously reported to Council, prior to the application the landowners had excavated into an existing well vegetated hill at the rear of the home in order to create a level rear yard. This work resulted in the removal of vegetation and soil destabilising the original slope and impacting on the adjacent landowner through wind blown soil.

As with the previous application the landowners are seeking to complete further modification of the existing slope in order to achieve a 1:3 slope (33% gradient) as shown at Attachment: 9.4.12 (1). This will result in the removal of additional

soil and limestone, further disturbing existing vegetation located east of the proposed retaining wall.

The applicant has advised that disturbed soils will be planted with a combination of native plants and domestic, including shrubs plantings along the boundaries being *“quick growing cottonwood shrubs growing to a height of 3.5 to 4m being thick in foliage and can be easily hedged.”*

As it will take time for any new vegetation to grow, there is a need for soil stabilisation techniques to be used in the interim. Should Council seek to approve the application, it is recommended that an appropriate condition be imposed to require a detailed soil management plan to demonstrate how erosion and/or soil instability will be avoided following the excavation of additional soil.

In order to ensure that any further excavation does not impact on soils and vegetation to the north of the subject land, it is recommended that a condition be imposed to require the retention of the existing ground levels within one metre of the side boundary.

Retaining Wall

Clause 5.3.7 of the R-Codes relates to Site Works. Assessment criteria P7.3 states that retaining walls that result in land which can be effectively used for the benefits of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to visual privacy.

In terms of earthworks the previous application proposed an alteration of the original contours of the property to provide a level yard extending between 3.6m and 5.6m from the rear of the dwelling, effectively lowering the existing levels by approximately 1-1.3m.

As reflected within the previous agenda item shown at Appendix: 9.4.12 (A), the previous application reflected a single retaining wall being 1.3m high and 20.1m long constructed with 350x240x1000mm limestone blocks. Once constructed the retaining wall will have exposed height of 1m above the adjacent ground level. Although engineering detail submitted in support of the application included a detail for the retaining wall to return along each side boundary, the submitted plans sought approval to a straight wall with no returns.

The revised plans that have been submitted now reflect that the main retaining wall will have wall returns along both the southern and northern side boundaries, being:

- a) 3.6m long on the northern boundary extending from the main retaining wall westward to the back of the existing dwelling; and
- b) 5.6m long extending from the main retaining wall eastward along the southern boundary.

The revised retaining wall design will no longer rely on existing retaining walls or levels on the adjacent property. The revised design therefore addresses

those matters raised within Council's November resolution which required demonstration that the disturbance of soils will be contained within the property.

On-site Drainage

The applicant has advised via email that there will be a sub-drain behind the proposed retaining wall "*which can either be joined to existing drainage*" which exists via the existing driveway or "*soakwells can be placed in the grassed section adjacent to the rear of the house*". The applicants further advise that all ground will slope inward to ensure stormwater run off is contained within the property.

Whilst the submitted plans clearly indicate drainage behind the existing walls, the revised plans do not provide any further information on drainage. To ensure that the retention of drainage on-site is maximised, it is recommended that detailed plans be required prior to the issue of a building permit, based on soakwells in the rear yard.

Visual Privacy

As reflected within Council's November resolution, the applicant was required as part of any revised application to identify appropriate methods to prevent overlooking in accordance with the Residential Design Codes of Western Australia (R-Codes). The R-Codes identify that the use of landscaping or fencing are appropriate.

The applicant has advised via email that they intend to install Colorbond ® fencing with shrub plantings along the boundaries. The submitted plans do not however provide any detail on proposed location of the proposed fencing or landscaping. Should Council seek to approve the application it is recommended that the applicant be required to provide a revised plan detailing the extent of fencing and landscaping, prior to the issue of a building permit for the retaining wall. As a minimum, it is recommended that Colorbond ® fencing at least 1.6m in height should be required for the full extent of the retaining wall proposed on the northern side boundary.

Neighbour Consultation

As detailed within the Public Consultation Section of this agenda item, the adjacent landowner to the north raised a number of issues associated with the proposal during the previous consultation process. No further consultation has been undertaken on the basis that the revised plans address the primary concerns relating to the impact of the proposal on their property with respect to the retaining wall, visual privacy and proposed stabilisation of the slope to the rear of the property.

Additional issues raised by the adjacent landowner with respect to the existing unauthorised garage are being addressed by the landowner in consultation with the Shire's Building Surveyor.

Conclusion

The proposal for adjustment of the existing contours and associated retaining walls has been adjusted and further information has been provided with respect

to ensuring visual privacy and stabilisation of the slope to the rear of the property. As a result, conditional approval is now recommended.

Appropriate conditions are however required to ensure additional details are provided with respect to drainage and the stabilisation of soil prior to the issue of a building permit for the proposed retaining wall.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005.

POLICY / STRATEGIC IMPLICATIONS:

Appropriate conditions of approval are required to ensure that the slope at the rear of the property is stabilised prior to revegetation of the area following completion of the earthworks and retaining wall, avoiding both water and wind erosion whilst ensure a stable landform results.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate.

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

FINANCIAL IMPLICATIONS:

The application fee has been paid in accordance with the Schedule of Fees and Charges adopted as part of the 2025/26 annual budget.

SUSTAINABILITY:

Environmental: Environmental: Appropriate conditions of approval are required to ensure that impacts associated with clearing of vegetation are mitigated as soon as possible.

Economic: Nil

Social: Approval to the works as proposed will result in the property having useable private open space at the rear of the property.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

In accordance with Local Planning Scheme No. 10 – Northampton grant Development Approval to the proposed alteration of existing contours and associated retaining wall in accordance with the plans and specifications at Attachment: 9.4.12 (1) subject to compliance with 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	15 January 2026
2.	Retaining Wall Details	15 January 2026
3.	Email providing Additional Detail	15 January 2026

- 2. Notwithstanding condition No 1 above, no further alteration of contours is to occur within 1m of the northern side boundary;**
- 3. Prior to the commencement of additional earthworks and the application for a building permit for the retaining wall hereby approved:**
 - a) the submitted plans are to be modified to:**
 - i) Provide additional details relating to the proposed drainage system, including soakwells at the rear of the existing home; and**
 - ii) Identify the extent and location of proposed fencing along the northern side boundary, with such fencing to be a minimum to be 1.6m in height extending along the northern side boundary from the existing home to a position not less than 1m east of the proposed retaining wall;**
 - b) The applicant shall submit a soil stabilisation, erosion and dust and sand drift control plan to be implemented for the duration**

of the site works and subsequent building construction activities on the site to the satisfaction of the Shire of Northampton;

4. Any soils disturbed by the remaining earthworks shall be stabilised via acceptable temporary methods within 7 days of any clearing and from thereon maintained until such time as revegetation works are completed.
5. Remaining works to be undertaken shall comply with the management plan referred to in condition 3b) so as to ensure the adjacent properties are not impacted by works associated with this approval nor water or wind erosion.
6. All stormwater and drainage runoff is to be retained on the subject property or to be provided with stormwater drainage connections to the drainage system in the area at the developers cost to the satisfaction of the Shire of Northampton

Advice 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

ATTACHMENTS

1 ⇨ Attachment No 1 - Copy of Revised Plans 5 Pages

APPENDICES

A ⇨ Appendix A - Excerpt from 20 November 2025 minutes 11 Pages

ATTACHMENT**9.5.1 Building Approvals Report December 2025/January 2026**

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:	3 February 2026
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 December 2025 to 31 January 2026. Spreadsheets detailing the approvals issued for each month are shown attached.

ATTACHMENT: 9.5.1 (1)**ATTACHMENT: 9.5.1 (2)****PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

During December 2025, thirteen (13), and January 2026, three (3) building applications were determined under delegated authority.

Approvals granted during December related to total construction value of \$2,818,005, being a substantial increase from the eight (8) November approvals with a total value of \$937,067.

Although the number of approvals granted in January were limited to 3, they related to works with a total value of \$927,784.17. Traditionally approval numbers are usually low in January due to the building industry shutting down over the Christmas/New Years Day period.

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 December 2025 and January 2026 in accordance with Attachment: 9.5.1 (1) and Attachment: 9.5.1 (2)

ATTACHMENTS

1 ➡ Building Approvals Report December 2025 1 Page

2 ➡ Building Approvals Report January 2026 1 Page

ATTACHMENT

9.6.1 Proposed Amendment of Shire's Fees and Charges Relating to Caravan Park and Lodging House Premises within the Shire

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Whole of Shire
ZONE:	N/A
BUSINESS AREA:	Environmental Health Services
FILE REFERENCE:	7.1.3
LEGISLATION:	<i>Local Government Act 1995</i> <i>Caravan Parks and Camping Grounds Act 1995</i> <i>Health (Miscellaneous Provisions) Act 1911</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	19 January 2026
DECLARATION OF INTEREST:	The author of this agenda item is the owner of a commercial property for which they may seek registration of a lodging house.

BACKGROUND:

A recent review of the Shire's Schedule of Fees and Charges (the Schedule) adopted as part of the 2025/2026 annual budget relating to Environmental Health Services has been undertaken. The review has identified that the schedule of fees relating to the following types of applications are not reflected within the Schedule:

- a) Application and Renewal Fees for caravan parks and camping grounds processed under the *Caravan Park and Camping Grounds Act 1995*; and
- b) Lodging Houses approved or renewed under the Shire's Health Local Laws 2007.

An examination of previous Fees and Charges Schedules indicate that the specific fees have not been reflected within previous Schedules in recent years.

Council is requested to consider amending the Schedule of Fees and Charges as adopted for the 2025/26 financial year to reflect the charges applicable. Additionally, Council is requested to consider modifying the location of following fees and include them within the Schedule 7 - Environmental Health section of the Schedule:

- Fees relating to Mobile Food Vehicles which are currently listed under of planning fees; and
- Septic Tank and Effluent Disposal Fees, which are currently listed under the Building Permits section of the schedule.

A draft copy of an updated Schedule 7 – Health is shown attached.

ATTACHMENT: 9.6.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in considering this matter, the following comments and advice are offered:

Caravan Park and Camping Grounds

In accordance with the *Caravan Parks and Camping Grounds Act 1995*, a license to operate a caravan park or camping ground must be obtained from the local authority prior operation of such a facility. Licenses are typically granted for a 12 month period, with annual renewals required there after.

The Fees applicable to applications seeking the grant of a license or renewal are set out in Schedule 3 of the *Caravan Parks and Camping Grounds Regulations 1997*. A copy of the Schedule fees as contained in the Regulations are shown attached.

ATTACHMENT: 9.6.1 (2)

As reflected at Attachment: 9.6.1 (1), the fees for the granting or renewal of a license are based on a per site fee, with a minimum of \$200. In addition fees apply to the transfer of a license or temporary licenses. The prescribed fees are statutory fees which cannot be varied by local government. As statutory fees, GST is not applicable.

Notwithstanding that the fees are statutory fees that are imposed under the Caravan Parks and Camping Grounds Regulations 1997, it is good practice for Schedule to reflect all fees and charges by the Shire. It is therefore recommended the fees and charges listed under Environmental Health be amended to reflect the statutory fees.

Lodging Houses

The provisions of the *Health (Miscellaneous Provisions) Act 1911* (Health Act) defines a lodging house as follows:

Lodging-house means any building or structure, permanent or otherwise, any part thereof, in which provision is made for the lodging or boarding more than 6 persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include:

- (a) Premises licensed under a publican's general license, limited hotel license, or way-side house license granted under the Licensing Act 1911 or
- (b) Residential accommodation for students in a non-government school within the meaning of the School Education Act 1999; or
- (c) Any building comprising residential flats.

The Health Act requires that every local government “*shall keep a register in which shall be entered the names and residences of the keepers of all lodging-houses within its district...*” The Health Act further requires prior to commencement, all lodging houses to be registered with the local authority and amongst other things keep a register of all guests. The Health Act also permits local government to prepare and enforce local laws relating to a range of specific requirements.

With the Shire of Northampton, lodging houses are required to be registered under the Shire’s Health Local Laws 2007 (the Local Law). In accordance with the Local Law Lodging House registrations are required to be renewed in June each year.

The current Schedule does not identify fees applicable to initial applications or renewals. It is proposed that the current Schedule of Fees and Charges relating to Environmental Health be amended to identify an application fee of \$180.00 plus an annual renewal fee (including inspections) of \$100.

Mobile Food Vehicles

As reflected within Item 9.4.2 of this agenda, it has been recommended that Council revoke the current Local Planning Policy - Mobile Food Vehicles and adopt a new Environmental Health Policy based on the current policy provisions. With applications for mobile vehicles to be processed by the Shire’s Environmental Health Officer, it is recommended that the fees be reflected within Schedule 7 – Health and removed from Schedule 10 of the Schedule relating to Planning Services.

On-Site Wastewater Disposal

Fees relating to the approval processes and inspections of new on-site wastewater disposal systems are legislated under the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1997*.

Currently the adopted Schedule reflects fees associated with applications for approval to on-site effluent disposal systems within both Schedule 10 – Refuse/Town Planning/Cemetery/Public Conveniences and Schedule 13 under the heading Building Permits. It is appropriate for these fees to be deleted in favour of the current statutory fees being reflected within the Environmental Health section of Schedule 7.

Conclusion

With the exception of applications seeking approval or renewal of Lodging House Registrations, the fees and charges discussed within this agenda item are either legislated or incorrectly located within the Shire’s adopted Schedule of Fees and Charges. Modification of the Schedule is recommended to reflect all Environmental Health Charges within Schedule 7 of the adopted fees and charges.

STATUTORY ENVIRONMENT:

Provisions contained within the *Local Government Act 1995, Caravan and Camping Grounds Act 1995, Health (Miscellaneous Provisions) Act 1911 & Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1997* apply.

In accordance with clause 6.19 of the *Local Government Act 1995* a local government seeking to impose any fees or charges after adoption of the annual budget is required to give public notice of its intention to impose the charges and the date from which the fees and charges are to apply.

POLICY / STRATEGIC IMPLICATIONS:

Updating and correcting the current adopted Schedule of Fees and Charges is consistent with the following Desired Outcome as contained within the Shire of Northampton's Strategic Community Plan 2025-2035:

5.2 Best Practice Stewardship

Our Shire continues to expand capacity and capability to maintain excellence in all areas of leadership and Council operations.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered 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:

Amendment of Schedule 7 of the adopted Schedule Fees and Charges will ensure that all statutory and other fees are correctly reflected.

SUSTAINABILITY:

Environmental: Nil.

Economic: Application of fees for initial applications and renewals of Lodging Houses are considered minimal, but they will minimise the cost of providing these services to the Shire ratepayers.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Amend Schedule 7 – Health within the Schedule of Fees and Charges as adopted by Council for the 2025/26 financial year to include the additional items shown at Attachment: 9.6.1 (1) relating to Lodging Houses, Caravan Parks and Camping Grounds, Mobile Food Vendors and applications for Wastewater Disposal Systems;**
- 2. Delete the following items from the current Schedule of Fees and Charges adopted by Council for the 2025/26 financial year:**
 - a) Mobile Food Vehicle fees and charges listed within Schedule 10 under Planning Services;**
 - b) Septic Tank Application fees, Inspection Fee and Local Government Report fee from Schedule 10 under the heading Refuse; and**
 - c) The Septic Tank and Effluent Disposal fees listed in Schedule 13 under the heading Building Permits.**
- 3. In accordance with clause 6.19 of the *Local Government Act 1995*, give statewide notice of the Shire of Northampton’s intention to impose the modified fees in accordance with points 1 and 2 above.**

ATTACHMENTS

- | | | |
|------------|--|-----------|
| 1 ⇨ | Attachment No 1 - Proposed Modifications to Schedule 7 - Health Fees and Charges | 1
Page |
| 2 ⇨ | Attachment No 2 - Schedule 3 of the Caravan Parks and Camping Grounds Regulations 1997 | 1
Page |

9.8.1 Proposed Budget Amendment - Executive Manager of Works and Technical Services Vehicle

PROPONENT OWNER	Shire of Northampton
LOCATION / ADDRESS:	N/A
ZONE:	N/A
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	12.3.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	13 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The current vehicle allocated to the Shire's Executive Manager of Works and Technical Services is a 2024 Ford Ranger Sport was purchased in May 2024.

Earlier this financial year a 2024 Ford Ranger Sport, allocated to the Executive Manager Community, Development and Regulation was traded in accordance with the Shire's adopted Budget for the 2025/26 financial year, which allowed for a change over cost of \$23,000. Whilst initially it was intended to trade this vehicle for another Ranger Sport, it was subsequently identified that:

- a) The Ford Ranger Wildtrak included items such as the tow bar and a hard ute cover as included standards. The Ranger Sport purchase price with these add-ons was higher than that of a Wildtrak;
- b) Proceeding with a change over to a Ranger Sport with the same accessories as the 2024 vehicle would have exceeded budget. By proceeding to change the vehicle to a Wildtrak, the change over price was within budget; and
- c) Another Midwest local authority has been updating Wildtrak vehicles annually at a cost of approximately \$5,000 per change over.

The current Executive Manager of Works and Technical Services vehicle has odometer reading of approximately 54,000km. In accordance with standard Shire fleet management practices, trading of the vehicle would normally be proposed to be replaced under the 2026/27 Annual budget.

Council is requested to consider proceeding to replace the current vehicle now for the reasons outlined within the comment section below.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The current Executive Manager of Works and Services vehicle has a number of accessories and modifications that exceed the standard specifications and requirements for a Shire vehicle. These modifications include:

- a) A lift kit, with upgraded suspension;
- b) A snorkel, which would only be required for deep water crossings;
- c) An upgraded canopy with roof rack;
- d) Long range fuel tank; and
- e) Dual battery system.

Within the car industry it is well documented that the more modifications to a car the number of potential buyers are reduced, with most aftermarket add-ons failing to recoup their initial cost. That said, in the short term these accessories may add some value to the vehicle where the buyer was initially seeking to purchase a new vehicle with similar additions.

In anticipation of potentially trading the existing vehicle whilst it still has less than 60,000km, a quote has been sought from Midwest Auto Group to change the vehicle over to a stock Ford Ranger Wildtrack. The quote identifies a trade in value of \$58,000 (incl GST) for the current vehicle, with the changeover having a total cost of approximately \$10,894 (ex GST).

Changing the vehicle over at this point of the financial year will ensure that ongoing maintenance costs are minimised. Should Council elect to consider changing the vehicle over as part of the 2026/27 annual budget, there will be a need for new tyres, additional vehicle services and licensing. The increased km's will also result in a lower trade and there is potential for the new car price to increase with new models arriving in mid 2026.

Potential Funding Source

The adopted 2025/26 Annual Budget contains an allocation of \$10,000 for tertiary education of the Executive Manager of Community, Development and Regulation. For personal reasons the Executive Manager is unable to proceed with further tertiary education this financial year.

In addition, the current budget contains an allocation of \$18,300 for change over of the Chief Executive Officers vehicle. A like for like replacement Prado is currently on order, with the purchase order being based on a change over value of \$7,511. It is therefore recommended that the remaining \$894 be sourced from this budget allocation.

It should however be noted that while initial enquiries indicated that the new CEO vehicle would be supplied prior to the end of the 2025 calendar year, high demand and supply chain constraints have resulted in significant production delays. With a delivery date yet to be confirmed, it is possible that the new vehicle may not be available until next financial year.

Whilst the delay in supply of the new vehicle will result in the current CEO vehicle in having higher milage, which is likely to impact the trade price, it is

anticipated that the remaining budget for the CEO vehicle change over will be sufficient.

Given the above, it is recommended that Council proceed to amend the current budget and proceed with changing over the Executive Manager of Works and Technical Services vehicle as soon as possible.

STATUTORY ENVIRONMENT:

It is proposed that Council amend the current 2025/26 Annual Budget as adopted in accordance with clause 6.8 of the *Local Government Act 1995*. Amendment of the budget as proposed may only be authorised by Council via an absolute majority resolution of Council.

POLICY / STRATEGIC IMPLICATIONS:

Replacement of the current vehicle as proposed is consistent with desired outcome 5.2 relating to Best Practice Stewardship as contained within the Shire of Northampton’s Strategic Community Plan 2025-2035.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered associated with not proceeding with a vehicle changeover is considered moderate due to the potential increase in costs if the vehicle change over is to occur in the 2026/27 financial year.

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

FINANCIAL IMPLICATIONS:

As outlined within the Comment section, there are sufficient funds within the current budget to proceed with the vehicle replacement given that the previously proposed upgrade of the Chief Executive Officer vehicle is unable to proceed this financial year.

SUSTAINABILITY:

Environmental: Nil.

Economic: Replacing the current vehicle as proposed ensures that the Shire obtains the maximum trade in value, whilst avoiding costs associated with additional servicing of the vehicle and replacement tyres.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council amend the 2025/26 budget as adopted, as follows:

Budget Item	Adopted Budget	Amended Budget	Variation
Purchase of new Ford Ranger (131NR)	\$0	\$63,621	\$63,621
Trade of Existing Vehicle (131NR)	\$0	(\$52,727)	(\$52,727)
EMCDR Tertiary Allowance	\$10,000	(\$0)	(\$10,000)
CEO Vehicle Replacement	\$93,700	\$92,806	(\$894)
Net (\$)	\$93,700	\$93,700	\$0

**ATTACHMENT
APPENDIX**

9.8.2 Proposed Realignment of Coolcalalaya Road, Lots 5138, 5139, 5140, 5142, 5144 and 5145 on Deposited Plan 232552

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Coolcalalaya Road, Northampton
ZONE:	Road Reserve
BUSINESS AREA:	Office of Executive Manager of Works and Technical Services
FILE REFERENCE:	12.1.3.4
LEGISLATION:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Jamie Muir
DATE OF REPORT:	19 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

There are sections of Coolcalalaya Road where the actual constructed alignment is not within the road reserve but on private property. This matter was first raised with Council in April 2012 with a request from Mr Bob Porter seeking the affected portions be re-surveyed and that the road reserve be realigned to reflect the existing constructed alignment.

Council most recently considered the matter at its ordinary meeting held in October 2025, whereby it resolved (11/25-01) to amend the Annual Budget, allocating \$35,000 for completion of the project. An excerpt of the relevant minutes including the officers report is appended.

**ATTACHMENT: 9.8.2 (1)
APPENDIX: 9.8.2 (A)**

The purpose of this agenda item is to request that Council authorise the Shire's Chief Executive Officer and Shire President to endorse the required Land Exchange Agreement documentation as provided by the Department of Planning, Lands and Heritage.

PUBLIC CONSULTATION UNDERTAKEN:

An advertisement was published in the Geraldton Guardian on 3 March 2023 for 35 days ending 07 April 2023. The advertising period has concluded, and all agency referrals have been addressed. No objections were received that would warrant discontinuation of the proposal. Accordingly, the proposal has progressed to the finalisation stage.

COMMENT (Includes Options):

The required statutory procedures have been undertaken in accordance with Section 3.50 of the *Local Government Act 1995* and Section 58 of the *Land Administration Act 1997*, including public advertising and referral to relevant service authorities.

The Land Exchange Agreement has now been prepared to formalise the agreed exchange arrangement associated with the closure and realignment of Coolcalalaya Road. Execution of this agreement is required to give effect to Council's previous resolution and to enable submission to the Department of Planning, Lands and Heritage for final endorsement by the Minister for Lands.

The endorsement sought in this report authorises the Chief Executive Officer and the Shire President to execute the Land Exchange Agreement under the Shire's Common Seal. This is an administrative and statutory step necessary to complete the road closure process and implement the realignment as previously endorsed by Council.

Officers are satisfied that all legislative and procedural requirements have been met and therefore recommend Council endorse execution of the Land Exchange Agreement to enable the matter to be concluded.

STATUTORY ENVIRONMENT:

Local Government Act 1995 and Land Administration 1997.

POLICY / STRATEGIC IMPLICATIONS:

Closure and amalgamating the unrequired road reserve serves to reduce the overall land management potential burden on the organisation. The road reserve area to be closed through this proposal is approximately 2600m².

Finalisation of this matter will:

- Formalise the closure and realignment of redundant road reserve;
- Clarify land tenure boundaries affecting Lots 5138–5140, 5142, 5144 and 5145 on DP 232552;
- Reduce ongoing maintenance and liability exposure associated with the affected road reserve; and
- Ensure compliance with statutory requirements under relevant legislation.

ORGANISATIONAL RISK MANAGEMENT:

Prior to Council initiating the realignment process, there is an obligation to ensure that the proposal will not result in land lock issues nor additional cost imposed by the Shire.

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. Budget amendment was approved by Council in October 2025.

SUSTAINABILITY:

Environmental: Nil.

Economic: Reducing the number of unconstructed road reserves that hold no strategic significance will minimise unnecessary land administration and associated resource expenditure by the Shire.

Social: Nil.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Notes that the statutory advertising process for the proposed permanent closure of a portion of Coolcalalaya Road has been completed in accordance with Section 3.50 of the *Local Government Act 1995* and Section 58 of the *Land Administration Act 1997*.

2. Resolves to proceed with the permanent closure of the relevant portion of Coolcalalaya Road and request the Minister for Lands to formally close the road pursuant to Section 58 of the *Land Administration Act 1997*.
3. Endorses the execution of the Land Exchange Agreement associated with the closure of Coolcalalaya Road.
4. Authorises the Chief Executive Officer and the Shire President to sign and affix the Common Seal of the Shire of Northampton to the Land Exchange Agreement and any associated documentation required to give effect to this resolution.

ATTACHMENTS

1⇒	Land Exchange Agreement - Realignment of Coolcalalaya Road - DRAFT	28 Pages
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APPENDICES

A⇒	10.1 Proposed Realignment (Closure of Portions) of Coolcalalaya Road, Coolcalalaya. 13 April 2023	6 Pages
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ATTACHMENT**9.9.1 Unconfirmed Minutes of the Health Advisory Committee Held on 16 December 2025**

PROPONENT OWNER	Chief Executive Officer
LOCATION / ADDRESS:	Shire of Northampton
ZONE:	Whole of Shire
BUSINESS AREA:	All
FILE REFERENCE:	Office of CEO
LEGISLATION:	7.2.1
AUTHOR:	<i>Local Government Act 1995</i>
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	Andrew Campbell
DECLARATION OF INTEREST:	16 December 2025
	Nil

BACKGROUND:

The purpose of this report is for Council to receive the unconfirmed minutes of the Health Advisory Committee for the meeting held 16 December 2025 and consider any recommendations arising.

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

Nil.

COMMENT (Includes Options):

The Health Advisory Committee made the following recommendation:

Committee Recommendation	Officer Comment
1. That the November 2025 accounts are accepted as tabled.	Noted and does not require Council's decision.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation prescribe the mechanism to establish Committees of Council.

POLICY / STRATEGIC IMPLICATIONS:

With Council agreeing to contract a medical service for Northampton to Panaceum, it is important to ensure oversight of financial impacts and other matters occur.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 4 – Major due to potential financial impact.

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 has agreed to engage Panaceum to provide medical services for Northampton for a twelve month period which is funded within the existing budget via the Health Services Reserve.

SUSTAINABILITY:

Environment: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the minutes of the Health Advisory Committee from the meeting held 16 December 2025 in accordance with ATTACHMENT: 9.9.1 (1).

ATTACHMENTS

1 ⇨ Unconfirmed Minutes of the Health Advisory Committee meeting held 16 December 2025

2 Pages

ATTACHMENT**9.9.2 Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 03 February 2026**

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	12.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Jamie Muir
DATE OF REPORT:	5 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A meeting of the Road Infrastructure and Plant Advisory Committee (RIPAC) was held on 03 February 2026 in the Council Chambers, Northampton.

The purpose of this report is for Council to receive the minutes of the meeting, as shown attached.

ATTACHMENT: 9.9.2 (1)
ATTACHMENT: 9.9.2 (2)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The primary purpose of the RIPAC meeting held on 3 February 2026 was to enable the Committee to review and assess the proposed heavy fleet plant replacement program for 2025/26, together with a high-level overview of the 2025/26 Program of Works.

There was no recommendation made by RIPAC to Council.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:
Risk rating is considered Level 1 - Insignificant.

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

FINANCIAL IMPLICATIONS:
Nil.

SUSTAINABILITY:
Environmental: Nil.
Economic: Nil.
Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 03 February 2026 in accordance with ATTACHMENT: 9.9.2 (1).

ATTACHMENTS

- 1⇒ Minutes of Meeting 03 February 2026 4 Pages
2⇒ 2025-261-22 Program of Works 1 Page

10. LATE REPORTS:

11. QUESTIONS FROM MEMBERS:

11.1 Response to questions from members taken on notice.

11.2 Questions from members.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING:

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

14. MEETING CLOSED TO PUBLIC:

14.1 Matters for which the meeting may be closed

14.1.1 Proposed Purchase of Land for Future Residential Development in the Townsite of Northampton

PROPONENT	Shire of Northampton
OWNER	P & K Maver
LOCATION / ADDRESS:	Proposed Lot 2 Second Avenue, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	A4796
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	12 January 2026
DECLARATION OF INTEREST:	Nil

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council goes behind closed doors to consider:

Item 14.1.1 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.

14.2 Public reading of resolutions that may be made public.

15. APPLICATIONS FOR LEAVE OF ABSENCE:

16. CLOSURE:

There being no further business to discuss the Shire President to thank those in attendance and close the meeting at.....pm.