



MINUTES

COUNCIL MEETING

19 MARCH 2026

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SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Council Chamber, Hampton Road, Northampton, Thursday, 19 March 2026.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

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

2. ANNOUNCEMENTS BY THE PRESIDENT:

Acknowledgement of Country

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

3. ATTENDANCE:

PRESENT:

Councillors

Cr Liz Sudlow (Shire President)

Cr Richard Burges

Cr Des Pike

Cr Karl Suckling

Cr Roslyn Suckling

Cr Chad Smith

Staff

Mr Andrew Campbell (Chief Executive Officer)

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

Mr Jamie Muir (Executive Manager Works and Technical Services)

Mrs Leanne Rowe (Manager Finance Services)

Mrs Michelle Allen (Manager Corporate Services)

Mrs Kaylene Roberts (Planning Officer)

Ms Sonya Hasleby (Executive Support Officer)

Gallery

Nil

3.1 Apologies: Cr Tim Hay.

3.2 Leave Of Absence: Nil.

4. DECLARATIONS OF INTEREST:

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

Cr Chad Smith declared an financial interest in relation to item 9.6.1 Request for Approval to Camp – Northampton Bowling Club – as he owns an accommodation business.

Cr Liz Sudlow declared an financial interest in relation to item 9.6.3 Application for Stallholders Licence – Reserve 23432 Harvey Road and Lot 4 (228) Hampton Road, Northampton – as closely associated persons to the applicant work on Cr Sudlow’s family farm.

Cr Liz Sudlow declared a proximity interest in relation to item 9.4.3 Proposed Serviced Accommodation Units (Tasman Holiday Park) at Lot 587 (No. 80) Grey Street, Kalbarri – as she owns property in an accommodation development in the vicinity.

Cr Roslyn Suckling declared a proximity interest in relation to item 9.4.6 Potential Rezoning of Lot 100 (No. 31) Glance Street, Horrocks – as she owns a cottage within Lot 100 (No. 31) Glance St, Horrocks.

Cr Karl Suckling declared an impartiality interest in relation to item 9.8.2 Proposed 2025/26 Budget Amendment – Fifth Ave Drainage Reduction, Binu East Rd and Karina Mews Additions – as he is related to the director appointed to complete the Disaster Recovery works.

5. PUBLIC QUESTION TIME:

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

6. PRESENTATIONS:

- 6.1 Petitions: Nil.
- 6.2 Presentations: Nil.
- 6.3 Deputations: Nil.
- 6.4 Councillor reports:

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

- 23/02/2026 – Northern Council Zone Meeting via Teams.
- 28/02/2026 – Horrocks Community Hay Fundraising Event. Upper Gascoyne Shire President Mr Jim Caunt, Cr Blanche Walker and CEO, Mr John McCleary were present.
- 03/03/2026 – Health Advisory Committee Meeting held at the Northampton Shire Chambers.

- 03/03/2026 – Corporate Business Plan Workshop held at the Northampton Shire Chambers.
- 04/03/2026 – Attended Strategic Forum and WALGA State Council Meeting. Election of a new WALGA President, Mr Mark Irwin and Deputy, Mr Chris Antonio. Gave brief presentation to outgoing President Ms Karen Chappel.
- 10/03/2026 – Meeting with the Panaceum in Geraldton.
- 13/03/2026 – Road Infrastructure and Plant Advisory Committee meeting held at the Northampton Shire Chambers.
- 17/03/2026 – Teams Meeting for Story Harvest Event with CDO's, Cresta Viellaris, Andrea Teakle along with historians, Sue White and Helen McQuie.
- 16/03/2026 – Meeting with Ms Margaret Clancy at her request.
- 16/03/2026 – Meeting with Jo Loftus to discuss medical services.

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

- 25/02/2026 – Kalbarri Development Association meeting.
- 03/03/2026 – Corporate Business Plan Workshop held at the Northampton Shire Chambers.

Since the last Council meeting **Cr C Smith** reported on their attendance at:

- 03/03/2026 – Corporate Business Plan Workshop held at the Northampton Shire Chambers.
- 13/03/2026 – Road Infrastructure and Plant Advisory Committee meeting held at the Northampton Shire Chambers.

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

- 26/02/2026 - Northampton Community Centre meeting.
- 03/03/2026 – Corporate Business Plan Workshop held at the Northampton Shire Chambers.
- 13/03/2026 – Road Infrastructure and Plant Advisory Committee meeting held at the Northampton Shire Chambers.
- 16/03/2026 – Regional Road Group meeting held in Geraldton.

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

- 03/03/2026 – Corporate Business Plan meeting held at the Northampton Shire Chambers.
- 16/03/2026 – Kalbarri Visitors Centre meeting but did not meet quorum.

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

- 03/03/2026 – Health Advisory Committee meeting held at the Northampton Shire Chambers.
- 03/03/2026 – Corporate Business Plan Workshop held at the Northampton Shire Chambers.
- 09/03/2026 - Horrocks Community Centre meeting.
- 10/03/2026 - Meeting with the Panaceum in Geraldton.
- 13/03/2026 - Road Infrastructure and Plant Advisory Committee meeting held at the Northampton Shire Chambers.

6.5 Conference reports: Nil.

7. CONFIRMATION OF MINUTES:

MOVED: Suckling, R SECONDED: Suckling, K

03/26-38

That the Minutes of the Ordinary Meeting of the Council held on 19 February 2026 be confirmed.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

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

Nil.

9. OFFICERS' REPORTS:

9.1.1	Proposal to Supply Building Approval Services to the Shire of Mingenew
9.2.1	Proposed Budget Review for period ended 31 January 2026
9.2.2	Monthly Financial Statements for the Period Ending 28 February 2026
9.2.3	Proposed February 2026 List of Accounts for Endorsement on 19 March 2026
9.2.4	Proposed Disposal of Property being Lot 6 (No. 78) Robinson Street, Northampton
9.3.1	Proposed Car Boot Sale and Markets - Reserve 25307 Grey Street, Kalbarri
9.4.1	Proposed Submission on Draft Renewable Energy Planning Code
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9.4.3	Proposed Serviced Accommodation Units (Tasman Holiday Park) at Lot 587 (No. 80) Grey Street, Kalbarri
9.4.4	Request for Reconsideration - Condition of Approval relating to Lot 77 (No 106) Mitchell Street, Horrocks
9.4.5	Proposed Marine Fuel Facility - Storage Tank and Bund Wall at Lot 200 (Reserve 52436) Grey Street, Kalbarri
9.4.6	Potential Rezoning of Lot 100 (No 31) Glance Street, Horrocks
9.5.1	Building Approvals Report February 2026
9.6.1	Request for Approval to Camp - Northampton Bowling Club
9.6.2	Application for Stallholders Licence - Coastal Roast

9.6.3	Application for Stallholders Licence - Reserve 23432 Harvey Road and Lot 4 (228) Hampton Road, Northampton
9.7.1	Request for Bushfire Mitigation Works Order - Crown Reserve 31503 Porter Street, Kalbarri
9.8.1	Consideration of Request for Tender 02-2026 Fifth Avenue Drainage Upgrade Works
9.8.2	Proposed 2025/26 Budget Amendment - Fifth Ave Drainage Reduction, Binu East Rd and Karina Mews Additions.
9.9.1	Unconfirmed Minutes of the Health Advisory Committee Held on 3 March 2026

9.1.1 Proposal to Supply Building Approval Services to the Shire of Mingenew

PROPONENT	Shire of Mingenew
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Shire of Mingenew
ZONE:	All
BUSINESS AREA:	Community, Development and Regulation
FILE REFERENCE:	9.1.3.2
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	6 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Mingenew has approached the Shire of Northampton enquiring whether the Shire of Northampton would consider assisting to provide building approval services on a fee for service basis.

The Shire of Mingenew previously utilised the City of Greater Geraldton for this service however this arrangement has been terminated due to resourcing, ever since the Shire of Northampton recruited Mr Jon Trotter from the City of Greater Geraldton. Mr Trotter was directly responsible for the fee for service building approval service provided to the Shire of Mingenew.

The purpose of this report is for Council to give consideration as to whether they would support the Shire of Northampton providing a fee for service building approval service to the Shire of Mingenew.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Since the termination of arrangements with the City of Greater Geraldton, the Shire of Mingenew has struggled to find a replacement building approval service provider. The Shire of Mingenew has a small number of applications usually totalling between 10 to 13 per annum.

In discussions with Mr Trotter, the building approval service provided to the Shire of Mingenew at the City of Greater Geraldton was relatively simple and was not very resource intensive. Mr Trotter further advised that given the current workload at the Shire of Northampton, the relatively low numbers of applications for the Shire of Mingenew would not impact on the existing Shire of Northampton's building approval service in any material way.

STATUTORY ENVIRONMENT:

Collaboration of this type between Local Government is permitted under the *Local Government Act 1995*.

POLICY / STRATEGIC IMPLICATIONS:

The Shire of Northampton previously provided Environmental Health services to the Shires of Chapman Valley and Shark Bay. These services were terminated in 2024 due to insufficient resources available to complete statutory obligations in the Shire of Northampton in addition to the other collaboration. The proposal to provide building approval services to the Shire of Mingenew does not present the same resourcing issues.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Minor mainly based on low potential for service interruption.

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:

Revenue from this proposal is expected to be in the order of \$5,000 to \$10,000 per annum once the appropriate fees and charges are established by the Shire of Northampton for 1 July 2026. All revenue generated will form part of the income of the Shire of Northampton.

SUSTAINABILITY:

Environmental: Nil.

Economic: A small revenue is expected to be generated from this proposal.

Social: The Shire of Northampton would be assisting the community of the Shire of Mingenew under this proposal.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Endorse the concept to provide building approval services to the Shire of Mingenew on a fee for service basis initially utilising existing fees and charges applicable to the Shire of Northampton already established for 2025/26;**
- 2. Create an appropriate fee for service charge as part of fees and charges to be established for the 2026/27 financial year specifically for the Shire of Mingenew; and**
- 3. Delegate authority to the Chief Executive Officer to establish a binding Memorandum of Understanding with the Shire of Mingenew that adequately defines a fee for service arrangement for the provision of building approval services, noting that appropriate termination clauses will be included to ensure the arrangement can be terminated if resources are significantly impacted or other issues arise.**

COUNCIL RESOLUTION:

MOVED: Smith, C

SECONDED: Burges, R

03/26-39

That Council:

- 1. Endorse the concept to provide building approval services to the Shire of Mingenew on a fee for service basis initially utilising existing fees and charges applicable to the Shire of Northampton already established for 2025/26;**
- 2. Create an appropriate fee for service charge as part of fees and charges to be established for the 2026/27 financial year specifically for the Shire of Mingenew; and**
- 3. Delegate authority to the Chief Executive Officer to establish a binding Memorandum of Understanding with the Shire of Mingenew that adequately defines a fee for service arrangement for the provision of building approval services, noting that appropriate termination clauses will be included to ensure the arrangement can be terminated if resources are significantly impacted or other issues arise.**

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

ATTACHMENT**9.2.1 Proposed Budget Review for period ended 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</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	23 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The purpose of this report is for Council to consider the Shire of Northampton's financial position for the period ended 31 January 2026 and review budget projections for the remainder of the financial year.

The Budget Review Report for the period ended 31 January 2026 is attached and has been prepared incorporating year to date budget variations and forecasts to 30 June 2026.

ATTACHMENT: 9.2.1 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

In the Budget Review report, budget variations resolved by Council prior to 31 January 2026 are included in the updated Budget estimates:

- DFES Local Government Grants Scheme – Grant \$85,000, minute 10/25-92.
- Coolcalalaya Road Realignment \$35,000, Port Gregory Toilet Block (\$35,000), minute 11/25-92.
- Volunteer CBFCO Honorarium \$3,000, CEO vehicle (\$3,000), minute 11/25-165.
- Annual Firebreak Inspection Flight \$3,300, Ranger Vehicle Replacement (\$3,300), minute 11/25/166.

- Grader Motor & Transmission replacement \$110,000, Plant Replacement Reserve (\$110,000), minute 12/25-175.

Further investigation by the Executive Manager Work & Technical Services in replacing the grader motor and transmission (minute 12/25-175) has found proposed grader improvements are not required, and it is recommended that this resolution not be acted upon.

Budget variations approved by Council in August 2025 and February 2026, are included in the Budget Review Report predicted variances:

- State Library Grant – Mind Robotics \$10,000, minute 02/26-16.
- fRRR Grant – Story Harvest \$10,000, minute 02/26-15.
- Vehicle – Ford Ranger (EMWTS) \$63,621, Trade Vehicle P322 (\$52,727), EMCDR Tertiary Allowance (\$10,000), CEO Vehicle Replacement (\$894), minute 02/26-31.
- Land Purchase \$299,000, Land Sales (\$198,000), Strategic Reserve (\$101,000), minute 02/26-36.
- Transfer from Reserve account, Council resolution 08/25-127 for procurement of Northampton Medical Services up to \$180,000.

Other noted variations:

- Surplus funds have been identified being Long Service Leave contributions received from other Councils of \$12,292 that were not budgeted for. It is proposed that Council consider transferring the amount of \$12,292 to the Leave Reserve account.
- Increase to Capital Grants \$986,426 includes funding for the Horrocks Beach Road Stage 1 \$397,500; DRFAWA funding for AGRN1143 Heavy Rainfall and associated flooding (6-9 June 2024) \$404,484 and AGRN1150 Heavy rainfall and associated flooding in Northampton (June 2024) \$34,442 (the total project is expected to be in the order of \$2M); and additional Roads to Recovery funding \$150,000 for Fifth Avenue/Binnu East Road projects. It is requested that Council amend the 2025/26 Budget to reflect the income and expenditure of these funds.
- With the finalisation of the June 2025 Audit, Council's Auditors requested Council write off unreconcilable ESL debtor amount of \$47,705 charged on Shire properties in previous financial periods. ESL charged on Shire owned properties for 2025/26 amounts to \$7,795 which has not been budgeted for. It is requested that Council considers and authorises the write off, and the unbudgeted expenditure in 2025/26.

- June 2025 Annual Financial Statements included an adjustment post budget adoption to recognise a contract liability for Kalbarri Road Stage 2 unspent revenue of \$1,957,799. As these funds are expensed the funds will be recognised as revenue, and it is requested that Council amends the 2025/26 Budget capital revenue to include the amount of \$1,957,799.
- The 2025/26 Budget allows for \$86,967 for the Woods Street Site Kalbarri Business Planning, Design & Site Works. It is requested that Council consider amending the 2025/26 budget to allocate \$12,800 for a consultant to reduce the scope and update the project for the Regional Precincts and Partnerships Program funding agreement.
- The Port Gregory Foreshore Carpark is currently over budget by \$50,457 with some minor works to be completed.
- The Northampton Community Centre total operating expense for the financial year is over budget by \$6,400, primarily caused by access friendly ramp variations going over budget by \$21,300.

During the review of the 2025/26 Budget and discussion with Executive Officers, a summary of predicted variances are:

Adjustment to carryover figure @ 30 June 2025	(\$1,360,411)
Increased revenue from operational activities	\$35,141
Increased expenditure from operational activities	(\$248,350)
Increased inflows from investing activities	\$3,194,952
Increased outflows from investing activities	(\$1,348,153)
Estimated Surplus @ 30 June 2026	\$541,809

STATUTORY ENVIRONMENT:

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires:

- (1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget; and
 - (d) include the following —
 - (i) the annual budget adopted by the local government;

- (ii) an update of each of the estimates included in the annual budget;
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.
- (2) The review of an annual budget for a financial year must be submitted to the Council on or before 31 March in that financial year.
- (3) A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- *Absolute majority required.
- (4) Within 14 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

The risk of not approving the budget review is considered moderate as the budget review is a requirement per the Financial Management Regulations. 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
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FINANCIAL IMPLICATIONS:

Details of the recommended budget adjustments are attached in the Budget Review Report.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

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

That Council:

1. **Adopts the Budget Review Report for the period ended 31 January 2026, in accordance with ATTACHMENT: 9.2.1 (1);**
2. **Does not proceed with motion 12/25-175 Proposed Engine and Transmission Replacement for Shire Grader P263;**
3. **Resolves to transfer unbudgeted Long Service Leave revenue \$12,290 to the Leave Reserve;**
4. **Resolves to write off ESL debtor amount of \$47,705, and authorises the unbudgeted expenditure of \$7,795 for ESL charged on Shire properties in 2025/26;**
5. **Amends the 2025/26 Budget to include \$1,957,799 revenue for Kalbarri Stage 2 Road;**
6. **Amends the 2025/26 Budget to reflect the income and expenditure for Capital Grants totalling \$986,426 for Horrocks Beach Road Stage 1; \$397,500, DRFAWA funding for AGRN1143 and AGRN1150 \$438,926; and Roads to Recovery funding \$150,000 for Fifth Avenue and Binu East Road projects;**
7. **Amends the 2025/26 Budget to re-allocate a portion of expenditure for Woods Street Site Kalbarri Business Planning, Design & Site Works currently \$86,697, to a consultant to reduce the scope and update the project for the Regional Precincts and Partnerships Program funding agreement \$12,800.**

COUNCIL RESOLUTION:**MOVED: Burges, R SECONDED: Suckling, K****03/26-40****That Council:**

- 1. Adopts the Budget Review Report for the period ended 31 January 2026, in accordance with ATTACHMENT: 9.2.1 (1);**
- 2. Does not proceed with motion 12/25-175 Proposed Engine and Transmission Replacement for Shire Grader P263;**
- 3. Resolves to transfer unbudgeted Long Service Leave revenue \$12,290 to the Leave Reserve;**
- 4. Resolves to write off ESL debtor amount of \$47,705, and authorises the unbudgeted expenditure of \$7,795 for ESL charged on Shire properties in 2025/26;**
- 5. Amends the 2025/26 Budget to include \$1,957,799 revenue for Kalbarri Stage 2 Road;**
- 6. Amends the 2025/26 Budget to reflect the income and expenditure for Capital Grants totalling \$986,426 for Horrocks Beach Road Stage 1; \$397,500, DRFAWA funding for AGRN1143 and AGRN1150 \$438,926; and Roads to Recovery funding \$150,000 for Fifth Avenue and Binnu East Road projects;**
- 7. Amends the 2025/26 Budget to re-allocate a portion of expenditure for Woods Street Site Kalbarri Business Planning, Design & Site Works currently \$86,697, to a consultant to reduce the scope and update the project for the Regional Precincts and Partnerships Program funding agreement \$12,800.**

MOTION CARRIED 6/0**FOR**

Cr L Sudlow
 Cr R Burges
 Cr D Pike
 Cr K Suckling
 Cr R Suckling
 Cr C Smith

AGAINST

ATTACHMENT**9.2.2 Monthly Financial Statements for the Period Ending 28 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:	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 28 February 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 28 February 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 \$975,823 (9.63%). 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 \$164,644 1.76% 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 \$8,363,819 (91.01%), as the year progresses funding will be received and recognised.
- Capital outflows were below year-to-date budget by \$11,138,367, 92.30%, 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
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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 28 February 2026 in accordance with ATTACHMENT: 9.2.2(1).

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Suckling, R

03/26-41

That Council receives the Monthly Financial Report for the period ending 28 February 2026 in accordance with ATTACHMENT: 9.2.2(1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

ATTACHMENT**9.2.3 Proposed February 2026 List of Accounts for Endorsement on 19 March 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:	25 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of February 2026 payments is submitted to Council on 19 March 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 (Financial Management) Regulation 1996*.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note Municipal EFT payments numbered EFT28858 to EFT28995 totalling \$596,908.45; Municipal Fund Cheques 22645 to 22651 inclusive totalling \$19,497.11; Direct Debit payments numbered GJ0807 to GJ0813 inclusive, payroll and superannuation totalling \$306,128.44; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.3 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

03/26-42

That Council note Municipal EFT payments numbered EFT28858 to EFT28995 totalling \$596,908.45; Municipal Fund Cheques 22645 to 22651 inclusive totalling \$19,497.11; Direct Debit payments numbered GJ0807 to GJ0813 inclusive, payroll and superannuation totalling \$306,128.44; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.3 (1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

APPENDIX

9.2.4 Proposed Disposal of Property being Lot 6 (No. 78) Robinson Street, Northampton

PROPONENT OWNER	Daphne Jean Harris Shire of Northampton
LOCATION / ADDRESS:	Lot 6 (No. 78) Robinson Street, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	10.8.2.4/A1872
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton currently owns freehold residential property on Robinson Street, Northampton.

78 Robinson Street is a 1,004 m² lot located among other residential properties, within walking distance of community amenities and the town centre. The property features a three-bedroom, one-bathroom house with a single lock-up garage and open living areas.

The purpose of this report is for Council to consider disposing of Lot 6 (No. 78) Robinson Street, Northampton.



Figure 10 – Lot 6 (No. 78) Robinson Street, Northampton

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Unless exempt, any disposal of property by Council requires a current market valuation which has been completed.

The Site

The legal description of the site is Lot 6 on Diagram 42861, contained in Certificate of Title Volume 1431 Folio 262.

The site is situated within an established residential area, with Lot 6 being a rectangular 1,004 m² allotment. Its size provides ample space around the house and a generous backyard.

Robinson Street lies in the central residential area of Northampton, within walking or short driving distance of town amenities including shops, schools, healthcare facilities, and the retail precinct along Hampton Road.

Zoning

The site is situated on land zoned 'Residential' under Local Planning Scheme No. 10 (LPS10) with the objectives as follows:

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

Legislation

The Shire is bound under the *Local Government Act 1995* (the Act) with regard to the disposal of property. Section 3.58 of the Act enables a local government to dispose of a property to the highest bidder at a public auction; by way of a public tender process; or by giving local public notice of the proposed disposition and following the public consultation process as prescribed in subsection section 3.58 (3) of the Act. In this context disposing of a property means to 'sell, lease or otherwise dispose of, whether absolutely or not.'

Local Government Act 1995 – Section 3.58(3) Disposing of Property

- (3) *A local government can dispose of a property other than under subsection (2) if, before agreeing to dispose of the property –*
- (a) *it gives local public notice of the proposed disposition –*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by council or committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Market Value Assessment

The current market value of Lot 6 was assessed by an independent valuer on 7 January 2026. The assessment considered various economic factors as well as market sales evidence within the town of Northampton.

A market valuation of \$240,000 was determined as the current market value of Lot 6. It is noted that Goods and Services Tax (GST) is not applicable on this transaction as it is classified as input taxed which commonly applies to residential property sales.

Offer to Purchase

Lot 6 was advertised with a listing price of \$400,000, which generated initial enquiry. A formal offer to purchase was received on 18 February 2026 for \$350,000, being \$110,000 above the independent assessed value and \$50,000 below the advertised price. No other offers were received, suggesting the market response at the listed price was limited.

Summary

In considering the sole offer received, Shire Officers recommend accepting the cash offer on the basis that such an offer presents minimal risk, as it is not subject to finance approval, or other contingencies that could delay or jeopardise settlement.

It is recommended that the cash offer from Daphne Jean Harris for \$350,000 be accepted, as it ensures a timely and secure settlement while also delivering a financial return significantly above the property's assessed value.

STATUTORY ENVIRONMENT:

Local Government Act 1995 - Section 3.58 Disposing of Property.

Any private treaty negotiations to dispose of property 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 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 6 Robinson Street 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 9.2.8(A) and 9.2.8(B).

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 obligations attached to the disposal of public assets. While the risks can be managed through compliance, transparency and governance processes, the potential for financial, reputational and community attention elevates the rating above low.

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 property 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, overall, the sale will convert a fixed asset into liquid funds to implement initiatives as planned in the approved budget.

SUSTAINABILITY:

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

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

Social: Sale of property 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 in accordance with section 3.58 of the *Local Government Act 1995*:

- 1. Subject to point 3, agree to dispose of property Lot 6 (No. 78) Robinson Street, Northampton to Daphne Jean Harris;**
- 2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 6 (No. 78) Robinson Street, Northampton to Daphne Jean Harris for the sum of \$350,000.**
- 3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the Council meeting on 16 April 2026.**

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Burges, R

03/26-43

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 6 (No. 78) Robinson Street, Northampton to Daphne Jean Harris;**
- 2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 6 (No. 78) Robinson Street, Northampton to Daphne Jean Harris for the sum of \$350,000.**
- 3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the Council meeting on 16 April 2026.**

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

ATTACHMENT**9.3.1 Proposed Car Boot Sale and Markets - Reserve 25307 Grey Street, Kalbarri**

PROPONENT OWNER	Kalbarri Development Association Crown Land – Management Order to Shire of Northampton
LOCATION / ADDRESS:	Sally's Tree Grassed Area, Reserve 25307 Grey Street, Kalbarri
ZONE:	Public Open Space
BUSINESS AREA:	Community Services
FILE REFERENCE:	7.1.9 & 11.1.2
LEGISLATION:	<i>Local Government Act 1995; and Activities on Thoroughfares and Public Places and Trading Local Law 2017</i>
AUTHOR:	Cresta Viellaris
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	24 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Kalbarri Development Association (KDA) currently has approval to Community Markets on Mondays during school holidays.

KDA has now made application for approval to hold a car-boot-sale type market on one Saturday per month outside of school holidays. Their proposed dates are 16 May, 20 June, 15 August and 21 November 2026. Being for local stallholders only, it is proposed to hold the markets near Sally's tree and. Stallholders will be encouraged to set up their stall on the grassed area without their vehicle. The number of vehicles parked on the grassed area will be limited. The event is not expected to attract a large number of participants.

A copy of the correspondence received and site plan are shown attached.

ATTACHMENT: 9.3.1 (1)
ATTACHMENT: 9.3.1 (2)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The Kalbarri Development Association successfully managed the Community Markets each Monday of the school holidays throughout 2025. The proposed monthly car boot sale is intended to complement the existing community markets and provide Kalbarri residents with an additional opportunity to sell their wares.

Supporting such events aligns with the strategic recommendations set out in the Shire of Northampton Strategic Community Plan 2025-2035 by enhancing visitor numbers and contributing to local vibrancy. It is therefore recommended that the application be conditionally approved.

STATUTORY ENVIRONMENT:

Various legislation is applicable but not limited to the *Local Government Act 1995* and the Shire of Northampton Activities on Thoroughfares and Public Places and Trading Local Law 2017.

POLICY / STRATEGIC IMPLICATIONS:

Approval to the application would be consistent with the following desired outcomes as identified within the Shire of Northampton's 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:

Due to the nature of the event, the rating is considered Minor (2).

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: The monthly car boot sale markets are expected to generate additional income for local stallholders and small businesses by providing a venue for direct sales. Furthermore, the markets can contribute to the local economy by promoting entrepreneurship and supporting emerging micro-businesses, while increased foot traffic is likely to benefit nearby shops and service providers.

Social: In addition to potential economic benefits, these outdoor markets provide Kalbarri residents with the opportunity engage socially, thereby enhancing community connection and participation.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council approve the proposed Car Boot Sale and Markets event dates of 16 May, 20 June, 15 August and 21 November 2026, subject to the approval of Event Applications and Temporary Food Licence Applications as may be required.

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Pike, D

03/26-44

That Council approve the proposed Car Boot Sale and Markets event dates of 16 May, 20 June, 15 August and 21 November 2026, subject to the approval of Event Applications and Temporary Food Licence Applications as may be required.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

ATTACHMENT

9.4.1 Proposed Submission on Draft Renewable Energy Planning Code

PROPONENT	Western Australian Planning Commission
OWNER	N/A
LOCATION / ADDRESS:	Western Australia
ZONE:	N/A
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.4.4
LEGISLATION:	<i>Planning and Development Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	9 January 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Western Australian Planning Commission (WAPC) first released guidelines relating to renewable energy projects 2003, with a focus on wind farms. Despite the guidelines being reviewed in 2004 planning processes, framework and conditions of approval have not yet been standardised through the State. In the absence of a formal standardised framework, public consultation processes, the assessment of proposals and the resultant impacts and outcomes have varied from local authority to local authority.

With renewable energy projects in Western Australia growing in both number and size throughout the state over the past decade, WAPC has now released a draft Renewable Energy Planning Code and Guidelines with the aim of providing a clear and consistent framework for assessing energy infrastructure that supports the generation, storage and transmission of renewable energy across Western Australia.

The intent of the Code is to “*provide a clear and consistent development assessment framework for energy infrastructure (including renewable energy facilities, transmission systems and battery energy storage systems) that support the generation, storage and transmission of renewable energy across Western Australia.*” The Code sets out:

- a) Objectives and development provisions for the siting, design, construction, operation and decommissioning of energy infrastructure;
- b) Materials required to accompany development applications for energy infrastructure; and
- c) Consistent standards and requirements to support quality decision-making across local government areas.

Initially focused on wind farms, the WAPC website identifies that the Code will have the flexibility to expand to other renewable energy developments in the future. A full copy of the Draft Renewable Energy Planning Code and Guidelines are shown attached.

ATTACHMENT: 9.4.1 (1)

The WAPC is also proposing to:

- i) Amend the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* to introduce Model Scheme Text provisions to support the incorporation of the Planning Code into local planning schemes through future amendments or reviews;
- ii) Amend the Deemed Provisions to:
 - Promote consistency between local planning instruments and approved planning codes;
 - Require that an approved planning code is given due regard in considering applications for development approval;
 - Address the issue of noise sensitive development near wind farms – including the need for development approval for single houses within proximity to turbines; and
 - Introduce new land use definitions relevant to both renewable and green energy; and
- iii) Amend the *Planning and Development (Significant Development) Regulations 2024* to classify significant renewable energy facilities, battery storage facilities, transmission systems, hydrogen production facilities and ammonia production facilities valued at over \$20 million as ‘mandatory significant development’ requiring determination by the WAPC rather than local government.

Information sheets relating to the proposed changes to the Planning and Development (Local Planning Schemes) Regulations 2015 and Significant Development Regulations are attached.

ATTACHMENT: 9.4.1 (2)

ATTACHMENT: 9.4.1 (3)

Council is requested to consider lodging a submission on the Draft Code as outlined within the Comment Section below.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in considering the content of that submission, the following comments are offered:

Planning Code

In accordance with Part 3A of the *Planning and Development Act 2005 (the Act)*, the WAPC may, with the agreement of the Minister, prepare planning codes relating to any matter that may be the subject of a local planning scheme, setting out provisions that may be incorporated into a local planning scheme.

Code Application

The Code will apply to energy infrastructure throughout Western Australia including wind farms, transmission systems, solar farms and battery storage systems. As detailed in the draft Policy shown at Attachment: 9.4.1 (1) contains development standards for wind farms.

The Planning Code as proposed will ultimately apply to other forms of renewable energy facilities, battery storage systems and transmission systems.

Given that it is likely several renewable energy facilities will be established within the Shire, it is considered imperative that the Shire of Northampton lodge a detailed submission on behalf of its community.

Response to Draft Code

To assist Council in formulating comment on the draft Code, the following specific comments are provided:

Noise

The Draft Code identifies the objective that wind farms are sited, designed and operate to avoid an unreasonable noise impact on any existing or approved noise-sensitive land use and areas identified for the future development of such uses. However, the policy does not outline how such requirements will be met. It is recommended that detailed noise management plans be required for all wind farm proposals.

It is also noted that on page 12 of the draft Code, it is acknowledged that a wind farm's noise impact area may extend onto a non-host property, where the non-host lot contains sufficient area for construction of a future single house outside of the noise impact area.

This approach is not consistent with Environmental Protection Authority (EPA) Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses. The EPA guidelines clearly state that *“It is generally expected that, through appropriate site layout, design of facilities and the implementation of engineering and process controls, emissions from an individual industrial land use can be prevented from causing an adverse environmental impact beyond the boundaries of the particular site or beyond the boundaries of an industrial estate.”*

Within clause 2.1 of the EPA guidelines, power generation facilities are identified as an industrial land use.

Visual Amenity

If approved, the proposed will require wind turbines to be setback from external lot boundaries of 1.1 times the turbine height. This could result in a 300m high turbine being located 330m from the boundary. Impacts from turbines located at this distance could include significant impact on

amenity both visual and noise. It is recommended that applications for wind farms should be supported by a detailed visual impact assessment.

The Code identifies an objective to site and design wind farms to avoid or minimise adverse impacts on significant landscapes and significant views, particularly areas of recognised State, national or international significance. Large wind farms with multiple turbines located in close proximity to tourist routes has the potential to detrimentally impact on vistas located on significant tourist routes located within the Shire.

It is recommended that the Code should acknowledge an ability for Local Government to refuse an application where the wind farm has potential to detrimentally impact on vistas associated with documented tourist routes. The potential impacts on tourist vistas should be addressed as part of a detailed visual assessment.

Scale

Renewable Energy Facilities can vary significantly in scale and the size of the workforce (both during and after construction) being dependent on the intended product and technology in use. The provisions of the Code will apply to all wind farms irrespective of the size. In other words, the same provisions will apply to a single wind turbine as would a proposal involving 500 wind turbines.

Shire Officers consider that the potential visual, noise and environmental impacts of wind turbines increase with the size of the development. The more significant size of the development the more likely that detrimental social impacts may result.

It is therefore recommended that the State identify threshold criteria for wind farms that will be subjected to higher levels of assessment including Public Environmental Review and preparation of Social Impacts.

Landowner and Community Benefits

The Code Guidelines identify that is expected proponents of energy infrastructure are *“expected to establish community benefit-sharing agreements with local communities”*. The Guidelines also express the view that *“Both community benefit-sharing and landowner agreements sit outside the planning system”*. Such agreements will therefore remain voluntary.

It is strong recommended that Council object to these views and request the State Government to:

- a) Mandate the need for community benefit sharing agreements with local government, as representatives of the local community;
- b) Mandate a value/calculation of the benefits consistent with industry standard;
- c) Formalise the need for Social Impact Assessments to be completed in association with proposals for energy infrastructure; and

- d) Ensure that benefit sharing funds are utilised to address impacts on a community that are identified within an approved Social Impact Assessment.

Model Scheme Provisions

The *Planning and Development (Local Planning Schemes) Regulations 2015* outlined Model Provisions for local planning schemes that are to be used by local government when preparing or amending their local planning scheme(s).

In addition to the Code as advertised, the WAPC is proposing changes to the Model Provisions to include “*a provision to facilitate the incorporation of the RE Planning Code into Local Planning Schemes, providing a consistent mechanism for its application across the State*”.

Model Scheme provisions are enacted when incorporated into a Local Planning Scheme.

Deemed Provisions

Deemed to Apply provisions are also incorporated into the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Model Scheme Provisions must be followed by local government when amending its current Local Planning Scheme or when preparing a new Local Planning Scheme.

With landscapes and community fabrics varying greatly across the State, it is recommended that the state should acknowledge the ability for each community to identify areas of landscape significance where wind farms will not be permitted.

Conclusion

The need for consistent assessment of wind farms and other renewable energy facilities has been identified for numerous years. The objective of the draft code is to provide this consistency. That said the draft Code does not acknowledge the ability for the requirements to be tailored by local government to suit the attributes of their communities.

It is therefore recommended that the Shire of Northampton lodge a submission consistent with the comments contained in this agenda item.

STATUTORY ENVIRONMENT:

The draft Renewable Energy Planning Code is a new planning code, made by the WAPC under Part 3A of the Planning and Development Act 2005 and in accordance with the Planning and Development (Planning Codes) Regulations 2024.

POLICY / STRATEGIC IMPLICATIONS:

Appropriate siting of wind farms is required to ensure compliance with the following desired outcomes identified within the Shire’s Strategic Community Plan 2025-2035:

2.2 A protected landscape

Out Shire balances human wealth and pleasure with protection of our coastlines, riverbeds, and other natural landscape and marine features; and

2.3 Nature-based aesthetic appeal

The natural beauty of a Shire is conserved for our residents and to attract visitors.

ORGANISATIONAL RISK MANAGEMENT:

Adoption of the Draft Planning Code as advertised could result in the establishment of wind farms in locations that would have potential for significant detrimental impact on the Shire's natural landscape, particularly abutting recognised tourist routes. The risk rating is therefore considered 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:

Nil.

SUSTAINABILITY:

Environmental: Large scale renewable energy facilities have potential to impact on the environment through clearing, fauna and visual amenity.

Economic: Nil.

Social: Large scale renewable energy facilities have potential to impact on a local community through reduction of farmland activity and detrimental impact on significant tourist and landscape vistas.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council request the Chief Executive Officer to lodge a submission on the Draft Code of Practice for Renewable Energy Facilities based on the following principles:

- a) The impacts associated with large scale renewable energy facilities requires formal assessment through the preparation and implementation of visual impact and noise impact assessments;**
- b) The Shire of Northampton does not support noise impact zones associated with renewable energy facilities extending onto land not forming part of the proposal. Such an approach is contrary to the Environmental Protection Authority document “Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive land uses”, which identifies power generation facilities are an industrial land use and recommends emissions be contained within the boundaries of the particular site;**
- c) Greater setbacks should be required for wind turbines to ensure compliance with the Environmental Protection Authority Guidelines and in order to reduce the visual impact of the turbines;**
- d) The Code should be amended recognise the ability for individual local governments to prohibit wind turbines from areas located within identified significant landscapes and vistas associated with tourist routes;**
- e) A requirement to identify a threshold/minimum size renewable energy facility where a detailed Social Impact Assessment and Environmental Impact Assessment will be required; and**
- f) With respect to Community Benefit Sharing Agreements:**
 - i) Mandate the need for community benefit sharing agreements with local government, as representatives of the local community;**
 - ii) Mandate a value/calculation of the benefits consistent with industry standard;**
 - iii) Formalise the need for Social Impact Assessments to be completed in association with proposals for energy infrastructure; and**
 - iv) Ensure that benefit sharing funds are utilised to address impacts on a community that are identified within an approved Social Impact Assessment.**

COUNCIL RESOLUTION:**MOVED: Sudlow, L SECONDED: Burges, R****03/26-45**

That Council request the Chief Executive Officer to lodge a submission on the Draft Code of Practice for Renewable Energy Facilities based on the following principles:

- a) **The impacts associated with large scale renewable energy facilities requires formal assessment through the preparation and implementation of visual impact and noise impact assessments;**
- b) **The Shire of Northampton does not support noise impact zones associated with renewable energy facilities extending onto land not forming part of the proposal. Such an approach is contrary to the Environmental Protection Authority document “Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive land uses”, which identifies power generation facilities are an industrial land use and recommends emissions be contained within the boundaries of the particular site;**
- c) **Greater setbacks should be required for wind turbines to ensure compliance with the Environmental Protection Authority Guidelines and in order to reduce the visual impact of the turbines;**
- d) **The Code should be amended to recognise an ability for individual local governments to prohibit wind turbines in areas;**
 - i. **That are identified as significant landscape protection areas under the Local Planning Scheme;**
 - ii. **That impact on natural vistas associated with recognised tourist routes such as George Grey Drive;**
 - iii. **Where the wind turbines would detrimentally impact on natural vistas from significant tourist sites with natural vistas such as the Kalbarri Skywalk; and**
 - iv. **Where associated lighting will impact on Dark Sky principles.**
- e) **A requirement to identify a threshold/minimum size renewable energy facility where a detailed Social Impact Assessment and Environmental Impact Assessment will be required; and**
- f) **With respect to Community Benefit Sharing Agreements:**
 - i) **Mandate the need for community benefit sharing agreements with local government as the representatives of the local community;**
 - ii) **Mandate a value/calculation of the benefits consistent with industry standard;**
 - iii) **Formalise the need for Social Impact Assessments to be completed in association with proposals for energy infrastructure; and**

- iv) Ensure that benefit sharing funds are utilised to address impacts on a community that are identified within an approved Social Impact Assessment.
- g) The Code and associated amendment to the Deemed to Apply Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* reflecting processes that ensure the relevant local government is consulted as part of the State Governments assessment processes.

MOTION CARRIED 5/1

FOR

Cr L Sudlow
Cr R Burges
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Cr D Pike

ATTACHMENT**9.4.2 Planning Decisions for February 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:	3 March 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 Scheme) and adopted Local Planning Policies.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. Whilst a summary of the decisions is provided in the comment section below a spreadsheet detailing all decisions made in February 2026 is shown attached.

ATTACHMENT: 9.4.2 (1)**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 February 2026 a total of four (4) applications were determined under delegated authority, including three (3) administrative applications with no value.

In addition, there were two (2) subdivisions referred to the Shire for comment in the month of February 2026. One application was referred to Council for determination while the second one was determined under delegation. Both applications were in relation to two (2) lot subdivisions. Further information is provided within the attached spreadsheet.

ATTACHMENT: 9.4.2 (2)

Table 1 shows the number and value of development applications determined under both delegated authority and by Council for February 2026 compared to February 2025.

Table 1: Planning Decisions made in February 2025 and February 2026

	February 2025	February 2026
Delegated Decisions	4 - \$136,421 **1	4 - \$8,000 **3
Council Decisions	4** 1 Refusal (\$75,000)	8 - \$1,265,500 **3
Total	8 - \$136,421	12 - \$1,273,500

Table 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2025-26 compared to previous Financial Year.

Table 2: Planning Decisions Made Year-To-Date 2025 and 2026

	YTD 2025	YTD 2026
Delegated Decisions	91 - \$6,090,957 **36	9 - \$311,900 **5
Council Decisions	19 - \$5,817,452 **5 5 Refusals	8 - \$1,265,500 **3
Total	110 - \$11,908,409	17 - \$1,577,400

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

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

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the report on Delegated Development Approvals and Subdivision Applications as detailed in ATTACHMENT: 9.4.2 (1) and ATTACHMENT: 9.4.2 (2) respectively.

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Burges, R

03/26-46

That Council receive the report on Delegated Development Approvals and Subdivision Applications as detailed in ATTACHMENT: 9.4.2 (1) and ATTACHMENT: 9.4.2 (2) respectively.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Councillor Sudlow declared a financial interest in Item 9.4.3 – Proposed Serviced Accommodation Units (Tasman Holiday Park) at Lot 587 (No. 80) Grey Street, Kalbarri as she owns property in an accommodation development in the vicinity and left the Chambers at 2:25 pm.

Councillor Karl Suckling assumed the chair.

ATTACHMENT

9.4.3 Proposed Serviced Accommodation Units (Tasman Holiday Park) at Lot 587 (No. 80) Grey Street, Kalbarri

PROPONENT	Resolve Group Pty Ltd
OWNER	Tasman Tourism Property Pty Ltd
LOCATION / ADDRESS:	Lot 587 (No. 80) Grey Street, Kalbarri
ZONE:	Tourism
BUSINESS AREA:	Planning Services
FILE REFERENCE:	A3 & 10.6.1.3
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Kaylene Roberts; Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire is in receipt of a development application for nine (9) Serviced Accommodation Units on Lot 587 (No. 80) Grey Street, Kalbarri. Lot 587 having an area of 1,825m², is currently vacant a shown on the location plan below.

Location Plan



The landowners currently own and operate the Tasman Holiday Park which abuts the northern side and rear boundary of the land and intend to operate the nine (9) serviced apartments as part of the Holiday Park.

Plans submitted in support of the application detail that the 9 units will consist of:

- a. Five (5) modular buildings being two (2) bedrooms by one (1) bathroom self-contained with one unit being accessible compliant. Each unit is to be constructed with a verandah/outdoor eating space facing Grey Street; and
- b. Two (2) Modular buildings each containing two (2) single bedroom units with open plan living kitchen and en-suite bathrooms, but not a laundry.

A copy of the plans as submitted are attached.

ATTACHMENT: 9.4.3 (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):

In accordance with the Deemed Provisions applied through clause 67(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, local government is required to have regard to various matters when determining an application for Development Approval. These matters include, but not limited to the following:

- a) the aims and provisions of the Local Planning Scheme(s);
- b) requirements for orderly and proper planning;
- c) any approved State Planning Policy;
- m) the compatibility of the development with its setting, including the compatibility with the desired future character and the relationship to development on the land and the effect of the scale, orientation and appearance of the development;
- n) the amenity of the locality including environmental impacts of the development, character of the locality and social impacts of the development; and
- s) the adequacy of the proposed means of access to and egress from the site, including arrangements for the loading, unloading, manoeuvring and parking of vehicles;

To assist Council in determining the applicants request having regard to the above matters, the following advice is offered:

Zoning

The provisions of the Shire's Local Planning Scheme No. 11 (the Scheme) include the land within the "Centre" Zone. The objectives of this zone are:

- *To designate land for future development as a town centre or activity centre.*
- *To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.*

Serviced Apartments are permitted within the Centre zone. The Scheme defines Serviced Apartments as:

- a) self-contained short stay accommodation for guests; and
- b) any associated reception or recreational facilities.

In this case the development will be operated and serviced by the Tasman Holiday Resort.

Proposed Development

As reflected on the submitted plans, the proposed buildings are modular by construction. The building materials for each of the units comprise of corrugated metal roof sheeting and weatherboard cladding to external walls.

The proposed colours to be used on the development are Shale Grey to the roof, while the wall paint on the weatherboard cladding is Shale Grey, window and glass sliding doors are white aluminium while the flashings, columns and handrails are Woodland Grey.

If approved, each of the units facing Grey Street will be setback a minimum of 3 metres from the property boundary. Each unit will have a deck/outdoor dining area presenting to Grey Street. With the Scheme provisions permitting nil setbacks to all boundaries, all setbacks comply.

The proposal also details landscaping to be undertaken. The area of landscaping exceeds the requirement for 10% open space within the Centre Zone. Should the application be approved, it is recommended that conditions be imposed to require the preparation of a detailed landscaping plan along with requirements for the landscaping to be installed within 60 days of completion of the development and from thereon maintained.

Operational Management Plan

The applicants have submitted an Operational Management Plan which outlines the management and operation of the serviced apartments, which will form part of, and be managed by, the existing Tasman Holiday Park. The existing management team will oversee the day-to-day operations, bookings and guest services. Maintenance will also be undertaken by park staff.

Guest management and advertising of the units will be via the existing Tasman Holiday Park website and other popular short stay accommodation apps and platforms. All information regarding the accommodation will be provided to the guests on check-in which will include site rules and emergency contact details.

Guests will be advised of noise restrictions at check in while quiet hours will apply between 10.00pm and 7.00am and will be monitored by management.

Emergency response procedures will be aligned with the Parks existing management systems which include clearly displayed evacuation maps, staff trained in first aid, regular testing and maintenance of fire safety equipment and emergency contact numbers provided in each unit. A copy of the submitted operation plan is shown attached.

ATTACHMENT: 9.4.3 (2)

Proposed Access

Access to the site is to be via a crossover to Grey Street to the western side boundary. The crossover will provide vehicular access via a defined 6.4m wide driveway and boom gates. The existing crossover is to be demolished once the new crossover has been established. The internal 6m wide driveway will provide access to all sites and the plans show ingress and egress off the property.

Carparking

In accordance with Schedule 4 of the Scheme, parking for serviced apartments is usually required at a rate of 2 parking bays per apartment. There is no formal requirement for provision of visitor parking.

As reflected on the site plan shown at Attachment: 9.4.3 (1), the applicants are proposing a single car parking bay adjacent to each unit and advise that:

- a) In accordance with the proposed Operational Management Plan shown at Attachment: 9.4.3 (1), the development will be managed in tandem with the adjacent Tasman Holiday Park; and
- b) At the time of booking, all guests will be advised of the one vehicle per unit, with any additional parking requirements (including boat parking) required to be booked and confirmed in advance.

With respect to visitor parking, although not required under the Scheme, the applicants highlight that there is a substantial carpark located immediately opposite the site on the northern side of Grey Street. This carpark is currently underutilised and would offer convenient proximate parking for any occasional visitors that may attend the site.

Following analysis of the submitted plans, Shire Officers advise that:

- a) The single bedroom/studio units are of a kind normally found in a motel. As the Scheme only requires 1 carparking bay per motel unit, this level of parking is considered acceptable;
- b) There is sufficient room between the units facing Grey Street for the applicant to provide two car parking bays per unit for four of the five proposed units. This would reduce to the parking short fall to a single bay.

Given that the development is to be managed in conjunction with the abutting Tasman Holiday Park and having regard to the public parking area on the north side of Grey Street, it is recommended that the parking requirements be relaxed, and the development be conditionally approved.

Fencing

The application is proposing to erect a 1.2m high tubular fence around the perimeter of the development. There are existing bollards to the rear of the site, which will be retained.

State Planning Policy 3.7 – Planning for Bushfire

The Department of Fire and Emergency Services bushfire mapping identifies the subject site as being Bush Fire Prone given vegetation located adjacent to the southern boundary of the site. Given this, the provisions of the State Planning Policy No. 3.7 – Planning for Bushfire (SPP 3.7), require the following matters to be addressed:

- a) Complete a Bushfire Attack Level Assessment;
- b) Identification of any hazards resulting from the assessment;
- c) An assessment against bushfire protection criteria as contained within the Planning for Bushfire Guidelines; and
- d) Preparation of a Bushfire Management Plan and Bushfire Emergency Evacuation Plan as may be required.

To address the requirements of SPP 3.7 and associated guidelines, the applicants have submitted a Bushfire Management Plan and Bushfire Emergency Plan which were prepared by a suitably qualified consultant.

Bushfire Management Plan (BMP)

The submitted BMP has identified that the BAL ratings for each of the units as being:

- BAL 12.5 for Motel Suites – North;
- BAL 29 for Motel Suites – South
- BAL 29 for Type A Cabin 1
- BAL 19 for Type A Cabin 2
- BAL 12.5 for Type A Cabin 3 & 4
- BAL 29 for Type B Cabin.

The BAL requirements comply with the requirements of SPP 3.7.

A copy of the submitted Bushfire Management Plan and associated Bushfire Emergency Plan are shown attached.

ATTACHMENT: 9.4.3 (3)

ATTACHMENT: 9.4.3 (4)

Conclusion

The proposed Serviced Accommodation Unit development is generally consistent with the provisions and requirements of the Shire of Northampton Local Planning Scheme No. 11. Conditional approval is therefore recommended.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Approval to the application is consistent with the following desired outcomes as contained within the Shire of Northampton Strategic Community Plan 2025-2035:

1.1 Local and Thriving

We feel supported to work and grow our business 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 tourist industry.

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 required application fee has been paid in accordance with the Shire of Northampton Schedule of Fees and Charges, adopted as part of the 2025/2026 annual budget.

SUSTAINABILITY:

Environmental: The site is currently clear of significant vegetation, potential environmental impact is limited to the construction.

Economic: Approval to the application will result in the creation of additional accommodation opportunities.

Social: Approval to the application will ensure additional visitors are able to secure accommodation within the Kalbarri community.

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

That Council in accordance with clause 68 of the Deemed to Apply provisions contained within the Planning and Development (Local Planning Scheme) Regulations 2015, grant approval to the proposed Serviced Apartments on Lot 587 (No. 80) Grey Street, Kalbarri, 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.	Application Information	3 February 2026
2.	Operational Management Plan	3 February 2026
3.	Accommodation Plans	3 February 2026
4.	Swept Path Site Plans	3 February 2026
5.	Bushfire Management Plan	3 February 2026
6.	Bushfire Emergency Plan	3 February 2026

- 2. Notwithstanding Condition No 1 above, the plans hereby approved shall be modified to provide two parking bays for four of the five two bedroom cabins to the satisfaction of the Shire of Northampton;**
- 3. The development hereby approved shall be connected to the Water Corporations reticulated sewerage system;**
- 4. Unless otherwise approved by Council, no person shall stay for any period longer than 3 months in any 12 month period;**
- 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 onto the land shall be stabilised to the satisfaction of the Shire of Northampton;
 7. Prior to the occupation or use of the development hereby approved, the area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan shall:
 - i) be constructed, drained and marked;
 - ii) thereafter be maintained to the satisfaction of the Council;
 - iii) be made available for such use at all times and not used for any other purpose; and
 - iv) be properly formed to such levels that it can be used in accordance with the plan;
 8. Prior to the occupation of the development, a vehicle crossover between the subject land and Grey Street is to be located, designed, constructed, sealed and drained and from thereon maintained to the specification and satisfaction of the Shire of Northampton;
 9. An external Lighting Plan showing lighting to pathways and car parking areas are to be submitted and approved prior to the application for Building Permit. All lighting is to be installed and operated as per the approved plan to the satisfaction of the Shire of Northampton;
 10. Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) must be submitted to and approved to the satisfaction of the Shire of Northampton, and must include the following:
 - i) The location, number and type of existing and proposed trees and shrubs including planter and/or tree pit sizes and planting density;
 - ii) Any lawns to be established;
 - iii) Any trees/shrubs to be removed;
 - iv) Any existing and/or natural landscaped areas to be retained;
 - v) Those areas to be updated, reticulated or irrigated;
 - vi) Verge treatments;
 - vii) Evidence that the proposed landscaping will not, at maturity, negatively impact the development or adjoining properties; and
 - viii) Location and type of fencing and/or paving to be installed.
 11. The landscaping detailed within the approved landscaping plan shall be established within 60 days of the practical completion of the development and from thereon maintained to the satisfaction of the Shire of Northampton.
 12. A schedule of colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, must be submitted to and approved by the Shire of Northampton, prior to lodging an application for a building permit. The development must be finished, and thereafter maintained, in

accordance with the scheduled provided to and approved by the Shire of Northampton, prior to occupation of the development;

13. Unless otherwise approved by the Shire of Northampton, the requirements of the approved Bushfire Management Plan shall be met prior to commencement of the use hereby approved and from there on in maintained 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) The approved development must comply with all relevant provisions of the *Health (Miscellaneous Provisions) Act, 1911* (as Amended) and the National Construction Code.
- (iii) The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Northampton.

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Smith, C

03/26-47

That Council in accordance with clause 68 of the Deemed to Apply provisions contained within the Planning and Development (Local Planning Scheme) Regulations 2015, grant approval to the proposed Serviced Apartments on Lot 587 (No. 80) Grey Street, Kalbarri, 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.	Application Information	3 February 2026
2.	Operational Management Plan	3 February 2026
3.	Accommodation Plans	3 February 2026
4.	Swept Path Site Plans	3 February 2026
5.	Bushfire Management Plan	3 February 2026
6.	Bushfire Emergency Plan	3 February 2026

2. Notwithstanding Condition No 1 above, the plans hereby approved shall be modified to provide two parking bays for four of the five two bedroom cabins to the satisfaction of the Shire of Northampton;
3. The development hereby approved shall be connected to the Water Corporations reticulated sewerage system;
4. Unless otherwise approved by Council, no person shall stay for any period longer than 3 months in any 12 month period;
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 onto the land shall be stabilised to the satisfaction of the Shire of Northampton;
7. Prior to the occupation or use of the development hereby approved, the area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan shall:
 - i) be constructed, drained and marked;
 - ii) thereafter be maintained to the satisfaction of the Council;
 - iii) be made available for such use at all times and not used for any other purpose; and
 - iv) be properly formed to such levels that it can be used in accordance with the plan;
8. Prior to the occupation of the development, a vehicle crossover between the subject land and Grey Street is to be located, designed, constructed, sealed and drained and from thereon maintained to the specification and satisfaction of the Shire of Northampton;
9. An external Lighting Plan showing lighting to pathways and car parking areas are to be submitted and approved prior to the application for Building Permit. All lighting is to be installed and operated as per the approved plan to the satisfaction of the Shire of Northampton;
10. Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) must be submitted to and approved to the satisfaction of the Shire of Northampton, and must include the following:
 - i) The location, number and type of existing and proposed trees and shrubs including planter and/or tree pit sizes and planting density;
 - ii) Any lawns to be established;
 - iii) Any trees/shrubs to be removed;
 - iv) Any existing and/or natural landscaped areas to be retained;
 - v) Those areas to be updated, reticulated or irrigated;

- vi) **Verge treatments;**
 - vii) **Evidence that the proposed landscaping will not, at maturity, negatively impact the development or adjoining properties; and**
 - viii) **Location and type of fencing and/or paving to be installed.**
11. **The landscaping detailed within the approved landscaping plan shall be established within 60 days of the practical completion of the development and from thereon maintained to the satisfaction of the Shire of Northampton.**
 12. **A schedule of colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, must be submitted to and approved by the Shire of Northampton, prior to lodging an application for a building permit. The development must be finished, and thereafter maintained, in accordance with the scheduled provided to and approved by the Shire of Northampton, prior to occupation of the development;**
 13. **Unless otherwise approved by the Shire of Northampton, the requirements of the approved Bushfire Management Plan shall be met prior to commencement of the use hereby approved and from there on in maintained 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) **The approved development must comply with all relevant provisions of the *Health (Miscellaneous Provisions) Act, 1911 (as Amended)* and the National Construction Code.**
- (iii) **The provision of all services, including augmentation of existing services, necessary as a consequence of any proposed development shall be at the cost of the developer and at no cost to the Shire of Northampton.**

MOTION CARRIED 5/0

FOR

Cr R Burges
 Cr D Pike
 Cr K Suckling
 Cr R Suckling
 Cr C Smith

AGAINST

Councillor Karl Suckling relinquished the chair.

Councillor Sudlow returned to the Chambers at 2:26pm and reassumed the chair.

**ATTACHMENT
APPENDIX**

9.4.4 Request for Reconsideration - Condition of Approval relating to Lot 77 (No 106) Mitchell Street, Horrocks

PROPONENT	G & K Waters
OWNER	G & 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:	6 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At its Ordinary Council meeting held on 19 February 2026, Council resolved to grant conditional approval to a retrospective application for Development Approval to a retaining wall and alteration of contours at the rear of Lot 77 (No 106) Mitchell Street, Horrocks. A location plan is shown below.

Location Plan



An excerpt of the Council minutes and a copy of the proposed plans are Appended separately.

**APPENDIX: 9.4.4 (A)
APPENDIX: 9.4.4 (B)**

An email has been received from the applicants/landowners, requesting that Council reconsider the requirements of condition No 2. A copy of their request is shown attached.

ATTACHMENT: 9.4.4 (1)

PUBLIC CONSULTATION UNDERTAKEN:

As identified in Appendix: 9.4.4 (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):

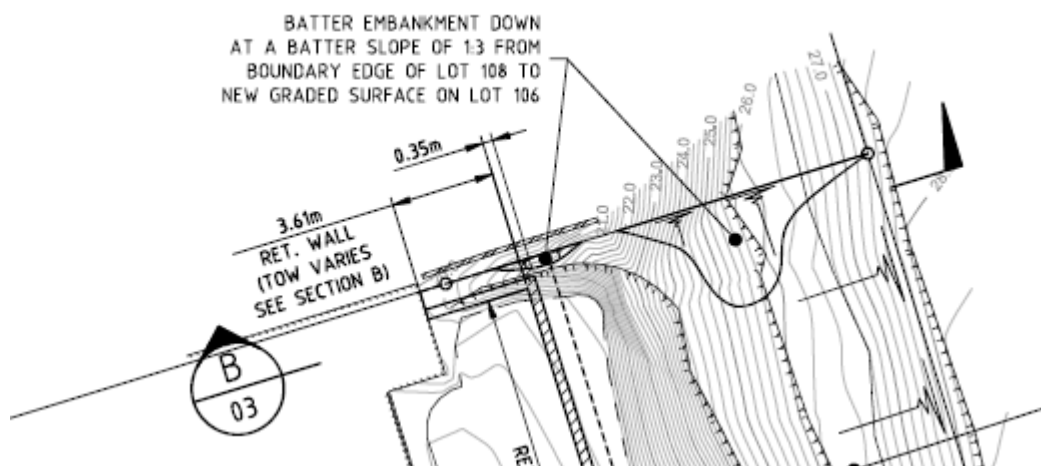
In assessing the application as presented to Council on 19 February 2026, Shire Officers considered that it was appropriate to prevent further excavation of the property within 1m of the northern side property boundary. Council supported this approach, imposing condition No 2 stipulating no further excavation in that area.

Through their email and photographs as shown at Attachment: 9.4.4 (1), the applicant has advised that:

- a) This will leave approximately 5m³ of material somewhat suspended;
- b) The applicant's surveyor has identified that the boundaries of properties on Mitchell Street are out to the north by 300mm;
- c) It will not be possible to retain the material; and
- d) They are seeking to match the existing levels on the neighbouring property in that area.

As reflected in Figure 1 below, the proposed plans considered by Council indicated two further areas of excavation on the northern side boundary. Shire Officers considered that with existing vegetation stabilising the current soil profile, there was no justification for further excavation of the land within 1m of the property boundary.

Figure 1



Having regard to the applicant's latest submission it is acknowledged that excavation of the smaller (western) of the two areas will result in the applicant's land matching the existing level on the neighbouring property. Given this, the applicants request for reconsideration is supported.

It is therefore recommended that condition No 2 be revised to read as follows:

2. Notwithstanding condition No 1 above, except for the proposed excavation immediately adjacent to the proposed retaining wall, no other excavation shall be undertaken within 1 metre of the northern side boundary.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and the "Deemed to Apply" provisions contained within Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

POLICY / STRATEGIC IMPLICATIONS:

Appropriate conditions of approval are required to ensure that the slope of the rear of the property is stabilised prior to revegetation of the area, avoiding both water and wind erosion whilst ensuring 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:

Nil.

SUSTAINABILITY:

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:

- A. Approve the applicants request as detailed in Attachment: 9.4.4 (1) and amend condition No 2 of Council’s resolution 02/26-28 to read as follows:**
- 2. Notwithstanding condition No 1 above, except for the proposed excavation immediately adjacent to the proposed retaining wall, no other excavation shall be undertaken within 1 metre of the northern side boundary; and**
- B. Request the Chief Executive Officer notify the owner of No 108 Mitchell Street, Horrocks accordingly.**

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

03/26-48

That Council:

- A. Approve the applicants request as detailed in Attachment: 9.4.4 (1) and delete condition No 2 of Council’s resolution 02/26-28.**
- B. Request the Chief Executive Officer notify the owner of No 108 Mitchell Street, Horrocks accordingly.**

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

ATTACHMENT**9.4.5 Proposed Marine Fuel Facility - Storage Tank and Bund Wall at Lot 200 (Reserve 52436) Grey Street, Kalbarri**

PROPONENT OWNER	Baileys Marine Fuels Australia Shire of Northampton
LOCATION / ADDRESS:	Lot 200 (Reserve 52436) Grey Street, Kalbarri
ZONE:	Public Open Space
BUSINESS AREA:	Planning Services
FILE REFERENCE:	A5176 & 12.2.4
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Kaylene Roberts; Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	6 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton holds a management order over Reserve 52436, being a 7,940m² crown reserve, for the purpose of Fishing and Tourism. The reserve is currently developed with public toilets, a concrete water tank and a bunded fuel tank providing diesel fuel for the fishing and charter boat industry. The upper portion of the reserve abutting Grey Street is developed with a bitumen carpark whilst balance of the reserve is developed with a gravel carpark as shown on the location plan below.

Location Plan

The applicants previously held a lease over that land containing the fuel storage facility and fuel lines associated with the bowsers located on either side of the adjacent refuelling jetty. That lease expired on 17 October 2025, and the

Shire's Manager of Corporate Services is currently liaising with applicant over a new licence to occupy portion of the reserve containing the refuelling facilities.

An application has now been received to replace the existing aging storage tank with a new 110,000 litre storage tank and concrete blockwork bund to ensure that the facility meets current licensing standards. The storage tank and bund will be contained within a 1.8m fence. Copies of the submitted plan and supporting information are shown attached.

ATTACHMENT: 9.4.5 (1)

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 Fishing – Tourism. 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 the *Planning and Development (Local Planning Scheme) Regulations 2015* outlines those matters that must be contemplated in determining an application for development approval. Matters relevant to consideration of the proposal are as follows:

- (a) *The aims and provisions of the Scheme (including any planning codes in that area, with or without modifications to 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 Fishing – Tourism. The establishment of a fuel storage facility for the use of the applicant and other users is consistent with the purpose of the reserve.

Proposed Location

The marine fuel facility is already existing within the carpark within the Reserve on Grey Street. The fuel storage facility is setback 13.5 metres from Grey Street and approximately 45 metres from the jetty. These setbacks are consistent with the existing setbacks and therefore considered to be acceptable.

The marine fuel facility will be enclosed with a concrete block bund wall and is located within a 1.8m high chain wire fence.

Lease/Licence to Occupy

For the applicant to receive a new license to occupy the site, they were required to undertake an audit of the facility to ensure compliance the Australian Standard (AS1910) – Storage and Handling of Workplace Dangerous Goods. A copy of the report is attached.

ATTACHMENT: 9.4.5 (2)

The audit was undertaken by a Western Australian Department of Local Government, Industry Regulation and Safety accredited consultant. The assessment has been completed and was found that the diesel storage tank area in Kalbarri meets compliance criteria with the facility having a risk of 'As Low As Reasonably Practicable'.

The applicant has stated that the site has been and continues to be inspected quarterly for compliance under Baileys Marine Fuels Australia Environmental Management System requirements. (ISO 14001:2015 Environmental Accreditation – Standards Australia).

Conclusion

The proposed new marine fuel tank and bund to support users of the marina, is consistent with the provisions of Local Planning Scheme No. 11, it is therefore recommended that the application be conditionally approved.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

The operation of the existing marine fuel facility 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:

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 required application fee has been paid in accordance with the Schedule of Fees and Charges as adopted by Council as part of the 2025/2026 annual budget.

SUSTAINABILITY:

Environmental: Establishment of the fuel facility within the existing location will not result in any clearing as the area is already clear of vegetation.

Economic: Approval to the establishment of the Marine Fuel Facility proposed will support the tour boat operators and fishermen within the Kalbarri community utilising the marina.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

A. In accordance with Local Planning Scheme No. 11 – Kalbarri grant planning approval for the proposed Marine Fuel Facility Tank and Bund Wall at Lot 200 (Reserve 52436) Grey Street, Kalbarri in accordance with the plans and specifications at Attachment: 9.4.5 (1), subject to the following conditions:

- 1. This approval will relate to the proposed Marine Fuel Facility Tank and Bund Wall only;**
- 2. 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.	Marine Compound Setout	24 February 2026
2.	Audit Report	24 February 2026

- 3. The proposed Marine Fuel Facility Tank being for the sole use of the applicant, unless otherwise approved by the Shire of Northampton;**
- 4. 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;**
- 5. All stormwater and drainage runoff associated with the development hereby approved shall be so managed so as not to detrimentally impact on the existing marina 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.**
- B. Advise the applicant that prior to the commencement of any works associated with the above approval, the applicant is required to enter into a new Licence to Occupy with the Shire of Northampton for that portion of the reserve occupied by the facilities.**

COUNCIL RESOLUTION:**MOVED: Burges, R SECONDED: Smith, C****03/26-49****That Council:**

A. In accordance with Local Planning Scheme No. 11 – Kalbarri grant planning approval for the proposed Marine Fuel Facility Tank and Bund Wall at Lot 200 (Reserve 52436) Grey Street, Kalbarri in accordance with the plans and specifications at Attachment: 9.4.5 (1), subject to the following conditions:

- 1. This approval will relate to the proposed Marine Fuel Facility Tank and Bund Wall only;**
- 2. 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.	Marine Compound Setout	24 February 2026
2.	Audit Report	24 February 2026

- 3. The proposed Marine Fuel Facility Tank being for the sole use of the applicant, unless otherwise approved by the Shire of Northampton;**
- 4. 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;**
- 5. All stormwater and drainage runoff associated with the development hereby approved shall be so managed so as not to detrimentally impact on the existing marina 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.**
- B. Advise the applicant that prior to the commencement of any works associated with the above approval, the applicant is required to**

enter into a new Licence to Occupy with the Shire of Northampton for that portion of the reserve occupied by the facilities.

- C. Having regard to future beautification and revitalisation works to be undertaken on the Murchison River foreshore, request that Shire Officers liaise with the applicant over the potential for installation of a solid screen fence, as opposed to a chain mesh fence, in order to better screen the fuel storage tank from the adjacent area.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Councillor Roslyn Suckling declared a Proximity Interest in Item 9.4.6 – Potential Rezoning of Lot 100 (No 31) Glance Street, Horrocks as she owns property within Lot 100 (No 31) Glance Street, Horrocks and left the Chambers at 2:31pm.

ATTACHMENT

9.4.6 Potential Rezoning of Lot 100 (No 31) Glance Street, Horrocks

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Lot 100 (31) Glance Street, Horrocks
ZONE:	Current Zoning – Commercial Proposed Zoning - Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.5.1
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The subject land, being Lot 100 (31) Glance Street is a strata development consisting of 59 strata lots, primarily developed with short stay accommodation. As shown on the arial photograph below, the strata dwellings vary in shape, size and colour.

Location Plan



A development application relating to strata lot 42 was presented to Council for determination at its 19 February 2026 meeting. As part of the agenda item, it was identified to Council that the provisions of Local Planning Scheme No 10 include the Horrocks Strata within the Commercial Zone.

In addition to resolving to conditionally approve the proposed development on Lot 42, Council resolved (Resolution 02/26-20) to:

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

This agenda item has prepared to facilitate Council considering an amendment to the Local Planning Scheme provisions.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The provisions of Local Planning Scheme No 10 (the Scheme), as gazetted on 6 January 2012 include a substantial area of the Horrocks Townsite within the Commercial Zone. A copy of the Scheme map relating to the Horrocks townsite is shown attached.

ATTACHMENT: 9.4.6 (1)

Table 1 shown below is a summary of the land contained within the Commercial Zone and its current use:

Table 1

Land Description	Current Use
1 Properties contained in the Glance Cove strata, west of North Court	Dwellings/Holiday Homes
2 Lot 19 Glance Street	Memorial Park
3 Lot 12 (No 5) Glance Street	Horrocks Beachside Cottages
4 Lot 11 (No 7-9) Glance Street	Horrocks General Store
5 Lot 83 (No 11) Glance Street (owned by General Store)	Vacant
6 Lot 101 Glance Street (owned by Shire)	Vacant land (see comments below)
7. Lot 100 Glance Street	Glance Street Strata Dwellings/Holiday Homes
8. Lots 70 & 202 Glance Street (owned by Shire)	Horrocks Foreshore.
9 6 lots located on West side of Glance Street	Residential, with one vacant.

Previous Local Planning Scheme No 8 – Horrocks

Prior to the current Scheme, Local Planning Scheme No 8 applied to the townsite of Horrocks and its immediate surrounds. Local Planning Scheme No

8 also include the land list above, together with the Horrocks Caravan Park, as being within the Commercial Zone.

Local Planning Scheme No 8 was gazetted in 1987, meaning that the land has now been zoned Commercial for 39 years.

Glance Street Strata Design Guidelines

Existing development within the Strata is not typical residential development, with the strata not permitting strata boundary fencing, facilitating free movement throughout the strata. Historically development has been required to be setback 1m from its strata boundaries, ensuring 2m space between development on adjacent strata titles.

Should Council wish to proceed with a Scheme Amendment, it is strongly recommended that provisions be introduced into the Scheme to recognise the variations to the Residential Design Codes of Western Australia.

Demand for Commercial Land in Horrocks

Given that employment and services within Horrocks are limited, the majority of the population exit the townsite to attend employment and access both retail and other services such as medical services in either Northampton or Geraldton. Given this and the limited population of Horrocks, the community and tourists alike have been well served by the Horrocks General Store.

Whilst demand for commercial floorspace will increase with housing and population growth, new residential development is limited to the following:

- a) Development of a limited number of vacant residential lots;
- b) Approximately 50% of Lot 9003 Glass Street being a 17.5769ha lot owned in freehold by the Shire of Northampton. However, much of the site is extremely undulating, forming a significant part of the secondary coastal dune system; and
- c) Approximately 14ha of land zoned Residential on the south side of White Cliffs Road.

In conjunction with residential growth in the above areas, it is foreseeable that the land immediately surrounding the Horrocks General Store may be required for commercial development. However, it is highly unlikely that the land identified in Table 1 as landholdings 1, 2, 7, 8 and 9 would be required for commercial development.

Most Appropriate Zoning

It is considered that the existing residential/short stay development in landholdings 1, 7 & 9 should be contained within the residential zone given the existing development and use.

Furthermore, it is considered that landholdings 2 and 8 should be identified as Local Scheme Reserve for the purposes of Public Open Space given that they form part of the Horrocks Foreshore.

Northampton Townsite

Similar to the Horrocks townsite, a substantial portion of the Northampton townsite, abutting Hampton Road, is included within the Commercial Zone. This includes land such as the Northampton Bowling Club, St John Ambulance, the RSL Hall, the Holy Trinity Church, ex Masonic Hall and various residential properties.

Local Planning Scheme Review

In accordance with clause 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), there is an obligation for a local government to carry out a review of each local planning scheme in the 5th year after that scheme is gazetted.

As Local Planning Scheme No 10 – Northampton was gazetted in January 2012 and Local Planning Scheme No 11 – Kalbarri was gazetted in October 2017, a comprehensive review of the Local Planning Schemes is well past the due date for review as identified in the Regulations.

Independent of this requirement, Shire Officers have identified numerous local planning scheme provisions that are not consistent between the Northampton and Kalbarri Schemes. A review, consolidating the two schemes into a single document is highly recommended.

Conclusion

It is acknowledged that Lot 101 Glance Street would more appropriately be zoned Residential. However an audit of the Horrocks and Northampton townsites has identified numerous other landholdings that have been inappropriately included within the Commercial Zone.

A scheme amendment could be pursued for just Lot 101, or the Horrocks townsite. However given that the Shire has not complied with the Local Scheme review period required under clause 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, it is instead recommended that Council consider undertaking a review of both Local Planning Schemes that are active in the Shire.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Up to date and contemporary Local Planning Schemes are considered to be essential for the Shire to meet many of the objectives contained within the Shire of Northampton's Strategic Community Plan 2025-2035.

ORGANISATIONAL RISK MANAGEMENT:

The risk associated with not proceeding with a Scheme Amendment based solely on Lot 101 Glance Street is considered minor given the current Commercial Zoning has been in place for the past 39 years.

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 Shire's adopted budget for the 2025/26 financial year does not contain any allocations that could be used to complete a Local Planning Scheme Amendment or review of the Shire's Local Planning Scheme(s). It is recommended that Council consider making a budget allocation within the 2026/27 budget.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Shire Officers are aware that many strata owners were of the understanding that the strata development was zoned Residential. Maintenance of the current zoning does not prevent the ongoing use and development of the land.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Notwithstanding Resolution 02/26-20 passed by Council on 19 February 2026, not proceed with a Local Planning Scheme

Amendment to rezone Lot 100 Glance Street alone on the basis that:

- a) **The current Commercial Zone has been in place since 1987; and**
 - b) **There are additional landholdings that are inappropriately included within the Commercial Zone in both the Horrocks and Northampton Townsites which also require review.**
2. **Consider an allocation with the draft budget for the 2026/27 financial year to facilitate a completion of a review of Local Planning Scheme No 10 – Northampton and Local Planning Scheme No 11 – Kalbarri as required by Regulation 65 of the *Planning and Development (Local Planning Scheme) Regulations 2015*;**
 3. **Require that as part of the review referred to in point 2 above, identify the appropriate zoning for Lot 100 Glance Street and other properties inappropriately included within the Commercial Zone under Local Planning Scheme No 10.**

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Burges, R

03/26-50

That Council:

1. **Notwithstanding Resolution 02/26-20 passed by Council on 19 February 2026, not proceed with a Local Planning Scheme Amendment to rezone Lot 100 Glance Street alone on the basis that:**
 - a) **The current Commercial Zone has been in place since 1987; and**
 - b) **There are additional landholdings that are inappropriately included within the Commercial Zone in both the Horrocks and Northampton Townsites which also require review.**
2. **Consider an allocation with the draft budget for the 2026/27 financial year to facilitate a completion of a review of Local Planning Scheme No 10 – Northampton and Local Planning Scheme No 11 – Kalbarri as required by Regulation 65 of the *Planning and Development (Local Planning Scheme) Regulations 2015*;**
3. **Require that as part of the review referred to in point 2 above, identify the appropriate zoning for Lot 100 Glance Street and other properties inappropriately included within the Commercial Zone under Local Planning Scheme No 10.**

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr C Smith

AGAINST

Councillor Roslyn Suckling returned to the Chambers at 2:34 pm.

ATTACHMENT**9.5.1 Building Approvals Report February 2026**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Various
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:	5 March 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 1 February 2026 to 28 February 2026. A spreadsheet summarising these approvals is provided attached.

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

Nil.

COMMENT (Includes Options):

In February thirteen (13) building related applications were received and fourteen (14) approvals issued by the Shire of Northampton's Building Surveying Team, with a combined construction value of over \$1.6 million.

A total of 93 recorded enquiries were received by the Building Surveyor. These enquiries were not related to current building permit applications being processed by the Shire. Additionally, the following activities were undertaken:

- 8 Site visits (including structure inspections, verge inspections, site consultations and preliminary inspections) were conducted; and
- 1 Pool Barrier Inspection was conducted.

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 for the month of February 2026 in accordance with ATTACHMENT: 9.5.1 (1)

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

03/26-51

That Council receive the Building Approvals Report for the month of February 2026 in accordance with ATTACHMENT: 9.5.1 (1)

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Councillor Smith declared a Financial Interest in Item 9.6.1 – Request for Approval to Camp – Northampton Bowling Club as he owns an accommodation business and left the Chambers at 2:35 pm.

ATTACHMENT

9.6.1 Request for Approval to Camp - Northampton Bowling Club

PROPONENT OWNER	Northampton Bowling Club (INC) Shire of Northampton
LOCATION / ADDRESS:	Lot 39 (No 255) Hampton Road, Northampton
ZONE:	Residential (R10)
BUSINESS AREA:	Environmental Health
FILE REFERENCE:	13.2.4 & A2175
LEGISLATION:	<i>Local Government Act 1995;</i> <i>Caravan Parks and Camping Grounds Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	17 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Northampton Bowling Club (the Club) is located on Lot 39 (No 255) Hampton Road, being a 1.8741ha freehold property owned by the Shire of Northampton. The site is developed with club premises, a lawn bowls green. Access to the site and associated carparking is constructed with a gravel surface as shown on the site plan below.

Location Plan



Each year the Club holds an interclub carnival which is schedule to occur over 3 days this year, being June 6, 7 and 8. With the event attracting participants from all of the State of Western Australia, the club is seeking Shire approval to allow temporary camping to occur on the property should the caravan park be full. A copy of correspondence received from the club is shown attached.

APPENDIX: 9.6.1 (1)

Council is requested to consider the request as Shire Officers do not have delegation to determine such applications.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

The Request

As outlined within their submission, shown at Appendix: 9.6.1 (1), the Club is seeking permission for any vans that cannot be accommodated at the Northampton Caravan Park to be allowed to camp at the property. The Club has stated that the Captain will stay there and give people access to showers and toilets that are contained within the clubhouse building.

Caravan Parks and Camping Grounds Act 1995

The *Caravan Parks and Camping Grounds Act 1995* is the primary legislation relating to the approval of camping within the State of Western Australia. In accordance with clause 10 and 11 of the *Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)*, a person may only camp at a site in a licensed caravan park or camping ground, or under the following circumstances:

- (i) Up to 5 nights in any 28 day period of 28 consecutive days on land the person owns or has a legal right to occupy;
- (ii) For more than 5 nights if approved by the local government (regulation 11A) or the Minister under Regulation 11B;
- (iii) Up to 24 hours consecutive in a caravan or other vehicle in a designated roadside rest area;
- (iv) Up to 24 hours in a caravan or other vehicle in the event of an emergency;
- (v) With appropriate permission any land held by a State instrumentality in freehold or leasehold or land dedicated, reserved under the care, control or management of a State instrumentality;
- (vi) On Unallocated Crown land with the permission of the Minister, or their delegated officer.

Given the above, it is open to the Shire as freehold landowner to grant permission for camping to occur up to 5 days. In order to issue an approval for more than one caravan to being used to camp on-site, the written approval of

the local government must be obtained where approval is sought for less than a 3 month period.

Suitability of Land

Clause 13 of the *Regulations* requires that before local government grants approval under clause 11A, they are to be satisfied that the land is a suitable place for camping especially with respect to: -

- (a) Safety and health; and
- (b) Access to services.

In this case the Bowling clubhouse contains both shower and toilet facilities. The club is proposing that the Captain will stay on site for the duration of the event to ensure guests have access to the shower and toilet facilities.

Past Practice

Examination of Shire records have identified that the past practice has been to allow temporary camping on the Bowling Club property, but only when the Northampton Caravan Park has been full. There does not appear to be any policy supporting that position, nor delegation allowing such requests to be determined under delegated authority.

Shire Officers are aware that camping on-site was not required in June 2025.

As the Shire does not have any policies relating to temporary camping on Shire owned land, it is appropriate for each application for temporary camping to be determined by Council.

Existing Caravan Park

As elected members may be aware there is only one approved/licensed caravan park within the Northampton townsite. Licensed with 40 caravan park and 12 camping sites, the Northampton Caravan Park has limited capacity. Given this it would be appropriate for Council to consider approving the Club hosting participants and their families where they cannot be accommodated at the Caravan Park.

Although a second park is located approximately 6km north of the Northampton townsite, at the time of preparing this agenda item, this park was not licensed. The Environmental Health Officer is currently following up on this situation.

Adjacent Land Use

Residential dwellings are located in relatively close proximity to the Bowling Club to the east on the eastern side of Hampton Road, to the north/north-east on Wannerenooka Road and larger properties to the southwest. Should Council wish to grant approval to the request, it is recommended that an appropriate condition be imposed to ensure impacts on the area are minimised.

It should be noted that a search of Council records indicates that no complaints have previously been received in respect of camping on the property.

Zoning

Whilst an application for temporary accommodation on Shire owned land may be determined under the *Caravan Parks and Camping Grounds Act 1995*, Shire Officers consider it is appropriate to have regard to the zoning and status of the associated use.

In this case, the provisions of the Shire's Local Planning Scheme No 11 include the subject land within the Residential Zone, with an applicable density of R10. With club premises being an "X" use in the Residential Zone, the Club operates and may continue operating under a non-conforming use right.

Conclusion

The Club event is a substantial event held over a period of 3 days, attracting participants from across the state. Given the limited capacity of the only licensed caravan park in Northampton townsite, it is recommended that Council grant conditional approval to allow the Club to host those participants that cannot be catered for at the Caravan Park

STATUTORY ENVIRONMENT:

In accordance with clause 12(2) of the *Caravan Park and Camping Ground Regulations 1997* a local government may give approval for more than one caravan to camp on a lot for a period of time.

POLICY / STRATEGIC IMPLICATIONS:

Current accommodation options within the Northampton townsite are limited, particularly for those with caravans. Conditionally approving camping on-site at the bowling club, would ensure that existing limited accommodation options do not discourage potential participants.

Ensuring the Bowling Club event is successful would be consistent with the following objectives contained within the Shire of Northampton Strategic Community Plan 2025-2035:

1.3 *Attractive and Popular*

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

3.1 *Socially connects 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:

Nil.

SUSTAINABILITY:

Environmental: No environmental impact is anticipated as the proposal will not involve clearing and both toilet and shower facilities are located on-site.

Economic: No detrimental economic impacts are anticipated provided that the Northampton Bowling Club only caters for those participants and their families where they cannot be accommodated at the Northampton Caravan Park.

Social: Approval to the application as submitted will contribute to a successful event.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council pursuant to clause 11A of the Caravan Parks and Camping Grounds Regulations 1997, grant approval to the Northampton Bowling Club providing camping on Lot 39 (No 255) Hampton Road, Northampton in association with the bowling carnival to be held on 6-8 June 2026 subject to compliance with the following conditions:

1. Approval is granted to cater for only those caravans and campers that cannot be catered for by the Northampton Caravan Park for those dates;
2. The Bowling Club is to ensure an on-site representative is located on-site for the duration of any person staying on the property between 6 and 8 June 2026;
3. A register is to be kept of all guests to the satisfaction of the Shire of Northampton;
4. The activity hereby approved shall be managed so as to not detrimentally impact on the amenity of adjacent/nearby dwellings through noise, light or other means; and
5. All associated waste shall be disposed of in an approved manner to the satisfaction of the Shire of Northampton.

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Pike, D

03/26-52

That Council pursuant to clause 11A of the Caravan Parks and Camping Grounds Regulations 1997, grant approval to the Northampton Bowling Club providing camping on Lot 39 (No 255) Hampton Road, Northampton in association with the bowling carnival to be held on 6-8 June 2026 subject to compliance with the following conditions:

1. Approval is granted to cater for only those caravans and campers that cannot be catered for by the Northampton Caravan Park for those dates;
2. The Bowling Club is to ensure an on-site representative is located on-site for the duration of any person staying on the property between 6 and 8 June 2026;
3. A register is to be kept of all guests to the satisfaction of the Shire of Northampton;
4. The activity hereby approved shall be managed so as to not detrimentally impact on the amenity of adjacent/nearby dwellings through noise, light or other means; and
5. All associated waste shall be disposed of in an approved manner to the satisfaction of the Shire of Northampton.

MOTION CARRIED 5/0

FOR

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

AGAINST

Councillor Smith returned to the Chambers at 2:37 pm.

**ATTACHMENT
APPENDIX**

9.6.2 Application for Stallholders Licence - Coastal Roast

PROPONENT OWNER	Ms Charlotte Carter & Mr Ben Huisman Crown Land (Shire holds Management Order)
LOCATION / ADDRESS:	Part Reserve 25307 Kalbarri abutting Kalbarri Volunteer Marine Rescue Building Carpark
ZONE:	Public Open Space
BUSINESS AREA:	Environmental Health
FILE REFERENCE:	7.1.12
LEGISLATION:	<i>Local Government Act 1995; Activities on Thoroughfares and Public Places and Trading Local Law 2017</i>
AUTHOR:	Mobile Food Vehicles Policy Wendy Dallywater/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

An application has been received seeking approval to operate a mobile food trailer of trading name “Coastal Roast” within Kalbarri. This mobile food trailer previously operated under the trading name of “Kat-A-Chino” but has now been sold to new owners (the applicants).

The applicants’ preferred operating site is just west of the delineated carparking bays south of the Kalbarri Volunteer Marine Rescue (VMR) building. A plan showing the location and the location of nearby food businesses is shown attached.

ATTACHMENT: 9.6.2 (1)

Operating days and times are proposed to be 7 days per week from 6:00am – 3:00pm during peak tourism periods, and during quiet tourism periods the commencement time may change to 11:00am. The applicants have verbally advised that once established, they wish to operate during evenings from 5:00pm – 8:00pm, if possible.

The proponents intend selling various smoothie bowls with fresh fruit and granola, chia cups, overnight oats, cold pressed juices, slices, tea/coffee, milkshakes, soft drinks and bottled water, toasted sandwiches, bagels, croissants, healthy snacks, cookies/cakes/muffins, soups, stews, hot chips, laksa, curries, and the like. The menu will change between Summer and Winter months.

The proponents have provided a copy of their Business Insurance Certificate for the vehicle with a limit of liability being \$20M. They have purchased a new generator (Predator Power Products Model BQH7500E) for the food vehicle which has a noise level rating of 64.5dBA operating at 25% loading. They have submitted an application to register the food vehicle with the Shire of Northampton as a new food business.

When the food vehicle is not operating, it is proposed to be stored at the proponents' home address of 4A Batavia Circle, Kalbarri.

A copy of the documentation submitted is attached.

ATTACHMENT: 9.6.2 (2)

Shire Officers discussed the application and policy with the proponents before the application was submitted. After being advised that a proposal to operate from Sally's Tree carpark or at the land backed wharf were not consistent with the policy, they lodged the current application.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

Mobile Food Vehicles Policy

Council adopted the Environmental Health Services - Mobile Food Vehicles Policy (the Policy) at its Ordinary Meeting held on 19 February 2026. A copy of the Policy as adopted is appended.

APPENDIX: 9.6.2 (A)

As reflected at Appendix: 9.6.2 (A), the purpose of the policy is to compliment the provisions of the Shire of Northampton's Activities and Trading in Public Places Local Law, and:

1. Provide guidance on the assessment of and requirements for the operation of mobile food vehicles proposing to operate as a stall holder within the Shire of Northampton;
2. Ensure mobile food vehicles are of a temporary nature and operate in a way which complements existing food businesses and support the activation of under-utilised public spaces within town sites;
3. Ensure mobile food vehicles do not unreasonably compromise the amenity of the surrounding residential area; and
4. Ensure mobile food vehicle operations practice safe food handling in accordance with the Food Act 2008.

The policy details identifies that the Shire of Northampton may approve up to two (2) applications for stallholder permits to operate from a total of five (5)

identified locations within the Shire. Three (3) locations are identified for Kalbarri, being:

- Reserve 52436, adjacent to the Kalbarri Land-Backed Wharf (Site C);
- The carpark on Reserve 25307 on Grey Street, opposite Clotworthy Street (Site D); and
- Red Bluff Beach Road (Site E).

Whilst the policy acknowledges approval may be sought to operate from other locations, section 4.0 of the Policy specifically identifies that stallholders will be not be approved to operate on Reserve 25307 adjacent to Sally's Tree & the Marine Rescue/RSL precinct for the following reasons:

- a) *The limited parking area available to service the wide range of activities that occur in the area (e.g. boat launching, beach access and adventure playground); and*
- b) *The proximity of existing food premises located adjacent to the Grey Street/Porter Street intersection.*

Proposed Operational Hours

As detailed within the application shown Attachment: 9.6.2 (2), details proposed hours of 6am to 3pm seven days per week. Additionally, the Shire's Environmental Health Officer has been advised that once they are operational, they may also seek to operate from 5pm to 8pm.

The applicants are therefore seeking approval to operate 9 hours per day, seven days a week from this location. If the further operating hours are sought (5pm to 8pm), the business would trade 12 hours per day, seven days per week. This is considered to more equivalent to hours that may be kept by a permanent food business.

Existing Food Premises

There are some five (5) food businesses located less than 300m from the proposed location. These businesses include a café and bakeries that are selling the same, or similar food products. Several other food bases business are also located within 500m of the proposed location.

The proposed location is approximately:

- a) 223m from Little Leaf Kalbarri (advertised opening times are 7:30-11:30am and 5:00-8:00pm and closed Sundays & Mondays);
- b) Kalbarri Hot Bread Shop (advertised opening times are mainly 8:30am – 3:00pm and closed on Sundays); and
- c) Red Bluff Cafe & Bakery (advertised opening hours are 4:00am – 4:00pm 7 days per week).

As the above businesses sell many of the products identified in the submitted application during the proposed operation hours, it is considered that approval to the proposal will result in direct competition with existing business. As outlined in Appendix: 9.6.2 (A), the purpose of policy includes complimenting existing food businesses.

Assessment Against Policy

An assessment of the application against the policy identifies that approval to the application would be contrary to Council's adopted policy for the following reasons:

- a) The application is not consistent with the purpose of the Mobile Food Vehicle Policy as the proposed location is located in an area that is already considered active;
- b) If approved, the proposed mobile food vehicle would be located less than 500m, but as close as 223m, to business selling like products contrary to provision 2.0 of the Policy; and
- c) The location is specifically identified as a prohibited area by the policy provisions.

Potential Land Use Conflict

Land immediately south of the Volunteer Marine Rescue building is constructed with 21 long vehicle bays. On busy days at the ramp including school holidays and long weekends, parking for boat trailers and long vehicles is often limited and when empty, standard vehicles utilise the area as reflected on the Location Plan at Attachment: 9.6.2 (1). Approval of the proposed location is likely to result in additional vehicles parking in the area whilst attending the business.

The immediate area is also used for events on a regular basis including RSL memorial services and community events adjacent to Sally's Tree and the adventure playground. Several times a year, larger co-ordinated events occur simultaneously utilising the entire carpark area. Approval to operate 7 days per week could result in conflict with boat launching traffic and events in the area.

Review of Policy & Approved Locations

If this food vehicle were to look at trading from an approved location such as the large carpark opposite Clotworthy Street, the vehicle would be at the further point approximately 245m from The Gorges Café. The location of Red Bluff Beach Road carpark near the public toilet is not an ideal location as the area is small and most of the ground slopes making it difficult for a food vehicle to use. The current policy restricts or limits the possible trading hours of a mobile food vehicle to being part-time and outside normal fixed businesses trading hours.

Should Council wish to review the provisions of the current policy and approve mobile food vehicles in other locations, it is recommended that a public consultation process be completed.

Conclusion

Approval to the application as submitted would be contrary to the current policy with the location being identified as a prohibited area and being within 500m of an existing fixed food business selling similar types of foods. Given this and the fact the proposed length of hours is not consider reasonable for a stallholder, it is recommended that the application be refused.

STATUTORY ENVIRONMENT:

Mobile Food Vehicles Policy made to complement the provisions of Part 6 of the Shire of Northampton *Activities in Thoroughfares and Public Places and Trading Local Laws 2017*.

POLICY / STRATEGIC IMPLICATIONS:

The following objective from the Shire of Northampton's Strategic Community Plan 2025-2035 is relevant to the application.

Our Economy –

The resilience of our local economy, the viability of local employment and business opportunities, and the securing of long-term economic sustainability.

ORGANISATIONAL RISK MANAGEMENT:

The Risk rating associated with approving a food premises to operate 7 days per week as proposed 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:

At the time of preparing this agenda item, the required application fee had not been paid. Payment is anticipated prior to the Council meeting. If approved, the applicant will be required to pay additional fees to operate under the Shire's Mobile Food Vehicle Policy.

SUSTAINABILITY:

Environmental: If approved, appropriate conditions of approval are required to ensure that the operation of a mobile food vehicle does not impact on the environment or the aesthetic aspects of an area.

Economic: Whilst approval of the application will provide an economic opportunity to the applicant, there is potential for the activities to detrimentally impact on existing permanent food businesses in the area.

Social: The proposed operating hours are located inside of the normal business hours for businesses operating near the Kalbarri VMR building.

VOTING REQUIREMENTS: SIMPLE MAJORITY

That Council refuse the proposed Mobile Food Vehicle (Coastal Roast) application to operate from Part Reserve 25307 Kalbarri abutting Kalbarri Volunteer Marine Rescue Building Carpark between the hours of 6am and 3pm seven days per week, on the following grounds:

- a) The application is not consistent with the purpose of the Mobile Food Vehicle Policy as the proposed location is in an area that is already considered active;
- b) If approved, the proposed mobile food vehicle would be located less than 500m, but as close as 223m, to business selling like products contrary to provision 2.0 of the Policy;
- c) The location is specifically identified as a prohibited area by the policy provisions;
- d) Operation of the Food Vehicle 7 days per week between 9-12 hours per day is equivalent to the hours of a permanent business, the approval of which would not be consistent with the intent of the Shire's Mobile Food Vehicle Policy; and
- e) Approval to the location would most likely result in traffic conflicts associated with peak periods of use of the adjacent boat trailer parking and events held in the area.

COUNCIL RESOLUTION

MOVED: Suckling, R SECONDED: Suckling, K

03/26-53

That Council refuse the proposed Mobile Food Vehicle (Coastal Roast) application to operate from Part Reserve 25307 Kalbarri abutting Kalbarri Volunteer Marine Rescue Building Carpark between the hours of 6am and 3pm seven days per week, on the following grounds:

- a) The application is not consistent with the purpose of the Mobile Food Vehicle Policy as the proposed location is in an area that is already considered active;
- b) If approved, the proposed mobile food vehicle would be located less than 500m, but as close as 223m, to business selling like products contrary to provision 2.0 of the Policy;

- c) The location is specifically identified as a prohibited area by the policy provisions;
- d) Operation of the Food Vehicle 7 days per week between 9-12 hours per day is equivalent to the hours of a permanent business, the approval of which would not be consistent with the intent of the Shire's Mobile Food Vehicle Policy; and
- e) Approval to the location would most likely result in traffic conflicts associated with peak periods of use of the adjacent boat trailer parking and events held in the area.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Councillor Liz Sudlow declared a Financial Interest in Item 9.6.3 – Application for Stallholders Licence – Reserve 53432 Harvey Road and Lot 4 (228) Hampton Road, Northampton and left the Chambers at 2:40 pm.
Councillor Richard Burges assumed the chair.

ATTACHMENT

9.6.3 Application for Stallholders Licence - Reserve 23432 Harvey Road and Lot 4 (228) Hampton Road, Northampton

PROPONENT OWNER:	Mrs Nicole Anderson Shire of Northampton (Holds Management Order) and Elders Rural Services Australia, Adelaide SA
LOCATION / ADDRESS:	Reserve 23432 Harvey Road and Lot 4 (228) Hampton Road, Northampton
ZONE:	Public Open Space and Commercial
BUSINESS AREA:	Environmental Health
FILE REFERENCE:	7.1.12 & A2619
LEGISLATION:	<i>Local Government Act 1995;</i> <i>Activities on Thoroughfares and Public Places and Trading Local Law 2017</i> Food Act 2008
AUTHOR:	Wendy Dallywater/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

An application has been received seeking approval to operate a mobile food trailer of trading name “The Billy Can” at the following locations:

- a) Within the carparks adjacent to Northampton Community Centre - Harvey Road, Northampton); and
- b) From the forecourt of Elders Rural Services adjacent to The Shearing Shed Café.

Information provided in support of the application identifies that the applicant has recently received requests from the basketball club and football club to offer an outlet for players and others to purchase food and drinks after the game or training sessions. The applicant is therefore proposing to trade from the carparking areas at the Northampton Community Centre grounds to service the community and sporting groups during the basketball season during term 1 and 4 and the football training sessions between April to September.

With respect to the location adjacent to the Shearing Shed, approval is being sought to operate in situations where mains power is not available during normal operating hours for The Shearing Shed (would include preparation times as well). If approved, the mobile food vehicle will be parked on the front asphalt

apron adjacent to The Shearing Shed Café building so that the business can continue to operate.

The proponent has provided a copy of their Business Insurance Certificate with the general and product liability being up to \$20M. The generator that powers the mobile food vehicle is a Panther PRO5500 7kVA lightweight inverter generator with a 50% load noise rating of 67dBA and at full load noise rating of 63dBA, both at 7m distance from the generator. When the food vehicle is not operating, it will be stored on the proponent's home property of 65 Wundi Road, Alma.

A copy of the documentation submitted in support of the application is attached.

ATTACHMENT: 9.6.3 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

Proposed Northampton Community Centre Location

The proponent has been approached to provide food to players and others by the basketball and football clubs as they are unlikely to operate their own kiosk via the kitchen in the Community Recreation Centre building. However, if the clubs did decide to operate their own kiosk, then the proponent would not operate their food vehicle in competition with the sporting club.

Trading for the sports clubs, the applicant intends selling coffee/tea, smoothies, toasted sandwiches, pizzas, burgers, souvlaki, fried chicken, baked potatoes with various toppings, spare ribs, roasted meat balls, and the like. These foods would be prepared and cooked in the café and then served from the food vehicle to customers.

Lot 4 (228) Hampton Road

As detailed in the background section of this agenda, the food vehicle is to be used during a power outage in Northampton and positioned adjacent to The Shearing Shed Café. This will allow the usual café foods to be prepared, cooked and served from the food vehicle.

The existing shopfront located on Lot 4 is currently vacant. Given this and the fact the use will be temporary in nature, there are no issues with the proposed location from a town planning perspective.

Policy Provisions

The current Policy provisions do not contemplate the two types of applications. However, the proposals are consistent with the Purpose and Objectives of the Policy, which are to:

1. *Provide guidance on the assessment of and requirements for the operation of mobile food vehicles proposing to operate as a stall holder within the Shire of Northampton;*
2. *Ensure mobile food vehicles are of a temporary nature and operate in a way which complements existing food businesses and support the activation of under-utilised public spaces within town sites;*
3. *Ensure mobile food vehicles do not unreasonably compromise the amenity of the surrounding residential area; and*
4. *Ensure mobile food vehicle operations practice safe food handling in accordance with the Food Act 2008.*

The proposed location at the Northampton Community Recreation grounds is more than 500m from a fixed food business that serve similar foods.

The proposed location adjacent to The Shearing Shed Café is within 500m from fixed food businesses that serve similar foods, however, the food vehicle would only be used while mains power is not available in that area of Northampton townsite so that The Shearing Shed Café business can continue to operate in those circumstances.

Conclusion

Approval to operate The Billy Can food trailer from the carparks at the Northampton Community Recreation grounds will assist sporting clubs having refreshments for players and others (umpires, scorers, coaches, supporters) after a basketball game or football training session. If the sporting club operates its own kiosk via the Community Recreation Centre kitchen, then the food vehicle would not operate, so there would be no direct competition.

Approval to operate The Billy Can food trailer from the front apron on the Elders Rural Services' property adjacent to The Shearing Shed Café when mains power is not available to the centre of Northampton townsite would allow The Shearing Shed Café to continue to operate as usual rather than having to close for the day. Elders Rural Services currently allows The Shearing Shed Café to use this apron area for additional tables and chairs for its customers.

STATUTORY ENVIRONMENT:

Mobile Food Vehicles Policy made to complement the provisions of Part 6 of the Shire of Northampton *Activities in Thoroughfares and Public Places and Trading Local Laws 2017*.

POLICY / STRATEGIC IMPLICATIONS:

Approval to the application as submitted is consistent with the following objective outlined within the Shire of Northampton's Strategic Community Plan 2025-2035:

Our Economy –

The resilience of our local economy, the viability of local employment and business opportunities, and the securing of long-term economic sustainability.

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:

No fees have been paid as yet. If approved, the applicant will be required to pay fees to operate under the Shire's Mobile Food Vehicle Policy.

SUSTAINABILITY:

Environmental: Appropriate conditions of approval are required to ensure that the operation of a mobile food vehicle does not impact on the environment or the aesthetic aspects of an area.

Economic: Approval of the application will provide an economic opportunity to the applicant.

Social: The proposed operating locations are for the benefit of local sporting clubs that request the food vehicle to operate during their games; and is for the benefit of an existing fixed business to continue trading when mains power is not available.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council grant approval under the Shire of Northampton Activities in Thoroughfares and Public Places and Trading Local Laws 2017 to the

applicant, Mrs Nicole Anderson, to operate her mobile food vehicle known as The Billy Can subject to the Following conditions: -

1. Permission is granted to operate the mobile food vehicle from the following additional locations:
 - a) From the identified carparks at the Northampton Community Recreation grounds when requested by local sporting clubs to provide a food outlet to their players and others after games or training session when the kiosk at the Northampton Community Centre is not open; and
 - b) From the front asphalt apron at Elders Rural Service at 228 Hampton Road, Northampton adjacent to The Shearing Shed Café only when mains power is not available to the centre of Northampton townsite so that The Shearing Shed Café can continue to trade.
2. Unless otherwise approved by the Shire of Northampton, this approval is limited to a period of 12 months;
3. Unless otherwise approved by the Shire of Northampton the preparation of all food products shall be undertaken within the Mobile Food Vehicle and/or a kitchen approved for commercial production of food;
4. The applicant is required to provide adequate rubbish disposal facilities, removal all rubbish associated with the operation, and maintain clean and sanitary conditions at all times;
5. Any additions to, or changes to the approved use (not the subject of this consent/approval) requires further application for that use/addition;
6. The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;
7. The approval is for one (1) Mobile Food Vehicle only and this approval is issued only to Nicole Anderson and is NOT transferrable to any other person or to any other land parcel without further application and approval of the Shire of Northampton. Should there be any change in respect of which this development approval is issued, this approval shall no longer be valid;
8. The Mobile Food Vehicle and associated services shall at no time interfere or obstruct the operations and activities at the Northampton Community Recreation grounds and shall at no time cause obstruction to the access or traffic flow of the car parking area to the satisfaction of the local government;

9. Should substantiated ongoing complaints be received in relation to compliance with the conditions of approval hereby imposed, the Shire of Northampton reserves the right to review and/or revoke this approval;
10. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibrations, waste product, or other nuisance; and
11. The Mobile Food Vehicle is required to be removed from the area at the close of business each day. The Mobile Food Vehicle is not to be stored within the approved operating areas.

Advice Notes:

- a) Prior to commencement of the operation the proposed Food Vehicle is to be inspected and approved for use in accordance with the provisions of the Food Act 2008;
- b) This approval does not limit operation of the Food Vehicle at approved events; and
- c) The applicant is advised that Council determines the application renewal fees in accordance with the Shire of Northampton's *Schedule of Fees and Charges*.

COUNCIL RESOLUTION:

MOVED: Suckling, K **SECONDED:** Smith, C

03/26-54

That Council grant approval under the Shire of Northampton Activities in Thoroughfares and Public Places and Trading Local Laws 2017 to the applicant, Mrs Nicole Anderson, to operate her mobile food vehicle known as The Billy Can subject to the Following conditions: -

1. Permission is granted to operate the mobile food vehicle from the following additional locations:
 - a) From the identified carparks at the Northampton Community Recreation grounds when requested by local sporting clubs to provide a food outlet to their players and others after games or training session when the kiosk at the Northampton Community Centre is not open; and
 - b) From the front asphalt apron at Elders Rural Service at 228 Hampton Road, Northampton adjacent to The Shearing Shed Café only when mains power is not available to the centre of Northampton townsite so that The Shearing Shed Café can continue to trade.

2. **Unless otherwise approved by the Shire of Northampton, this approval is limited to a period of 12 months;**
3. **Unless otherwise approved by the Shire of Northampton the preparation of all food products shall be undertaken within the Mobile Food Vehicle and/or a kitchen approved for commercial production of food;**
4. **The applicant is required to provide adequate rubbish disposal facilities, removal all rubbish associated with the operation, and maintain clean and sanitary conditions at all times;**
5. **Any additions to, or changes to the approved use (not the subject of this consent/approval) requires further application for that use/addition;**
6. **The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;**
7. **The approval is for one (1) Mobile Food Vehicle only and this approval is issued only to Nicole Anderson and is NOT transferrable to any other person or to any other land parcel without further application and approval of the Shire of Northampton. Should there be any change in respect of which this development approval is issued, this approval shall no longer be valid;**
8. **The Mobile Food Vehicle and associated services shall at no time interfere or obstruct the operations and activities at the Northampton Community Recreation grounds and shall at no time cause obstruction to the access or traffic flow of the car parking area to the satisfaction of the local government;**
9. **Should substantiated ongoing complaints be received in relation to compliance with the conditions of approval hereby imposed, the Shire of Northampton reserves the right to review and/or revoke this approval;**
10. **The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibrations, waste product, or other nuisance; and**
11. **The Mobile Food Vehicle is required to be removed from the area at the close of business each day. The Mobile Food Vehicle is not to be stored within the approved operating areas.**

Advice Notes:

- a) **Prior to commencement of the operation the proposed Food Vehicle is to be inspected and approved for use in accordance with the provisions of the Food Act 2008;**
- b) **This approval does not limit operation of the Food Vehicle at approved events; and**
- c) **The applicant is advised that Council determines the application renewal fees in accordance with the Shire of Northampton's *Schedule of Fees and Charges*.**

MOTION CARRIED 5/0

FOR

Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

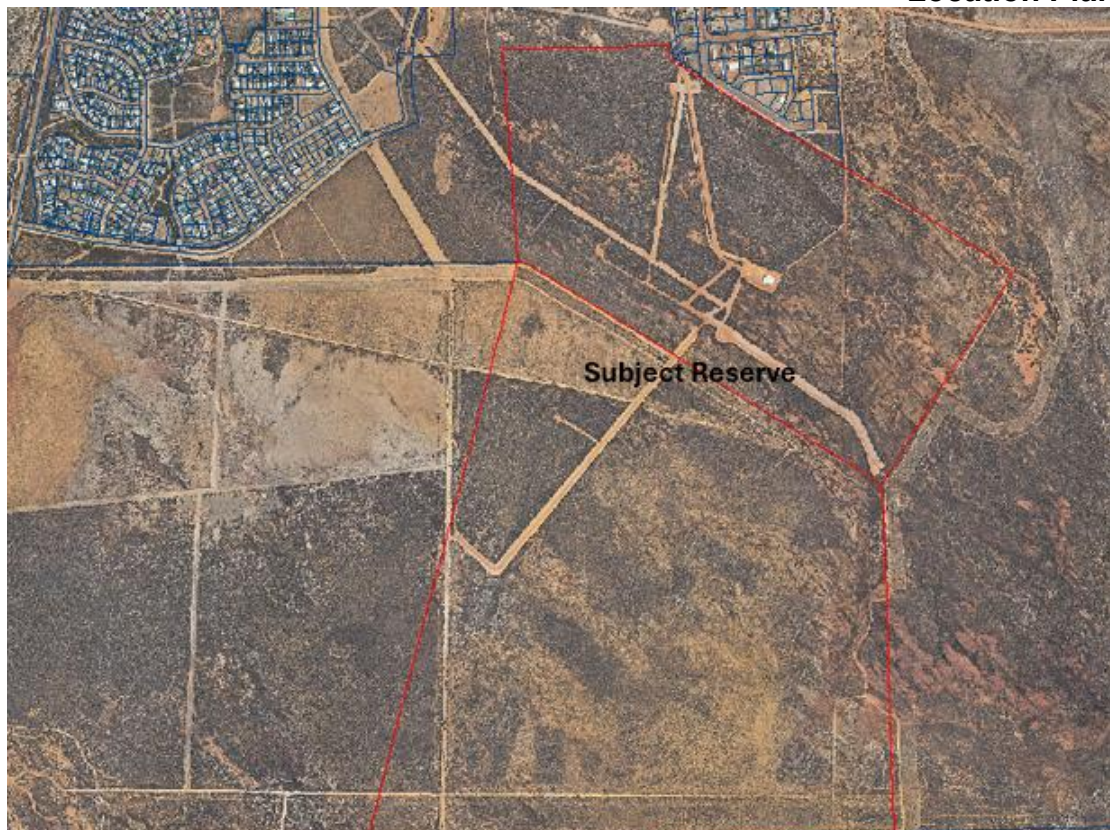
Councillor Richard Burges relinquished the chair.
Councillor Liz Sudlow returned to the Chambers at 2:42 pm and reassumed the chair.

ATTACHMENT**9.7.1 Request for Bushfire Mitigation Works Order - Crown Reserve
31503 Porter Street, Kalbarri**

PROPONENT	Water Corporation
OWNER	Crown Land
LOCATION / ADDRESS:	Crown Reserve 31503 Porter Street, Kalbarri
ZONE:	Public Purpose Reserve
BUSINESS AREA:	Ranger Services
FILE REFERENCE:	A5101 & 5.1.1
LEGISLATION:	<i>Bushfires Act 1954</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	6 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Reserve 31503 is a 111ha crown reserve located on the southern edge of the Kalbarri Industrial Area as shown on the location plan below. The reserve is developed and maintained by the Water Corporation as part of the Kalbarri water supply system.

Location Plan

A request has been received from the Water Corporation, for the Shire to issue an order under the *Bushfires Act 1964* requiring mitigation works that are planned to be undertaken during the Kalbarri Mitigation Week, being blind tenure mitigation program for managing bushfire threats that surround the townsite of Kalbarri. A copy of that request is shown attached.

ATTACHMENT: 9.7.1 (1)

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

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Section 33(1) of the *Bushfires Act 1954* conveys the authority to the local government of a district to issue an order requiring measures to prevent the outbreak of bushfire. The local government may do so at any time.

Local Governments in Western Australia, including the Shire of Northampton issue their Annual Firebreak and Fuel Mitigation Notices in accordance with *Section 33(1)*. In accordance with the Shire of Northampton register of delegations, Shire Officers are delegated the authority to issue property specific orders for the purposes of ensuring compliance with the annual firebreak notice.

The Shires adopted Annual Firebreak and Fuel Mitigation Notice does not apply to land owned either by the Crown or the Water Corporation landholding.

Whilst Shire Officers may have previously issued an order to the Water Corporation like that currently requested, they do not have delegated authority to issue an order requiring mitigation works outside of the firebreak notice requirements. Council is therefore requested to determine the request.

To assist Council in determining the request, the following comments are offered:

Tenure Blind Mitigation Program

Kalbarri is effectively surrounded by National Park and Crown Reserves. Each year to address the threat of bushfire a tenure blind mitigation program is undertaken known as Mitigation Week. During this week numerous mitigation works are undertaken involving local Fire Brigades, Department of Biodiversity, Conservation and Attractions (DBCA), Water Corporation and the Department of Fire and Emergency Services.

During this week, which also attracts other volunteers from the region and state, a range of mitigation works are undertaken including re-establishment of fire breaks, mitigation burns and slashing. Mitigation week usually occurs around May/June each year, dependant on weather conditions.

Bushfires Act 1954

The Bushfires Act 1954 is not binding on the crown who is responsible for managing extensive crown reserves. In many areas of the state this results in little to no mitigation work being undertaken for various reasons including access, topography and fuel loadings. It is fortunate that mitigation week occurs to reduce fuel loadings and threat of fire to the Kalbarri Community.

The Water Corporation is not considered to be a government agency, alternatively it is a government-owned statutory corporation and a Government Trading Enterprise. The Water Corporation is therefore bound by the provisions of the Bushfires Act 1954.

Mitigation works undertaken outside of the prescribed firebreak notice period do not require the Shire's approval.

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

The *Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Regulations)*, stipulate that a permit is required for the clearing of vegetation, unless that clearing is considered exempt. Clearing undertaken to comply with a notice given under Section 33(1) under the Bushfires Act 1954 is classified as exempt under Schedule 6 - clause 10(f) of the Environmental Protection Act 1986.

Conclusion

The Tenure Blind Mitigation Program is an essential program designed and executed to complete mosaic burns and other mitigation works to dramatically reduce the threat of bushfire to the Kalbarri community and the National Park.

In order to facilitate the completion of mitigation works on the Water Corporation land during Mitigation Week, it is recommended that a property specific order in accordance with the request shown at Attachment: 9.7.1 (1).

STATUTORY ENVIRONMENT:

Section 33(1) of the *Bushfires Act 1954* and Schedule 6 - Clause 10(f) of the *Environmental Protection Act 1986*.

POLICY / STRATEGIC IMPLICATIONS:

Support to the completion of Mitigation Works on Crown Reserve 31503 Porter Street, Kalbarri as part of Mitigation Week is in the community interest.

ORGANISATIONAL RISK MANAGEMENT:

The Risk rating associated with refusing the application is considered 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, thirdparty actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Without fire mitigation works, a resultant bushfire has the potential to result in a greater footprint and more intense with potential detrimental impacts on the environment.

Economic: Bushfire can have significant impact on local communities and their economy.

Social: Mitigation Week has occurred over numerous years, addressing potential concerns associated with fires that may initiate in the vast areas of national park and other crown reserves surrounding the Kalbarri townsite.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council authorise the Chief Executive Officer the ability to issue a notice to the Water Corporation under Section 33(1) of the Bushfires Act 1954 to require fire mitigation works to be completed on Crown Reserve 31503 Porter Street, Kalbarri as part of the 2026 Tenure Blind Mitigation Week Fire Mitigation Program.

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Smith, C

03/26-55

That Council authorise the Chief Executive Officer the ability to issue a notice to the Water Corporation under Section 33(1) of the *Bushfires Act 1954* to require fire mitigation works to be completed on Crown Reserve 31503 Porter Street, Kalbarri as part of the 2026 Tenure Blind Mitigation Week Fire Mitigation Program.

MOTION CARRIED 6/0

FOR

Cr L Sudlow

Cr R Burges

Cr D Pike

Cr K Suckling

Cr R Suckling

Cr C Smith

AGAINST

9.8.1 Consideration of Request for Tender 02-2026 Fifth Avenue Drainage Upgrade Works

PROPONENT	Shire of Northampton
OWNER	State of Western Australia
LOCATION / ADDRESS:	Fifth Avenue, Northampton
ZONE:	Residential
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	RFT 01-2026
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Jamie Muir
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	27 February 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Fifth Avenue Drainage Upgrade Works has been part of the Shire’s capital program since 2023/24. Delays in progressing this project for various reasons has culminated in the Request for Tender (RFT) 02-2026 Fifth Avenue Drainage Upgrade Works (the project).

Due to project delays, approaching grant funding deadlines, and tender submissions exceeding the available budget, it was recommended at the November Ordinary Meeting of Council that Request for Tender 01-2026 – Fifth Avenue Drainage Upgrade Works not be awarded at that time.

An alternate motion was moved by Council, as outlined below:

<p>COUNCIL RESOLUTION:</p> <p>MOVED: Sudlow, L SECONDED: Hay, T</p> <p>11/25-170 That Council:</p> <ol style="list-style-type: none"> 1. Not award RFT 01-2026 01-2026 Fifth Avenue Drainage Upgrade Works on the basis of total cost and grant funding deadlines not able to be achieved; 2. Request the Chief Executive Officer to apply for a timeframe extension to 30 June 2026 for the Roads to Recovery grant funding applicable to the project; 3. Subject to obtaining approval extending the timeframe of the grant to 30 June 2026, revise and/or reduce the project scope to make the project more affordable; and 4. Subject to completion of point 2. and 3. above, re-Tender the project as soon as practicable. <p style="text-align: right;">MOTION CARRIED 7/0</p>

Subsequently, the Roads to Recovery Program approved an extension to 30 June 2026 and granted an increase in the project funding allocation.

PUBLIC CONSULTATION UNDERTAKEN:

The project was advertised under Statewide Public Notice in the West Australian on Wednesday 4 February 2026, locally through the Geraldton Guardian Tuesday 3 February and on the Shire website. The close of the RFT was 20 February 2026 and this matter is being presented to the next available Council meeting which is 19 March 2026.

COMMENT (Includes Options):

Funding for the project includes the following amounts:

Source	Amount
Roads to Recovery (2019 - 2024)	\$133,983
Roads to Recovery (2024 - 2029)	\$359,000
Municipal Funding	\$187,191
Total	\$680,174

WALGA Preferred Supplier, Greenfields Technical Services was engaged to produce detailed design drawings, specifications and the RFT package. They were also engaged to complete the Tender assessment on behalf of the Shire of Northampton. Funding for this consultancy engagement comes directly from the project which currently totals \$24,182. An additional \$8,000 has been spent for the second tender process for a total spent to date of \$32,182. This will leave a project balance of \$647,992.

Six (6) tender submissions were received as follows:

- a. Aaro Group (Aaro)
- b. Comiskey Contracting (Comiskey)
- c. Key Civil (Key)
- d. Neo Civil (Neo)
- e. Oaks Rail and Civil (Oaks)
- f. Polecat Civil Contracting (Polecat)

Additionally, within Polecat's tender submission, they provided an Alternative Pricing option.

Compliance Evaluation was completed on each tender submission based on the compliance criteria. Tenderers needed to be assessed as compliant before they could proceed through the qualitative or price evaluation.

Aaro, Comiskeys, Key & Polecat

Whilst each of these tenderers submitted critical assumptions, based on Greenfield's review of the submissions, none of the critical assumptions submitted changed the risk allocation, tender Specification or requirements. As such, each of these four submissions was considered compliant.

Neo Civil

Neo submitted various critical assumptions that were contrary to the General Conditions of Contract. Specifically:

- a. Invoices to be paid within 7 days of the date of invoice
- b. Requirements on costs for latent conditions
- c. Changes to retention values
- d. Changes to liquidated damages

All of the above change the risk allocation specified in the tender. As such, Neo's submission has been assessed as non-compliant and did not proceed for further evaluation.

Oaks Rail & Civil

Oaks submitted a generally well-structured tender that included most of the required schedules; however, the submission was assessed as non-conforming due to several critical assumptions. Specifically:

- a. The Specification required importing select backfill material for drainage installation work. Oaks specifically indicated this was excluded. Therefore, there would be additional cost if Oaks was to comply with the tender Specification.
- b. The Specification required that tenderers reinstate the road pavement with basecourse material meeting various requirements. Oaks indicated that they had only allowed to reinstate roads using limestone. Therefore, there would be additional cost if Oaks was to comply with the tender Specification.

Based on the items above, Oaks tender has been assessed as non-compliant and did not proceed for further evaluation.

The compliant tenders were evaluated based on the tenderer's submitted response to the tender evaluation criteria as described in the RFT documents. A full copy of the evaluation report is available upon request.

Tender	Aaro	Comiskey's	Key	Polecat
Total Tendered Price	████████	████████	████████	████████
Total Tendered Price <i>(including provisional items)</i>	████████	████████	████████	████████
Price (50%)	36.7	40.8	50.0	34.1
Tenderer's Demonstrated Relevant Experience in Similar Pit and Pipe Drainage Works (20%)	18	18	17	16
Demonstrated Experience of Key Project Personnel (10%)	10	10	7	7
Capacity to Commence and Complete Contract Works within Designated Time Frame (20%)	19	17	13	12
Total Qualitative Score (50%)	83.7	85.8	87.0	69.1
Overall Rank	3	2	1	4

Of the four compliant submissions, each was generally well-prepared and demonstrated that each of the four tenderers had experience with similar work in similar areas. On the basis that the Shire has sufficient budget to accommodate the base scope and provisional scope items, it is recommended that:

- a. The Shire award the contract for RFT 02-2026 to Key Civil for both Network A & B (provisional items) for the total tendered price of \$426,930.20 + GST.

Please note, the Shire will also need to allow budget to fund the following items required during the work:

- a. Provisional Items #3.4, 3.5 & 3.8 (quantity may vary depending on what is required during the work); and
- b. Independent Superintendent to administer the AS 2124 contract.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* is the statutory head of power that governs the use of tenders for Local Government.

POLICY / STRATEGIC IMPLICATIONS:

Council Policy 2.4 Tendering Policy establishes necessary mechanisms to guide the tender process for the Shire.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 2 Minor based on the recommendation to Council.

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 detailed in the report.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council award RFT 02-2026 Fifth Avenue Drainage Upgrade Work to Key Civil for both Network A & B (provisional items) for the total price of \$426,930.20.

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

03/26-56

That Council award RFT 02-2026 Fifth Avenue Drainage Upgrade Work to Key Civil for both Network A & B (provisional items) for the total price of \$426,930.20.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Councillor Karl Suckling declared an Impartiality Interest in Item 9.8.2 – Proposed 2025/26 Budget Amendment – Fifth Ave Drainage reduction, Binu East Rd and Karina Mews Additions as he is related to a director of the contractor appointed to complete the Disaster Recovery Works.

9.8.2 Proposed 2025/26 Budget Amendment - Fifth Ave Drainage Reduction, Binu East Rd and Karina Mews Additions.

PROPONENT	Shire of Northampton
OWNER	State of Western Australia
LOCATION / ADDRESS:	N/A
ZONE:	Residential/Rural
BUSINESS AREA:	Works & Technical Services
FILE REFERENCE:	12.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Jamie Muir
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	6 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Item 9.8.1 of this Ordinary Council Meeting considers the award of Request for Tender (RFT) 02-2026 for the Fifth Avenue Drainage Upgrade Works for the amount of \$426,930.20. Based on current estimates, the Fifth Avenue Drainage Project is anticipated to realise a saving of \$187,191 against the original project budget.

The project has a current allocated total budget of \$680,174. Following the tender evaluation, the recommended contract value is \$426,930.20. Allowing for consultant fees, potential contract variations, and other associated project costs, total project expenditure is conservatively estimated at \$500,000.

Project funding is comprised of the following sources:

\$133,983 – Roads to Recovery (R2R) carryover funding
 \$359,000 – Roads to Recovery (R2R) current allocation
 \$187,191 – Shire contribution

By prioritising the expenditure of available grant funding, it is anticipated that approximately \$187,191 in Shire funds will remain uncommitted and may be redirected to other priority projects within the 2025–26 financial year.

The purpose of this item is for Council to consider a budget amendment to reallocate the anticipated surplus Shire funds to alternative priority works.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

It is proposed that the Shire-funded component of the anticipated project saving be reallocated to the following priority projects:

1. \$20,000 to the Karina Mews Road Project, increasing the total project budget to \$120,000.
2. \$80,000 to Binnu East Road to undertake a 150 mm pavement lift in advance of the scheduled flood damage contract works.
3. \$30,000 to Anchorage Lane reconstruction project, additional to the DRFAWA project.
4. \$50,045 to Port Rd reconstruction and stabilisation project increasing the total project budget to \$100,219 as the budgeted funds are insufficient for the repair.

The Karina Mews Road Project has been included in the Shire's capital works program for several years but has not proceeded due to a range of operational priorities and project constraints. An updated Scope of Works and cost estimate has recently been prepared, identifying a construction value of \$112,986. The 2025–26 Annual Budget currently provides \$100,000 toward the project. The proposed reallocation will allow the project budget to be increased to a level that more accurately reflects current construction costs and facilitate delivery of the works.

In late June 2024, the Northampton area experienced significant rainfall and flooding (AGRN1150 – Heavy Rainfall and Associated Flooding in the Shire of Northampton, 26–30 June 2024). As a result, a section of Binnu East Road was inundated, leading to pavement failure. While the damage is eligible under the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) program, the approved scope of works only provides for reinstatement of the road to its pre-disaster condition. To improve the resilience of this section of road and reduce the likelihood of future inundation, it is considered essential that the pavement level be raised by approximately 150 mm. It is proposed that the Shire undertake the pavement lift works directly, after which the appointed DRFAWA contractor will complete the final trimming and sealing in accordance with the approved AGRN1150 project scope of works. This approach will ensure the road is reconstructed to a more suitable level while allowing the flood damage works to proceed efficiently under the existing DRFAWA contract.

The Department of Fire and Emergency Services (DFES) has approved funding for approximately one-third of the Anchorage Lane reconstruction project under AGRN 1143. This determination reflects the assessment that a significant portion of the damage is consequential in nature rather than directly attributable to the AGRN 1143 event that occurred between 6–9 June 2024. Contributing factors include pre-existing pavement deterioration, above-average rainfall experienced between June and September 2024, and drainage impacts from adjacent land affecting the road reserve. The additional funds proposed will enable the full extent of the damaged section of road to be repaired.

Port Road is experiencing significant subgrade water ingress, which has compromised the structural integrity of the pavement. Substantial engineering interventions will be required as part of the reconstruction process to achieve a long-term and sustainable solution, resulting in increased project costs.

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:

Maintaining a safe and efficient road network aligns with Desired Outcome 5.2 – Best Practice Stewardship, as outlined in the Shire of Northampton Strategic Community Plan 2025–2035. The proposed works support Council’s commitment to responsible asset management and the provision of reliable infrastructure for the community.

ORGANISATIONAL RISK MANAGEMENT:

The risk associated with not proceeding with the proposed works is considered moderate. If the works are not undertaken, the affected asset is likely to deteriorate further and may ultimately fail, which could result in increased maintenance costs, reduced serviceability, and potential safety concerns in the future. Proceeding with the works will reduce the likelihood of premature asset failure and support the long-term sustainability of the infrastructure.

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:

This proposal seeks to redistribute \$180,174, within the 2025/26 Annual Budget.

SUSTAINABILITY:

Environmental: Nil

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council amend the 2025/26 annual budget in accordance with the following table:

Budget Item	Adopted Budget	Amended Budget	Variation
Fifth Ave Drainage	\$680,174	\$500,000	(\$180,174)
Karina Mews Resurfacing	\$100,000	\$120,000	\$20,000
Binnu East Rd Pavement lift	\$0	\$80,000	\$80,000
Anchorage Lane Road Repair	\$0	\$30,000	\$30,000
Port St Reconstruction	\$50,045	\$100,219	\$50,174
Nett (\$)	\$830,219	\$830,219	\$0

COUNCIL RESOLUTION:

MOVED: Sudlow, L SECONDED: Smith, C

03/26-57

That Council amend the 2025/26 annual budget in accordance with the following table:

Budget Item	Adopted Budget	Amended Budget	Variation
Fifth Ave Drainage	\$680,174	\$500,000	(\$180,174)
Karina Mews Resurfacing	\$100,000	\$120,000	\$20,000
Binnu East Rd Pavement lift	\$0	\$80,000	\$80,000
Anchorage Lane Road Repair	\$0	\$52,000	\$52,000
Port St Reconstruction	\$50,045	\$78,219	\$28,174
Nett (\$)	\$830,219	\$830,219	\$0

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

ATTACHMENT**9.9.1 Unconfirmed Minutes of the Health Advisory Committee Held on 3 March 2026**

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	7.2.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	6 March 2026
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The purpose of this report is for Council to receive the unconfirmed minutes of the Health Advisory Committee for the meeting held 3 March 2026 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 minutes of the Health Advisory Committee meeting held 16 December 2025 be confirmed as a true and correct record.	This resolution does not require Council's decision.
2. That the Panaceum Accounts are accepted as presented.	This resolution 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
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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:

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 3 March 2026 in accordance with ATTACHMENT: 9.9.1 (1).

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Suckling, R

03/26-58

That Council receive the minutes of the Health Advisory Committee from the meeting held 3 March 2026 in accordance with ATTACHMENT: 9.9.1 (1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

10. LATE REPORTS:

Nil.

11. QUESTIONS FROM MEMBERS:

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

11.2 Questions from members: Nil.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

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

Nil.

14. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

15. CLOSURE:

There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.50pm.

SIGNED:



**Cr Liz Sudlow
Shire President**

DATE: 16 April 2026