



File No: 4.1.14

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Councillor,

The next Ordinary Meeting of the Northampton Shire Council will be held on Friday 20th February 2015 in the Meeting Room of the Allen Centre, Grey Street, Kalbarri, commencing at 1.00pm.

Please note the following

- 11.00am Audit Committee Meeting.
- 11.30am Onsite meeting at Jakes Point with Kalbarri Boadriders.

The agenda for the above-mentioned meetings are enclosed.

Lunch will be served from 12.15pm.

A handwritten signature in blue ink, appearing to read 'Garry L KEEFFE'.

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

13th February 2015



~ Agenda ~

20nd February 2015

NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Northampton Shire

Council will be held on Friday 20th February 2015, at the

Allen Centre, Kalbarri commencing at 1:00pm.

GARRY KEEFFE
CHIEF EXECUTIVE OFFICER

13th February 2015

SHIRE OF NORTHAMPTON

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Signed  _____

Date 13th February 2015

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

**AGENDA
ORDINARY MEETING OF COUNCIL
20nd February 2015**

1. OPENING

2. PRESENT

- 2.1 Leave of Absence
- 2.2 Apologies

3. QUESTION TIME

4. CONFIRMATION OF MINUTES – COUNCIL

- 4.1 Ordinary Meeting of Council – 19th December 2014.

5. RECEIVAL OF MINUTES

- 5.1 Annual Electors Meeting – 21st January 2015
- 5.2 Northampton LEMC – 10th February 2015
- 5.3 Kalbarri LEMC – 10th February 2015
- 5.4 Audit Committee – 20th February 2015

6. REPORTS

- 6.1 Works
- 6.2 Health & Building
- 6.3 Town Planning
- 6.4 Finance
- 6.5 Administration & Corporate

7. COUNCILLORS & DELEGATES REPORTS

- 7.1 Presidents Report
- 7.2 Deputy Presidents Report
- 7.3 Councillors' Reports

8. INFORMATION BULLETIN

9. NEW ITEMS OF BUSINESS

10. NEXT MEETING

11. CLOSURE

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road Northampton on 19th December 2014

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SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road Northampton on 19th December 2014

12.1 OPENING

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

12.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr C Simkin	Deputy President	Northampton Ward
Cr T Carson		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr P Gliddon		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Cr M Holt		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager Works & Technical Services	
Mrs Hayley Williams	Principal Planner	

12.2.1 LEAVE OF ABSENCE

Cr D Stanich

12.2.2 APOLOGIES

Cr M Scott

12.3 QUESTION TIME

No members of the public were present during question time.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014**

12.4 CONFIRMATION OF MINUTES

**12.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 21st
NOVEMBER 2014**

Moved Cr GLIDDON, seconded Cr HOLT

That the minutes of the Ordinary Meeting of Council held on the 21st November 2014 be confirmed as a true and correct record with the following changes.

- 11.3 Remove “has no considered” and insert “has not considered”
- 11.4.4 Change “19th September 2014” to “17th October 2014”
- 11.6 Change to carried by absolute majority
- 11.6.1 Remove “that due to external the” and insert “that due to the external”
- 11.6.2 Remove “existing” and insert “exiting”
- 11.10.3 Remove “WA Local Government Authority” and insert “WA Local Government Association”
- 11.13.2 Remove “Cr Stock-Standen” and insert “Cr Scott”

CARRIED 7/0

12.4.2 POLICY ON HYDRAULIC FRACTURING

Moved Cr CARSON, seconded Cr HOLT

That the Chief Executive Officer submit a policy on Hydraulic fracturing (Fracking) to the February 2015 Meeting of Council.

CARRIED 7/0

12.5 RECEIVAL OF MINUTES

**12.4.1 RECEIVAL OF MINUTES – AUDIT COMMITTEE MEETING 19th DECEMBER
2014**

Moved Cr STOCK-STANDEN, seconded Cr GLIDDON

That the minutes of the Audit Committee Meeting held on the 19th December 2014 be confirmed as a true and correct record.

CARRIED 7/0

12.4.2	RECEIVAL OF ANNUAL REPORT, INTERNAL AUDIT REPORT AND RISK MATRIX
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Moved Cr STOCK-STANDEN, seconded Cr GLIDDON

That Council:

Receive the 2013/2014 Annual Report including the Annual Financial Statements, Audit Report and Management Report.

Receive the Internal Audit Report and Risk Matrix as per Regulation 17 of the *Local Government Act 1995*.

CARRIED 7/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014

12.6 WORKS REPORT

12.6.1 MAINTENANCE WORKS/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)

Noted

12.6.2 REQUEST FOR QUOTE– SUPPLY OF ONE (1) 6 WHEEL TIP TRUCK AND/OR SALE OF ONE 6 WHEEL TIP TRUCK AS A TRADE OR SALE ONLY BASIS (ITEM 6.1.2)

Moved Cr HOLT, seconded Cr CARSON

That Council accepts the quote submitted by Midwest Isuzu for the supply of one Isuzu GIGA CXZ 455 6 Wheel Tip Truck with trade vehicle (P168 – NR1109) to be released to Midwest Isuzu. Total price to Council \$143,717 (exc. GST).

CARRIED 7/0

12.6.3 REQUEST FOR QUOTE– SUPPLY OF ONE (1) 4WD BACKHOE LOADER AND/OR SALE OF ONE 4WD BACKHOE LOADER AS A TRADE OR SALE ONLY BASIS (ITEM 6.1.3)

Moved Cr SIMKIN, seconded Cr CARSON

That Council accepts the quote submitted by Afgri Equipment for the supply of one JCB 3CX CLASSIC ECO 4WD Backhoe Loader with trade vehicle (P215 – NR9619) to be released to Afgri Equipment. Total price to Council \$96,583 (exc. GST).

CARRIED 7/0

Mr Broadhurst left the meeting at 1.45pm.

12.7 HEALTH/BUILDING REPORT

12.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

12.8 TOWN PLANNING REPORT

12.8.1 MIDWEST COASTAL NODES PLANNING STUDY – HALFWAY & LUCKY BAY CAMPING AREA – REQUEST FOR FUNDING (ITEM 6.3.1)
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Moved Cr STOCK-STANDEN, seconded Cr PIKE

That Council commit \$12,871 towards the project and that the Coastal Management Reserve Fund be utilised for this contribution.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.8.2 BUILDING AND RETAINING WALL ENCROACHMENTS, MITCHELL STREET HORROCKS (ITEM 6.3.2)
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Moved Cr STOCK-STANDEN, seconded Cr SIMKIN

Council resolved that:

1. Shire staff in consultation with the appointed surveyor and solicitor undertake the preparation of easements for building encroachments on Lots 17, 18, 66 and 67 Mitchell Street, Horrocks.
2. The landowners of Lot 17, 18, 66 and 67 shall pay for the cost associated with preparing the interest only deposited plans, easement documentation and registration fees.
3. Advise the abovementioned landowners that based on current quotes for works the cost of preparing the interest only deposited plan and easement documentation is approximately \$2385.00 per property. This is based on a fee of approximately \$1660.00 for the easement preparation per lot and the entire survey costing approximately \$2900.00.
4. Liaise with the landowners of Lots 93 and 94 Mitchell Street to advise of the issues associated with undertaking an easement over buildings where exclusive possession is required. Further discuss with these landowners the benefits of undergoing a boundary realignment through subdivision in order to secure the building within their lot boundary.

CARRIED 7/0

12.8.3 SINGLE RESIDENTIAL SECOND-HAND TRANSPORTABLE DWELLING – LOT 209 (NO. 17) STOKES STREET, HORROCKS (ITEM 6.3.3)

Moved Cr CARSON, seconded Cr HOLT

That Council grant formal planning approval for a single residential second-hand transportable dwelling on Lot 209 (No. 17) Stokes Street, Horrocks subject to the following conditions;

- (a) Development shall be in accordance with the attached approved plans dated 19 December 2014 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
- (b) A building permit shall be issued by the local government prior to the commencement of any work on the site;
- (c) The space between the ground level and the floor level of the transportable dwelling shall be suitably enclosed to the approval of the local government;
- (d) All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied;
- (e) Prior to the issue of a building permit, the owner is to lodge a bond of \$9,500.00 to secure completion of all steps necessary to achieve an external appearance to the building in accordance with the Planning Approval;
- (f) A statutory declaration shall be lodged with the local government prior to the approval of a building permit. The statutory declaration is to be signed by the Applicant and appropriately witnessed, indicating that the bond will be forfeited to Council if:
 - (i) The works described in the attached approved plans dated 19 December 2014 are not completed within 24 months;
- (g) Installation of crossing places to the standards and specification of the local government;
- (h) The roof of the building being clad of new, non-reflective materials consistent or complementary in colour with the

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014**

surrounding natural landscape features or desired streetscape to the approval of the local government;

- (i) A materials and colour schedule for the transportable dwelling and the additions shall be provided prior to the approval of the building permit to the approval of the local government;
- (j) The walls of the existing transportable dwelling shall be painted in a colour to match the overall development to the approval of the local government;
- (k) A landscaping plan is to be submitted for approval by the local government, and once approved, prior to the commencement of the approved use, the approved landscaping plan is to be implemented in full and maintained thereafter to the approval of the local government;
- (l) Boundary fencing is to be constructed and thereafter maintained to the approval of the local government;
- (m) Access and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;
- (n) Any soils disturbed or deposited on site shall be stabilised to the approval of the local government; and
- (o) Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.

Advice Notes:

- 1) Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.
- 2) If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.

CARRIED 7/0

Hayley Williams left the meeting at 2.10pm.

12.8.4 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.4)
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Noted

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014

12.9 FINANCE REPORT

12.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr SIMKIN, seconded Cr STOCK-STANDEN

That Municipal Fund Cheques 20382 to 20418 inclusive, totalling \$165,593.43, Municipal EFT payments numbered EFT13140 to EFT13292 inclusive totalling \$618,685.25, Direct Debit payments GJ0501 to GJ0505 totalling \$6,247.49, Trust Fund Cheques 2014-2019, totalling \$79,833.27 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.9.2 MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)

Moved Cr SIMKIN, seconded Cr PIKE

That Council adopts the Draft Monthly Financial Report for the period ending 30 November 2014.

CARRIED 7/0

12.10 ADMINISTRATION & CORPORATE REPORT

12.10.1 2015 COUNCIL MEETING DATES (ITEM 6.5.1)

Moved Cr SIMKIN, seconded Cr CARSON

1. That Council holds their ordinary meetings on the third Friday of each month with the exception of the April 2015 meeting which is to be held Wednesday 22nd April 2015.
2. That all meetings commence at 1.00pm.
3. That the February, June and October meetings be held at the Allen Centre in Kalbarri with all other meetings to be held at the Northampton Council Chambers.

CARRIED 7/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014**

12.10.2 ANNUAL REPORT (ITEM 6.5.2)

Moved Cr WILSON, seconded Cr GLIDDON

That the Annual Electors meeting be held Wednesday 21st January 2015 commencing at 5.30pm at the Northampton Council Chambers.

CARRIED 7/0

12.10.3 RENT CHARGES – NORTHAMPTON LIA UNITS (ITEM 6.5.3)

Moved Cr STOCK-STANDEN, seconded Cr CARSON

That Council approve the first twelve months rent free for the use of the Light Industrial Units 1 to 4 at Lot 83 Kitson Circuit, Northampton.

CARRIED 7/0

12.10.4 NORTHAMPTON CHILD CARE CENTRE (ITEM 6.5.4)

Moved Cr SIMKIN, seconded Cr STOCK-STANDEN

That Council:

1. Undertake the financial recording and management of the Northampton Child Care Centre for a further three years as from 1st January 2015 to 31 December 2017 and a Memorandum of Understanding for this extension be entered into with the Northampton Child Care Center.
2. Should the Northampton Child Care Centre become unsustainable for the MOU period then the NCCC Management Committee be required to take steps to revise the centres options for continued operation, and the Council cease undertaking the financial administration/management role.

CARRIED 7/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014**

**12.10.5 DISPLAY SITE CHARGE – NORTHAMPTON AGRICULTURAL SHOW
(ITEM 6.5.5)**

Moved Cr HOLT, seconded Cr PIKE

That council refuse to pay the \$44.00 account issued by the Northampton Agricultural Society but will make a donation totalling of \$44.00 to the Northampton Agricultural Society.

CARRIED 7/0

12.10.6 KALBARRI VOLUNTEER SEA SEARCH & RESCUE BUILDING (ITEM 6.5.6)

Moved Cr GLIDDON, seconded Cr PIKE

1. Approve of the proposed lease area for portion of Reserve 25307 as per plan presented in Appendices 1, and that a lease be entered into with the Kalbarri Volunteer Sea Search and Rescue Group for this area for a period of 21 years at a rent of \$1 per year.
2. That Council provides in-principal support for the design of proposed extensions to the existing building and that formal approval will only be provided upon submitting of required plans and specifications for planning and building approval.

CARRIED 7/0

12.10.7 AUTHORISED PAYMENT – CHISAL ALLIANCE (ITEM 6.5.7)

Moved Cr PIKE, seconded Cr GLIDDON

That Council authorise the payment of \$5,217.75 (GST exclusive) to Chisal Alliance being costs incurred for the Living Communities Program and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.10.8 BEACH SHELTER - HORROCKS (ITEM 6.5.7)

Moved Cr CARSON, seconded Cr HOLT

That Council approves the construction of a beach shelter as proposed by the Horrocks Community Centre Inc, located at the beach area known as the "whiting pool", and authorise expenditure of \$1,470 (GST exclusive) for materials costs for the construction of the shelter.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road Northampton on 19th December 2014

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 2.50pm.

Meeting reconvened at 3.02pm with the following in attendance:

Cr Wilson, Cr Simkin, Cr Carson, Cr Gliddon, Cr Stock-Standen, Cr Holt, Cr Pike,
Chief Executive Officer Garry Keefe, Deputy Chief Executive Officer Grant
Middleton

12.11 SHIRE PRESIDENTS REPORT

Since the last Council meeting Cr Wilson reported on his attendance at the following:

26/11/14 NRM Meeting Geraldton
27/11/14 Met with the owners of Coolcalalaya station with CEO in
relation to a proposed event in March 2015
12/12/14 Shire Christmas function at the Northampton Bowling Club

12.12 DEPUTY SHIRE PRESIDENTS REPORT

Since the last Council meeting Cr Simkin reported on his attendance at the following:

29/11/14 Christening of the Kalbarri VMR rescue boat "Spirit of Kalbarri"
12/12/14 Shire Christmas function at the Northampton Bowling Club

12.13 COUNCILLORS REPORTS

12.13.1 CR CARSON

Since the last Council meeting Cr Carson reported on his attendance at the Shire
Christmas function at the Northampton Bowling Club on 12/12/14.

12.13.2 CR GLIDDON

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

24/11/14 Midwest Tourism Alliance meeting in Geraldton
29/11/14 Christened the Kalbarri VMR rescue boat "Spirit of Kalbarri"
2/12/14 RoadWise Meeting Kalbarri (elected as chairperson)
12/12/14 Shire Christmas function at the Northampton Bowling Club
Two Kalbarri Visitor Centre Committee Meetings

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road
Northampton on 19th December 2014**

12.13.3 CR HOLT

Since the last Council meeting Cr Holt reported on his attendance at the following:

29/11/14	Christening of the Kalbarri VMR rescue boat "Spirit of Kalbarri"
12/12/14	Review plans VMR Kalbarri
12/12/14	Shire Christmas function at the Northampton Bowling Club

12.13.4 CR PIKE

Since the last Council meeting Cr Pike reported on his attendance at the following:

29/11/14	Christening of the Kalbarri VMR rescue boat "Spirit of Kalbarri"
2/12/14	RoadWise Meeting Kalbarri
12/12/14	Review plans VMR Kalbarri
12/12/14	Shire Christmas function at the Northampton Bowling Club

12.14 INFORMATION BULLETIN

Nil

12.15 NEW ITEMS OF BUSINESS

Cr Holt advised that Shaun Peters the OIC of Kalbarri Police had requested to meet council for the purpose of relationship building.

12.15.1 NETWORKING WITH OIC KALBARRI POLICE

Moved Cr HOLT, seconded Cr PIKE

That Council invites Shaun Peters OIC Kalbarri Police to afternoon tea with Councillors at 3.00 on Friday the 20th February at the Allen Centre Kalbarri.

CARRIED 7/0

12.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on the 20th February 2015 commencing at 1.00pm at the Allen Centre, Grey Street Kalbarri.

Cr Holt gave notice that he would be requesting a leave of absence from the February 2015 Meeting of Council.

12.17 CLOSURE

There being no further business, the President thanked his Deputy President, Councillors, Chief Executive Officer and staff for their efforts and support during the year. The President wished everyone a good and safe Christmas and declared the meeting closed at 3.25pm.



SHIRE OF NORTHAMPTON

Minutes of Annual Electors Meeting held at the Northampton Council Chamber, Hampton Road, Northampton 21st January 2015

1. **OPENING**

The Deputy President thanked all members present for their attendance and declared the meeting open at 5.34pm.

2. **PRESENT**

Cr C Simkin	Deputy President	Northampton Ward
Cr T Carson		Northampton Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	

Electors:

Nil

3. **APOLOGIES**

Cr G Wilson	President	Northampton Ward
Cr D Stanich		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr P Gliddon		Kalbarri Ward
Cr M Scott		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Cr M Holt		Kalbarri Ward

4. **CONFIRMATION OF PREVIOUS MINUTES – 22nd JANUARY 2014**

Moved Cr CARSON, seconded Cr SIMKIN

That the minutes of the Annual Electors Meeting held on the 22nd January 2014 be confirmed as true and correct record.

CARRIED

5. **BUSINESS ARISING FROM MINUTES**

Minute 7.1 – Purpose of Annual Electors Meetings

Moved Cr CARSON, seconded CR SIMKIN

That it be recommended to Council that Council again request the Department of Local Government to remove the need for the holding of Annual Electors meetings due to the lack of interest by electors, which is proven by their non attendance, and the availability of electors being able to ask questions to the Council at question time of each Council meeting.

CARRIED



SHIRE OF NORTHAMPTON

**Minutes of Annual Electors Meeting held at the Northampton Council Chamber,
Hampton Road, Northampton 21st January 2015**

6. RECEIVAL OF ANNUAL REPORT FOR 2013/2014

Moved Cr SIMKIN, seconded Cr CARSON

That the Annual Report, including the President's Report, Chief Executive Officer's Report, Annual Financial Statements and Audit Report for the year ended 30th June 2014, be received.

CARRIED

7. GENERAL BUSINESS

Nil

8. CLOSURE

There being no further business, the President thanked all present for their attendance and declared the meeting closed at 5.36pm.

WORKS & ENGINEERING REPORT CONTENTS

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6.1.1	INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM						
	<table> <tr> <td>REPORTING OFFICER:</td><td>Neil Broadhurst - MWTS</td></tr> <tr> <td>DATE OF REPORT:</td><td>12th February 2015</td></tr> <tr> <td>APPENDICES:</td><td>1. Nil.</td></tr> </table>	REPORTING OFFICER:	Neil Broadhurst - MWTS	DATE OF REPORT:	12th February 2015	APPENDICES:	1. Nil.
REPORTING OFFICER:	Neil Broadhurst - MWTS						
DATE OF REPORT:	12th February 2015						
APPENDICES:	1. Nil.						

The following works, outside of the routine works, have been undertaken since the last report and are for Council information.

Specific Road Works

- Maintenance grading carried out on Horry, Frosty Gully and Blue Well Roads.
- Gravel sheeting and drainage improvement works carried out on Blue Well and Horry Roads.

Maintenance Items

- Tree lopping various.
- Road verge and general chemical spraying.
- Pothole repair works various locations as part of maintenance and reseal preparation works.
- Teakle Road – Headwall installation works.
- Rob Road – Headwall and various drainage works undertaken.
- Mary Street – Culvert extension and headwall reinstatement works completed.
- Botannic Line (Northampton) – Additional water tank installed
- Northampton Refuse site – Oil reciprocal area tided up (DOE report)
- Fire attendance – Nerren Nerren and Kalbarri National Park.
- Northampton and Kalbarri – General Depot cleanup.
- Kalbarri – Carnival cleanup and maintenance works.
- Kalbarri PCYC – Removal of limestone for reuse.
- Kalbarri – Skatepark works.
- Australia Day preparation and cleanup works.

Other Items (Budget)

- Northampton – First Avenue works complete.
- Chilimony Road - Pavement repairs completed. Some minor drainage works outstanding.
- Northampton LIA – Bollards and white lining requirements completed.
- Kalbarri Road – Works commence to pavement/overlay works at Mt View area.
- Northampton - Hampton Park – Toilet and bollard installation completed.

Plant Items

- P193 – Caterpillar Grader – Replaced air compressor, replace circle and blade wear strips, blade lift cylinders ball mounting to circle frame and centre shift both replaced, Flushed all brake air lines, serviced brake valve, various hose replacements around circle, replace faulty engine sensor, articulation cylinders removed and resealed, fuel lines cleared, flushed cooling system and replaced lines as required. (Westrac – Approximate \$27,000 plus GST)

Staff/Personnel Items

- Chemical Handling course – 4 x Kalbarri and 3 x Northampton staff.

OFFICER RECOMMENDATION – ITEM 6.1.1

For Council information.

**6.1.2 REQUEST FOR QUOTE– ROAD PLANT PURCHASE
4WD BACKHOE LOADER
CLARIFICATION ON FRONT BUCKET ASSEMBLY**

REPORTING OFFICER:	Neil Broadhurst - MWTS
DATE OF REPORT:	12th February 2014
APPENDICES:	See Attached information.

BACKGROUND:

Within the 2014/2015 Budget, provision was made for the purchase of one (1) vehicle being a New 4WD Backhoe Loader and / or sale of one (1) 4WD Backhoe Loader as a trade within the Shire of Northampton's existing plant fleet.

Documentation was prepared in requesting a 4WD Backhoe Loader (as per existing backhoe specifications). The trade vehicle is Council's existing Backhoe within the Northampton plant fleet (P215 – JCB 3CX 2008 – approx 4750 hours). A similar sized/powered plant item was requested.

The following information was sent out to all Councilors by the Chief Executive Officer on Tuesday 10th February 2015;

The following is brought to Council's attention in regards to the delivery of the JCB Backhoe as approved by Council at their December 2014 general meeting.

At the December 2014 meeting, Council awarded the purchase of a backhoe to AFGRI Equipment Pty Ltd for the supply of one JCB 3CX CLASSIC ECO 4WD Backhoe. Total price less trade to \$96,583 (exc GST).

Purchase Order was issued Friday 19th December 2014 to instigate the speedy delivery of the plant item. Following advice from that new backhoe as at their Geraldton depot and nearing completion and almost ready for inspection and delivery. On Thursday 29th January 2015 an inspection of the machine was carried out by the Manager of Works and Plant Operator Mr. Sean Boyce.

It was identified that the front bucket assembly was a direct mounted unit rather than a quick release hydraulic arrangement, which is what was requested in the specifications. The main difference being that the front bucket cannot be removed for the attachment of the flip over pallet forks or material handling arm. Both of these attachments would still be able to be used in a modified form but would have the bucket remaining in place which creates visibility and weight lifting issues.

During the entire process and discussion with AFGRI both prior to the award of the quote and since awarding the quote, Management has discussed that the front mount assembly of the JCB would require to be the same as the existing machines hydraulic quick release system (trade plant item). Upon inspection of the machine to be supplied by AFGRI this is not the case.

Review of the 'Request for Quote' documents would arguably suggest that the Basic Price included the Hydraulic front assembly as being part of the basic machine to be provided. Review of the quote submitted by AFGRI would suggest that some confusion may have existed given that the option of both a front hydraulic quick release system and rear hydraulic quick release system has been priced as an option for consideration rather than part of the basic machine price.

Extract from RFQ 2014– NEW BACKHOE LOADER

BASIC PRICE

Item 15. Front mounted quick release bucket assembly. (option – cab operated)

Management is suggesting that it would appear that while the 'Request for Quote' documentation lists the requirements for the supply of a basic machine including the quick release hydraulic system, there would appear to have been a legitimate error made in the quote submission in that the item was listed as an option rather than included in the basic machine price. Council's order issued to AFGRI listed the options as presented and approved by Council but did not list the hydraulic front assembly as believed to be included as part of the Basic Price.

FINANCIAL & BUDGET IMPLICATIONS:

The quick release system is a definite necessity for the new machine. The financial impact to provide the hydraulic front assembly as per the existing trade vehicle will result in an additional cost of \$9,000 (plus GST). This is the identical price as per the original submission within the 'Request for Quote' but as listed by AFGRI as an option.

While this is additional expenditure is over the original amount approved at the December 2014 general meeting it still falls below the original net budget figure of \$130,000 (exc GST). It also still has the plant item below the price of its closest competitor based on price considerations.

COMMENT:

From Managements investigations into this matter, it is considered that a legitimate error has been made in the submission of the 'Request for Quote' for the supply of the Backhoe loader.

To expedite the delivery of the new backhoe, (as we do not wish to retain the current machine for any further length of time in case additional maintenance/repairs are required), Councillors are requested to approve the additional cost of \$9,000 now by return email and if a majority of Councillors approve the change then a report will be submitted at the February 2015 meeting for formal endorsement of this decision.

If a majority of Councillors do not support the additional expenditure then no further action on purchasing a new machine will be undertaken until Council has considered the matter at the February 2015 meeting.

Your urgent response to this matter is requested and if you have any queries please contact Neil Broadhurst direct.

A request was received by the Shire President for the matter to be discussed in full at Councils February 2015 general meeting. Subsequently the above and attached information is forwarded for Council information.

COMMENT:

Council are requested to review the information as above and advise management in regards to the direction to be taken to resolve the issue.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.1.2

That Council reviews the information as presented and advise management to the direction to be taken to resolve the issue.

6.1.3	PORT GREGORY CARAVAN PARK – CLEARING OF NORTHERN TREELINE						
	<table><tr><td data-bbox="359 488 837 526">REPORTING OFFICER:</td><td data-bbox="837 488 1410 526">Neil Broadhurst - MWTS</td></tr><tr><td data-bbox="359 526 837 560">DATE OF REPORT:</td><td data-bbox="837 526 1410 560">11th FEBRUARY 2015</td></tr><tr><td data-bbox="359 560 837 593">APPENDICES:</td><td data-bbox="837 560 1410 593">See Attached information.</td></tr></table>	REPORTING OFFICER:	Neil Broadhurst - MWTS	DATE OF REPORT:	11th FEBRUARY 2015	APPENDICES:	See Attached information.
REPORTING OFFICER:	Neil Broadhurst - MWTS						
DATE OF REPORT:	11th FEBRUARY 2015						
APPENDICES:	See Attached information.						

BACKGROUND:

The Owners/Managers of the Port Gregory Caravan Park have again requested that the Shire of Northampton investigate the possibility of carrying out tree removal works along the northern boundary of the caravan park between Henville Place and Simkin Place including the access way that runs from Simkin Place west. Pricing for the works was submitted for consideration within the 2014/2015 budget however not included through a number of reasons including land ownership issues.

Following further discussions and investigation with owners/managers of the caravan park Management forward the following information for Council information and confirmation of land tenure.

As per the 'Landgate' aerial photos attached and confirmation from information received from Quantum surveyors that the 'Landgate' information can be assumed to be accurate enough to determine that the tree line in question is not on the Caravan Park land.

Investigation into ownership of the land to the north of the Caravan Park can confirm that the part of the tree line area is within the road reserve area of Simkin Place (Shire of Northampton jurisdiction) while the remainder to the east of Simkin Place is UCL (Unallocated Crown Land) and comes under the jurisdiction and responsibility of State Government.

Management has subsequently sourced a quotation for the removal of the trees including stump grinding for the 18 Tamarisk trees that exist with the Shire of Northampton road reserve area. The quote totals \$2,970 plus GST. A price for complete removal including stump grinding has been requested as the Port Gregory non potable water supply line falls in close proximity to this area and any major ground disturbance would undoubtedly result in damage to the waterline.

The caravan park owners/managers through discussion want to eventually install a secure fence line along the rear boundary in question that would invariably be damaged if the trees remained in place. The nature of the Tamarisks trees are also having a local problem in regards to the invasive nature of the trees root system.

FINANCIAL & BUDGET IMPLICATIONS:

The 2014/2015 Budget while having a general 'Municipal Fund Road Maintenance' for Tree Lopping has no specific provision for the removal of any of the trees at this particular location.

COMMENT:

The trees in question within the road reserve area are of a maintenance concern to Council management and pose some liability in regards to periodic maintenance requirements. The continual need to ensure the walkway and surrounding council storm water infrastructure is adequately clear to allow safe access and drainage requirements are an ongoing maintenance cost. The nature of the Tamarisk trees highly invasive root system is also posing some localise problems.

Management would request Council approve funds to remove the trees in question within the Simkin Place road reserve now or list the works for consideration within the 2015/2016 budget.

VOTING REQUIREMENT:

1. To remove trees from Simkin Place road reserve area at the cost as quoted at \$2,970 plus GST;

Absolute Majority Required: - As there is no specific provision for this expenditure within the 2014/2015 Budget.

2. To list trees for removal for consideration within the 2015/2016 budget;

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.1.3

For Council consideration.

ITEM No:	DATE
6.1.2	20/2

SHIRE OF NORTHAMPTON

ONE (1) NEW 4WD BACKHOE LOADER

LOADER 2014/2015

ONE (1) NEW 4WD BACKHOE LOADER

BASIC PRICE

1. Engine - diesel powered (65 - 80Kw).
2. 2014/2015 compliant model.
3. Transmission - Power-shuttle.
4. Fully enclosed low profile R.O.P.S. / F.O.P.S. cab
5. 5kw integrated air conditioning. (Suitable for Mid West Conditions)
6. Alarm systems - low oil, high temperature etc.
7. Audible reverse alarm.
8. Turbo timer device.
9. Hour meter (oil pressure activated).
10. Safety check valves (Craning valves) to all applicable front and rear hydraulics.
11. Manual differential lock/unlock
12. Backhoe arm hydraulic sideshift.
13. Backhoe support feet to include rubber/suitable road protection pads. (not steel)
14. Backhoe quick release coupling. (option - cab operated)
- * 15. Front mounted quick release bucket assembly. (option - cab operated)
16. Factory fitted AM/FM/CD radio.
17. 2 x Amber flashing light (LED's) mounted on cab roof with easy access mesh guards. All light assemblies must be fold down/back capable.
18. Full road and work lights front and rear with suitable easy access guards (fitted mesh guards for all). All light assemblies must be fold down/back capable.
19. Internal and external fold back rear-view mirrors.
20. Suspension seat with arm rests (150kg rated) and heavy duty canvas seatcovers.
21. Transfer of 2 ways (FESA VHF, Shiro VHF radio and 40 channel UHF radio/s) from trade vehicle.
(All radios fitted/transferred to be insulated against all engine/electrical interference).
22. Tinted windows - All glass including windscreen to be safety tinted glass (not plastic film).
23. Maintenance tool kit (itemised list requested).
24. Fire extinguisher - 1.5 litre powder type with factory brackets mounted inside cab.
25. External mounted lockable tool boxes x 2. One for tools. One for lifting chains.
26. Vandal proof locks on all compartments including oil dipstick and fuel cap.
27. Air compressor and tyre inflation kit able to reach all machine tyres.
28. Colour - construction yellow with the 'Shire of Northampton' painted on machine sides. 2 shire emblems (supplied by council) to be placed on machine sides.



JOHN DEERE

ITEM No:

DATE

6.1.2

20/2

AFGR

EQUIPMENT

Quote Summary

(Pricing Displayed Includes 10.00% GST)

Prepared For:
Northampton Shire
WA

Prepared By:

Craig Harris
24 Edward Road
Phone: 08-9921-5044
charris@afgri.com.au

Quote Id: 10649567

Created On: 03 December 2014

Last Modified On: 03 December 2014

Expiration Date: 10 December 2014

Equipment Summary	Selling Price	Qty	Extended
JCB 3CX 4 IN 1 BUCKET	\$ 0.00 X	1 =	\$ 0.00
JCB JCB 3CX FLIP OVER PALLET FORKS	\$ 1,795.20 X	1 =	\$ 1,795.20
JCB MATERIAL HANDLING BUCKET	\$ 0.00 X	1 =	\$ 0.00
JCB HIMAC STICK RAKE TO SUIT JCB 3CX	\$ 4,323.00 X	1 =	\$ 4,323.00
JCB REAR BOOM THUMB 300MM BUCKET	\$ 12,650.00 X	1 =	\$ 12,650.00
JCB 600MM BUCKET WITH TEETH	\$ 0.00 X	1 =	\$ 0.00
JCB 600MM FALT EDGE BUCKET	\$ 1,683.00 X	1 =	\$ 1,683.00
JCB 300MM BUCKET WITH TEETH	\$ 1,210.00 X	1 =	\$ 1,210.00
JCB SINGLE TOOTH RIPPER TO SUIT BACKHOE	\$ 2,140.60 X	1 =	\$ 2,140.60
JCB AUTO LUBE SYSTEM	\$ 8,800.00 X	1 =	\$ 8,800.00
* JCB HYDRAULIC QUICK HITCH FOR 6 IN 1 BUCKET	\$ 9,900.00 X	1 =	\$ 9,900.00
JCB HYDRAULIC QUICK HITCH SYSTEM FOR BACKHOE	\$ 3,025.00 X	1 =	\$ 3,025.00

Salesperson : X _____

Accepted By : X _____

Confidential

Neil Broadhurst

ITEM No:	DATE
6.1.3	20/2

From: Neil Broadhurst
Sent: Thursday, 22 January 2015 2:50 PM
To: 'Tim Hay'
Cc: Garry Keeffe
Subject: RE: Port Gregory Tree Lopping

Tim

Thank you for the information forwarded to this office

Please note that further investigation of the area in question and who is responsible for the trees in question is as per below.

The immediate area along the caravan parks northern boundary that includes the Simkin Place Road reserve would from landgate information confirm that the trees would appear to be on the road reserve area and subsequently would come under the jurisdiction of the Shire of Northampton (onsite survey would be needed to confirm this%). The area outside of the Simkin Place road reserve that runs along the northern boundary of the caravan park to the north east corner of the caravan park is UCL (unallocated crown land - Dept of Lands - Perth). Subsequently this is not owned or managed by the Shire of Northampton and is solely the responsibility of the State Government.

Based on this information the Shire of Northampton shall arrange for the area from the south east corner of Simkin Place west to be revisited in regards to tree lopping/removal works. These works are not included in Councils 2014/2015 budget and subsequently shall be presented at council's February meeting for approval prior to carrying out these works.

Contact should be made with the State government in regards to the area to the east of the Simkin Place road reserve.

Regards

Neil Broadhurst
Manager of Works and Technical Services
Shire of Northampton

Office (08) 9934 1202
Mob 0428 341 202
Fax (08) 9934 1072

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-----Original Message-----

From: Tim Hay [mailto:timhay21@yahoo.com]
Sent: Thursday, 22 January 2015 11:01 AM
To: Neil Broadhurst
Subject: Port Gregory Tree Lopping

G'day Neil

Map Viewer

Created 22 Jan 2015



Scale: 1:978

Description

Map Projection: GDA 84 (Lat/Long)

Datum: Geocentric Datum of Australia
1994

1 Midland Square
Midland WA 6056
(08) 9273 7341
customerservice@landgate.wa.gov.au
www.landgate.wa.gov.au



Landgate

© Western Australian Land Information Authority 2007

ITEM No:
6.1.3

DATE
20/2

SHIRE OF NORTHAMPTON

WORKS CREW 12 MONTHLY PROGRAM AND PROGRESS REPORT (2014/2015)

(February 2015)

2014/2015 Budget Works	Status	Comments
<u>Regional Road Group Projects</u>		
Kalbarri Road Bitumen edge reinstatement - carry over 13/14	COMMENCED	Estimate to be sealing 26th February
Kalbarri Road Pavement Repair slk 11.00 (Mt View)		
Horrocks Road Shoulder Reconditioning		
<u>Roads to Recovery</u> (Carry over 2013/14)		
Mary Street - Northampton NWCH to Barlow - Street improvements	COMPLETE	
Grey Street - Kalbarri (inc B/Spot funding) Reconstruct from Clotworthy Street north	COMPLETE	
Magee Crescent - Kalbarri Aggregate reseal and replace concrete kerbing	COMMENCED	
<u>Roads to Recovery</u> (New Works 2014/15)		
Chilimony Road Reconstruct and Overlay works - Stage 1	COMPLETE	
Chilimony Road Pavement Repairs - South end	COMPLETE	
Cont.		
2014/2015 Budget Works	Status	Comments

<u>Royalties for Regions Funding</u>		
Ogilvie East Road - Stage 3A Reseal Corners		Reseal March 2015
Ogilvie East Road - Stage 3B Construct to primerseal (2.2km's)	COMPLETE	Construction Complete. Reseal March 2015
<u>MUNICIPAL FUND CONSTRUCTION</u> (Carry over 2013/14)		
Kalbarri - Hotel Car Park Reseal 2011/2012 works	COMPLETE	Section not carried out due to area having excess bitumen from primerseal
Ogilvie West Road Realign corner and install culvert	COMPLETE	
Kalbarri - Auger Street Reseal works	COMPLETE	
Kalbarri - Batavia Circle Reseal works	COMPLETE	
Harvey Road Pavement Repairs		
<u>MUNICIPAL FUND CONSTRUCTION</u> (New Works 2014/15)		
<u>Kalbarri</u>		
Francis Close Reseal	COMPLETE	
Glass Street Reseal	COMPLETE	
Kelsar Place Reseal	COMPLETE	
Tiki Place Reseal	COMPLETE	
Cont.		
2014/2015 Budget Works		Comments
		Status

Mortimer / Coles Street Reseal	COMPLETE	
Hackney Street Reseal	COMPLETE	
<u>Northampton</u> Bateman Street Widen North side - NWCH to Barlow (inc footpath)		
<u>First Avenue</u> Construct and Seal	COMPLETE	
West Street Upgrade stormwater treatment - lowpoint		
Onslow / Stephen Street Asphalt fishtail		
<u>Horrocks</u> Glance Street Construct parking bay and beach access (south park)		
<u>Rural</u> Yallabatharra Road Reseal Crossing		Reseal March 2015
Binnu West Road Reseal Crossing/s		Reseal March 2015
<u>MUNICIPAL FOOTPATHS</u> <u>Kalbarri Townsite</u> Kalbarri - Malaluca trail Repairs to existing (Provisional Sum)		
Northampton - Stephen Street Brook to NWCH		
Cont.		
2014/2015 Budget Works	Status	Comments

OTHER WORKS - SPECIFIC / MAINTENANCE
 North Road - NWCH to Chilimony (Gravel sheeting)
 Hatch Road - West of cross roads (Gravel sheeting)
 Ogilvie West Road - Chilimony Road to Gravel pit
 Yerina Springs Road - 2 areas (Gravel sheeting)
 Harvey Road - Staged works (Gravel sheeting)
 Ogilvie East Road - Nolba to Balla Whellarra

OTHER WORKS - Ovals/Foreshores/Parks/Gardens

Northampton LIA units
 Construct carpark/s and hardstand area/s

Northampton Doctors Surgery
 Remove old trees, trim and remove trees from carpark

Binnu Refuse Site
 Push new hole

Kalbarri cemetery
 Grass planting and associated turf improvement/s

Horrocks Jetty
 Maintenance works to pier supports

Northampton - Kings Park
 New BBQ and shelter

Northampton - Mary Street
 New shelter and chairs

Kalbarri oval
 Top dressing and associated turf improvement/s

OTHER WORKS - Depots

Kalbarri Depot
 Office / Lunchroom building / WIFI link

Cont.

2014/2015 Budget Works

Status

Comments

COMPLETE

Quotes received - works awarded

COMPLETE

Works to commence 23rd Feb combine with similar works in Kalbarri

COMPLETE

COMMENCED

Materials at Northampton depot

Works to commence 23rd Feb combine with similar works in Kalbarri

COMPLETE

Modifications/Additions to be listed for 2015/16 budget consideration

<u>PLANT ITEMS - Major</u>		
Northampton - Backhoe loader Purchase new - trade/sell P215 JCB 3CX	ORDERED	Front bucket ssembly to be discussed at February 2015 meeting
Northampton - 6 Wheel tipper Purchase New - trade/sell P168 Iveco Truck	ORDERED	Estimated delivery Mid April 2015
Northampton - Maintenance Manager (Utility) Purchase New - trade/sell P194 Mazda Bravo (Horrocks) Send P222 to Horrocks	COMPLETE	
Northampton - Maintenance Grader (Utility) Purchase New - retain P211 Toyota Hilux Send P211 to Kalbarri - New Position	COMPLETE	
Aggregate spreader boxes Purchase 2 x New	COMPLETE	
Tractor Broom Purchase 1 x New	COMPLETE	
<u>PLANT ITEMS - Minor/Other/Sundry tools</u>		
Kalbarri - Jack Hammer (1000watt)	COMPLETE	
Kalbarri - Electric cement mixer	COMPLETE	
Kalbarri - Generator (4Kva min)	COMPLETE	
Kalbarri - 20 litre spray unit	COMPLETE	
Northampton - Whipper Snipper	COMPLETE	
Northampton - Blower (FS86)	COMPLETE	
Northampton - Fire fighter / Spray unit	COMPLETE	
Northampton - Air grease gun (depot)	COMPLETE	
Northampton - Lazer Level	COMPLETE	
Northampton - Large chainsaw	COMPLETE	
Northampton - Mower Jack (depot)	COMPLETE	Purchased changed to general purpose trolley jack.



HEALTH AND BUILDING REPORT CONTENTS

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6.2.1	INFORMATION ITEM: BUILDING STATISTICS
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DATE OF REPORT:	13th February 2015
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RESPONSIBLE OFFICER:	Glenn Bangay – Principal EHO/Building Surveyor
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1. BUILDING STATISTICS

Attached for Councils' information are the Building Statistics for December 2014 and January 2015.

OFFICER RECOMMENDATION – ITEM 6.2.1
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For Council information.

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - DECEMBER 2014

Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Materials 1. Floor 2. Wall 3. Roof	Area m2	Value	Fees 1. App Fee 2. BCITF 3. BRB 4. Other
10/12/2014	1291	R & V Triscari PO Box 1 BINNU	Redlink Midwest PO Box 85 GERALDTON	Lot 28 Rake Place NORTHAMPTON	Dwelling	1. Concrete 2. Brick 3. C/Bond	292	\$332,872	1. 632.46 2. 665.74 3. 299.58 4. 0.00
16/12/2014	1296	P & K Murphy PO Box 620 NORTHAMPTON	Owner/Builder	Lot 254 Glance Street HORROCKS BEACH	Retaining Wall	1. n/a 2. L/Stone 3. n/a	n/a	\$15,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
16/12/2014	1297	B & T Watson PO Box 261 NORTHAMPTON	Owner/Builder	Lot 18 Thornton Street NORTHAMPTON	Dwelling	1. Concrete 2. C/Bond 3. Zinc	238	\$250,000	1. 475.00 2. 500.00 3. 225.00 4. 0.00
12/12/2014	1289	LJ & BM Hasleby PO Box 98 NORTHAMPTON	Owner/Builder	Lot 25 Third Ave HORROCKS BEACH	Additions	1. Concrete 2. H/Flex 3. C/Bond	34	\$8,500	1. 92.00 2. 0.00 3. 40.50 4. 0.00

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - JANUARY 2015

Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Materials 1. Floor 2. Wall 3. Roof	Area m2	Value	Fees 1. App Fee 2. BCITF 3. BRB 4. Other
19/01/2015	1305	Sanpoint Enterprises Pty Ltd PO Box 39 KALBARRI	L Ledger PO Box 204 KALBARRI	Lot 188 Grey St Kalbarri	Demolition	1. ACM 2. n/a 3. n/a	185	\$2,500	1. 92.00 2. 0.00 3. 0.00 4. 0.00
19/01/2015	1301	B & R Charlton 260 Hampton Rd Northampton	Marsh Outdoor 20 Blackburn Drive PORT GREGORY	Lot 11 Hampton Rd Northampton	Patio & Carport	1. Concrete 2. n/a 3. Steel	71	\$10,400	1. 92.00 2. 0.00 3. 40.50 4. 0.00
19/01/2015	1303	R Carr PO Box 19 KALBARRI	Owner/Builder	Lot 791 Batavia Circle Kalbarri	Carport	1. Concrete 2. n/a 3. C/bond	48	\$17,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
20/01/2015	1292	D & M Hawksley PO Box 682 NORTHAMPTON	N Haynes PO Box 391 NORTHAMPTON	Lot 47 Gwalla Street Northampton	Addition	1. Concrete 2. H/Flex 3. C/bond	9	\$16,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
20/01/2015	1295	R Noakes & T Lloyd PO Box 552 NORTHAMPTON	Owner/Builder	Lot 419 Hosken Street Northampton	Ancillary Accommodation	1. Concrete 2. Stone 3. Zinc	36	\$12,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
21/01/2015	1299	J Walsh & M Close PO Box 247 NORTHAMPTON	Owner/Builder	Lot 4 Stephen Street Northampton	Garage	1. Concrete 2. C/Bond 3. C/bond	91	\$19,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
23/01/2015	1306	I Leck PO Box 416 KALBARRI	P Crogan PO Box KALBARRI	Lot 342 Penn Street Kalbarri	Gazebo	1. Timber 2. n/a 3. C/bond	14	\$14,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
30/01/2015	1300	M Jupp PO Box 326 NORTHAMPTON	Owner/Builder	Lot 58 Stokes Street Horrocks Beach	Patio	1. Concrete 2. n/a 3. C/bond	22	\$18,000	1. 92.00 2. 0.00 3. 40.50 4. 0.00
30/01/2015	1307	B & T Watson PO Box 261 NORTHAMPTON	Owner/Builder	Lot 18 Thornton Street Northampton	Garage	1. Concrete 2. C/Bond 3. Zinc	72	\$12,700	1. 92.00 2. 0.00 3. 40.50 4. 0.00

TOWN PLANNING CONTENTS

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6.3.1	PROPOSED FOOD VAN – NORTHAMPTON CARAVAN PARK – LOT 52 (NO. 68) STEPHEN STREET, NORTHAMPTON																
	<table> <tr> <td>LOCATION:</td><td>Lot 52 (No. 68) Stephen Street, Northampton</td></tr> <tr> <td>FILE REFERENCE:</td><td>10.8.1.3</td></tr> <tr> <td>APPLICANT:</td><td>G Leggett</td></tr> <tr> <td>OWNER:</td><td>Kuda Nominees</td></tr> <tr> <td>DATE OF REPORT:</td><td>6 February 2015</td></tr> <tr> <td>REPORTING OFFICER:</td><td>Hayley Williams - Principal Planner</td></tr> <tr> <td>APPENDICES:</td><td></td></tr> <tr> <td></td><td>1. Application details</td></tr> </table>	LOCATION:	Lot 52 (No. 68) Stephen Street, Northampton	FILE REFERENCE:	10.8.1.3	APPLICANT:	G Leggett	OWNER:	Kuda Nominees	DATE OF REPORT:	6 February 2015	REPORTING OFFICER:	Hayley Williams - Principal Planner	APPENDICES:			1. Application details
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	1. Application details																

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

SUMMARY:

An Application for Planning Approval has been received for the location of a “Food Van” at the Northampton Caravan Park, Lot 52 (No. 68) Stephen Street, Northampton. The Application proposes to station the food van onsite from 1st April to 31st October each year, with food only proposed to be sold to Caravan Park patrons. The proposed development was advertised in accordance with the provisions of *Local Planning Scheme No. 10*. Council consideration is required due a number of objections that have been received during the advertising period. This report recommends that Council approve the application subject to conditions and approval for six (6) months as a trial period.

LOCALITY PLANS:

Figure 1 – Location Plan, Lot 52 (No. 68) Stephen Street, Northampton

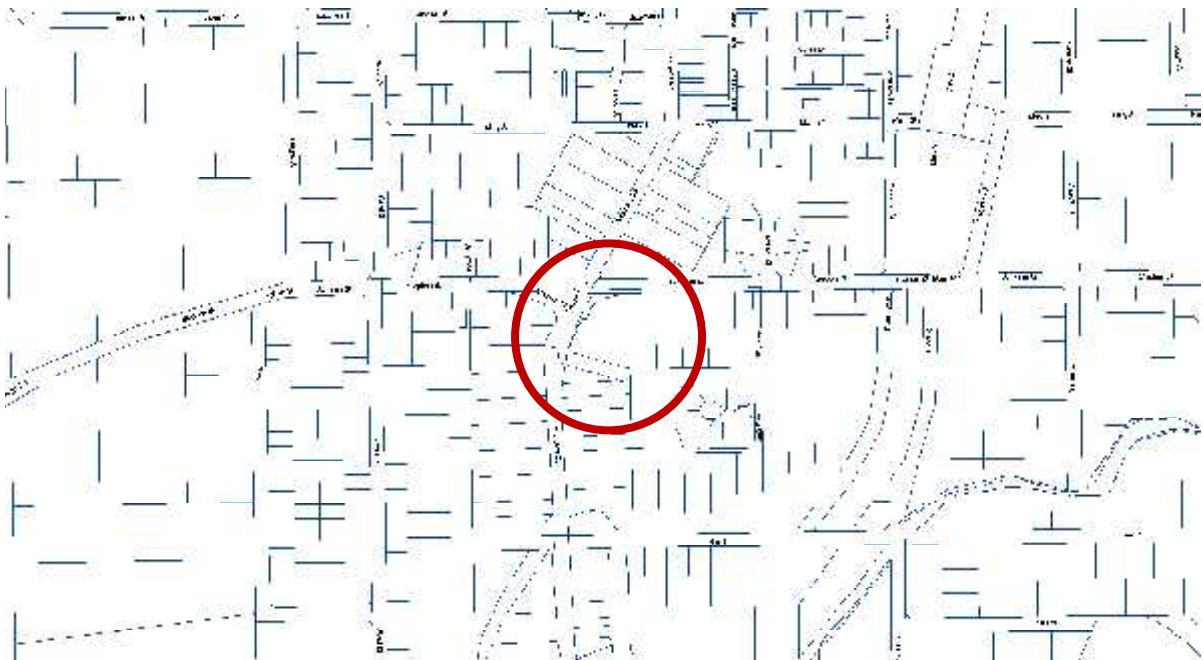


Figure 2 – Aerial Photograph, Lot 52 (No. 68) Stephen Street, Northampton



BACKGROUND:

An Application for Planning Approval has been received for a food van to be located at the Northampton Caravan Park.

The land is in freehold ownership of Kuda Nominees - Mr G Leggett. No previous approvals have been granted for the selling of food from Lot 52.

The Proposal:

The Application proposes to locate a food van within the grounds of the Northampton Caravan Park (refer **Appendix 1**). According to the Applicant, it is proposed that the mobile food van would operate from the 1st April until the 31st October and would operate daily between the hours of 5pm - 8pm.

The food van would principally sell Asian food, spring rolls, curries and similar style cuisine. It is proposed it would operate within the grounds of the Caravan Park and would only provide food to Caravan Park patrons. The food van would be operated by the park owner and their staff.

The Applicant also states that the mobile food would meet **all** environmental health and food safety standards imposed by the Shire of Northampton..

In consideration of the application the following information is provided:

Lot Size	9982m2
Existing Development	Northampton Caravan Park
Existing Services	Water, Power and Phone
Access & Frontage	Stephen Street
Topography	Slopes from Hampton Road to the east of lot
Vegetation	Remnant Vegetation
Surrounding Land Uses	Caravan Camping and Cabin, Town Centre and Residential

COMMUNITY CONSULTATION:

Community consultation has been undertaken in accordance with the requirements of *Local Planning Scheme No. 10 – Northampton District*. Advertising was undertaken for a period of 14 days concluding on Wednesday 28th January. An advert placed in the Guardian on Monday 12th January 2015.

A total of eight (8) submissions were received. Six (6) of these submissions were from community members and business owners objecting to the proposal and two (2) submissions were received were from community members supporting the proposal.

The submissions received objecting to the proposal raised concern with the negative impact another food outlet would have on existing businesses that are located within the Northampton Townsite.

The submissions that were received in support of the proposal stated that there was an additional benefit in attracting greater tourism expenditure and getting people to stay longer in the townsite.

A copy of the actual submissions are available to Council upon request.

It should be noted that objecting to the proposal on the basis of economic competition alone is not a valid planning consideration. As per Clause 10.2 of *Local Planning Scheme No. 10*, Council can consider a range of matters when examining an Application for Planning Approval, however economic impact is not explicitly stated. This matter will be further discussed within the Comment section of this report.

FINANCIAL & BUDGET IMPLICATIONS:

Nil. However should Council refuse this application and the applicant proceed to exercise their right of appeal, costs are likely to be imposed on the Shire through its involvement in the appeal process.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

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

The land is zoned “Caravan Camping and Cabin” under *Local Planning Scheme No. 10* with a “Food Van” being considered a use not listed.

The objective of the “Caravan, Camping and Cabin” Zone is:

To provide for and retain caravan parks, camping grounds, cabin and chalet developments and uses associated with these forms of development, including

retailing and service facilities where such facilities are an integral part of the development.

The Application for Planning Approval states that the “food van” will be preparing and selling food to customers for consumption onsite. As the consumption will primarily occur onsite, but not within a building it is difficult to align the use to either the definition of Fast Food Outlet or Restaurant and therefore it has been assessed as a “Use not Listed”.

These uses are outlined below:

Fast Food Outlet:

Means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar.

Restaurant:

means a building wherein food is prepared for sale and consumption on the premises and the expression shall include both a licensed or unlicensed restaurant; but does not include a kiosk or fast food outlet.

The key point of reference is contained within the objective of the zone and ascertaining if the service being provided is an integral part of the development. This will be discussed further within the Comment section of this report.

Clause 10.2 of the Scheme outlines the matters which the local government is to have due regard to when considering an Application for Planning Approval. The matters as relevant to this application are:

- (a) *the aims and provisions of the Scheme;*
- (b) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- (c) *the compatibility of a use or development with its setting;*
- (d) *any social issues that have an effect on the amenity of the locality;*
- (e) *the preservation of the amenity of the locality;*

- (f) *the relationship of the proposed development on adjoining land or on other land in the locality including but not limited to, the likely effect of height, bulk, scale, orientation and appearance of the proposal;*
- (g) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (h) *the potential loss of any community service or benefit resulting from the planning approval;*
- (i) *any relevant submissions received on the application; and*
- (j) *any other planning consideration the local government considers relevant.*

POLICY IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Nil.

COMMENT:

The proposed food van is considered to be a use not listed as it does not fall within the parameters of the definition for Fast Food Outlet or Restaurant. It therefore needs to be considered in light of the objective of the “Caravan Camping and Cabin” Zone and Clause 10.2.1 of *Local Planning Scheme No. 10*.

Proposal and Objective of Zone

The objective of the “Caravan, Camping and Cabin” Zone is clear in that it is to principally utilise land for accommodation associated with caravans, camping and tourism. The zone also permits a certain level of retailing and service facilities where these facilities are an integral part of the development.

Although the proposed food van will provide facility for caravan park patrons it is difficult to argue that it is an integral part of the caravan park. However, the size and nature of the proposed food van is minor. It is located in a discrete position within the middle of the caravan park, so that it is not highly visible from any public road. It is not uncommon for caravan parks to contain kiosks and provide some additional services for their patrons. The proposed food van is considered to be incidental to the primary use of the land for a Caravan Park and therefore not at odds with the objective of the zone.

Submissions

The submissions received objecting to the proposed food van raised a unified concern of the negative impact the proposal would have on existing food outlets within the Northampton Townsite.

As mentioned previously the consideration of an Application for Planning Approval on the basis of economic competition is not a valid planning consideration on its own. However, Council can have regard to the potential loss of any community service or benefit resulting from the planning approval.

Numerous court cases have clearly outlined the role of the planning system in considering the objections received on 'competition' grounds. The main case referenced is *Kentucky Fried Chicken Pty Ltd v Gantidis*, where the presiding judge stated that 'the mere threat of competition to existing businesses, if not accompanied by a prospect of a resultant overall adverse effect upon the extent and adequacy of facilities available to the local community if the development be proceeded with, will not be a relevant town planning consideration'.

Therefore, it is not whether a proposed retail development will result in direct competition with another retailer but whether it will detrimentally impact upon a service or a centre which the community currently enjoys; so if those services are put in jeopardy, then this becomes a relevant planning consideration when determining an application. Further, based on determinations by WA's State Administrative Tribunal, only public submissions that have valid planning merit can be included in the consideration of a planning application.

It needs to be considered whether the approval of the food van will result in a reduction of businesses within the Northampton Townsite to such an extent that those facilities may go out of business and thus cease to provide a service to local residents as per Clause 10.2.1(w).

In order to consider if the proposed food van will have any negative impact on the level of services that are currently enjoyed by residents and tourists within the Northampton Townsite it is recommended that Council consider granting planning approval for the proposed development for a trial period from April 2015 until the end of October 2015 with further approval being required to operate in 2016. During this time if businesses are negatively impacted on due to the operations of the food van to the level described above then Council will need to consider this matter in any further applications made by the Applicant/Landowner.

VOTING REQUIREMENT:

Absolute Majority Required: **No.**

CONCLUSION:

It is recommended that Council grant planning approval to the proposed food van for a trial period from April 2015 until the end of October 2015 and a new application being required for further use of Lot 52 Stephen Street for this purpose.

OFFICER RECOMMENDATION – ITEM 6.3.1	APPROVAL
<p>That Council planning approval for the operation of the food van on Lot 52 (No. 68) Stephen Street, Northampton subject to compliance with the following conditions:</p> <ol style="list-style-type: none"> 1. Development shall be in accordance with the attached approved plan(s) dated 20 February 2015 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government; 2. The food van is only to be operated within the caravan park in the location specified on the attached approved plans dated 20 February 2015; 3. This approval is valid for a period of 6 months from the 1st April 2015 until the 31st October 2015, after which the development will be returned to Council for further consideration; 	

4. Prior to commencement of the development/land use, the proponent is required to obtain written approval from the Shire's Environmental Health Department regarding the final design/presentation of the itinerant food van and compliance with relevant health legislation;
5. This planning approval shall remain valid while the necessary food premise registration remains current and valid and upon expiration or earlier termination of the food premise registration this planning consent shall cease to be valid;
6. 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, vibration, waste product or otherwise;
7. This approval is issued only to Graham Leggett and is NOT transferable to any other person or to any other land parcel. Should there be any change in respect of which this planning approval is issued this approval shall no longer be valid;
8. The food van is only approved to sell Asian style food including: curries, spring rolls and other similar type foods;
9. The food van is only approved to sell food to patrons of the Northampton Caravan Park and is not permitted to advertise or sell food to the general public;
10. No freestanding signs or hoardings advertising the operation of the food van are permitted to be erected whether temporary or permanent in nature;
11. The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The food van shall at all times comply with the *Environmental Protection (Noise) Regulations 1997*;

Advice Notes:

- i. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained

- ii. **The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business**
- iii. **In relation to Conditions (4.) the applicant is advised that the food van is required to comply with the requirements of the *Food Act 2008* and *Food Regulations 2009***
- iv. **If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination**

APPENDIX 1 – APPLICATION DETAILS



KUDA NOMINEES PTY LTD
Trading As NORTHAMPTON CARAVAN PARK
ACN 131 465 195 ABN 12 749 956 156
POSTAL ADDRESS: c/o Northampton Post Office, WA 6535
PHONE: 043 9979 489

Shire of Northampton
Attention Town Planner
P.O.Box 61
Northampton W.A. 6536

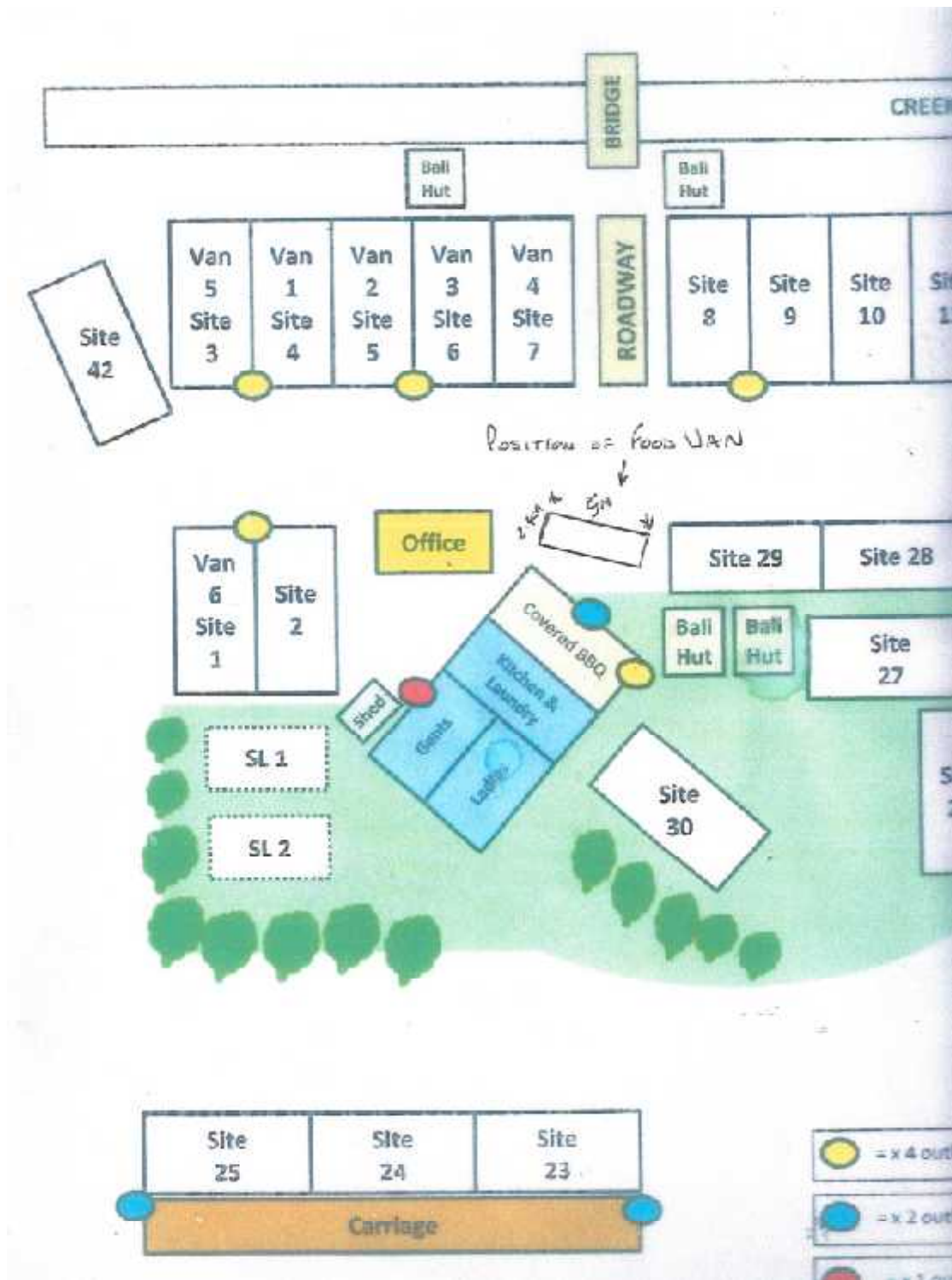
RE Application for food van at Northampton Caravan Park

- 1 Food caravan will he principle sell Asian Food, Spring rolls, curries etc.
- 2 Food van will only operate from 1st April to 31st October each year.
3. Food van will only sell food to caravan park customers and their visitors.
4. Food van will only operate in the caravan park grounds
- 5 Food van will operate under the guidelines set out and discussed by the health dept.
6. Food van operating hours are during dinner times Approx 5pm – 8pm daily
7. Site position in caravan park See Attached
8. Typical Photo of food van See Attached
- 9 Food van will only be owned and operated by the park owner and their staff.

Kind regards

Graham Leggett
Northampton Caravan Park (Manager/Owner)
22nd December 2014.







6.3.2	LOTS 9502 & 9505 GEORGE GREY DRIVE, KALBARRI (BROWNE FARM) - PROPOSED AMENDMENTS TO KALBARRI TOWNSITE LOCAL PLANNING STRATEGY, PORT KALBARRI STRUCTURE PLAN & TOWN PLANNING SCHEME NO. 9 - KALBARRI TOWNSITE
	<p>FILE REFERENCE: 10.6.9 / A4546</p> <p>DATE OF REPORT: 2 February 2015</p> <p>APPLICANT: Whelans Town Planning</p> <p>LANDOWNER: REJ& VA Clarke, Silkcharm Pty Ltd & llam Pty Ltd</p> <p>REPORTING OFFICER: Hayley R. Williams - Principal Planner</p> <p>APPENDICES:</p> <ol style="list-style-type: none"> 1. Port Kalbarri Structure Plan 2. Kalbarri Vision Structure (Draft) 3. Kalbarri Townsite Local Planning Strategy Plan 4. Draft Revised Structure Plan for Browne Farm 5. Proposed Scheme Amendment No. 11

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

Legislative *when Council makes and reviews the legislation it requires performing its function as Local Government. For example, adopting local laws, town planning schemes & policies.*

SUMMARY:

Correspondence and supporting documentation has been received from Whelans seeking Council's initiation and consent to advertise amendments to the *Kalbarri Townsite Local Planning Strategy, Browne Farm Structure Plan* and an amendment to *Town Planning Scheme No. 9 - Kalbarri Townsite*, for Lots 9502 & 9505 George Grey Drive, Kalbarri otherwise known as Browne Farm. Council has previously provided their consent to amend the these plans at their meeting held on 21 February 2014 however the plans have since been revised and subsequently have some minor amendments to be considered.

It is recommended that Council adopt the amendments to the *Kalbarri Townsite Local Planning Strategy*, the draft Browne Farm Local Structure Plan and Scheme Amendment No. 11 for public comment purposes, and seek consent from the Western Australian Planning Commission to advertise.

LOCALITY PLANS:

Figure 1 – Location Plan, Lots 9502 & 9505 George Grey Drive, Kalbarri



Figure 2 – Aerial Photograph, Lots 9502 & 9505 George Grey Drive, Kalbarri



BACKGROUND:

Town planning for the area of land known as Browne Farm began in the 1980's. During this time development of special rural lots along Stiles Road, special residential lots around Jacques and Browne Boulevard and smaller residential lots within Eco Flora and Capital Hill estates has occurred.

Due to the change in economic climate the planning framework does not mirror the current landowner's aspirations for the landholdings. Whelans Town Planning is now seeking amendments to key planning documents, including the *Kalbarri Townsite Local Planning Strategy, Structure Plan* and *Town Planning Scheme No. 9* to enable a scaling down of development.

In February 2014 the Applicant submitted a range of information and real estate analysis in support of modifying the approach to the medium-high density residential development. Council at its Ordinary Meeting held on 21 February 2014 considered the abovementioned request and resolved:

"Resolve to amend the Kalbarri Townsite Local Planning Strategy (2012), Port Kalbarri Structure Plan (2004) and Town Planning Scheme No. 9 – Kalbarri Townsite, in line with the proposed draft revised structure plan (refer Appendix 6 attached to February 2014 Town Planning Report) for Lots 9502 & 9505 George Grey Drive, Kalbarri at the cost of the applicant/landowner."

The Applicant has been drafting the supporting documentation and based upon additional environmental and engineering studies there have been some minor modifications to the Browne Farm Local Structure Plan.

Copies of the full structure plan, scheme amendment documentation and proposed modifications to the *Kalbarri Townsite Local Planning Strategy* will be made available to Councillors via dropbox.

COMMUNITY CONSULTATION:

Consultation will occur in line with statutory requirements for any proposed changes to the *Kalbarri Townsite Local Planning Strategy, Structure Plan* and *Town Planning Scheme No. 9*.

GOVERNMENT CONSULTATION:

Should the proposed rezoning be initiated by Council, the Scheme Amendment will be referred to the Environmental Protection Agency for their consent to advertise. Advertising will then take place in accordance with the *Town Planning Regulations* (1967), wherein the proposed Scheme Amendment will be referred to the following government departments for their comment:

- Department of Mines & Petroleum
- Department of Water
- Department of Environment & Conservation
- Department of Fire & Emergency Services
- Department of Health
- Telstra
- Western Power
- Water Corporation
- Department of Agriculture & Food WA
- Department of Indigenous Affairs

The proposed modifications to the Local Planning Strategy and Structure Plan will be forwarded to the WA Planning Commission for consent to advertise also.

FINANCIAL & BUDGET IMPLICATIONS:

The Applicant/Landowner have been invoiced for the cost of lodging a major structure plan and major scheme amendment. There is no regulated fee for an amendment to a Local Planning Strategy. A condition will be placed on the resolution of Council requiring payment of the lodgment fee prior to the referral of the documentation to the Environmental Protection Authority and WA Planning Commission

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

*Local: Shire of Northampton Town Planning Scheme No. 9 - Kalbarri Townsite
Port Kalbarri Structure Plan (2004)*

Town Planning Scheme No. 9

Lots 9502 and 9505 are zoned “Rural – Special Control Area 1” under Town Planning Scheme No. 9.

Special Control Area 1 is addressed by Schedule 11 of Town Planning Scheme No. 9 which states:

- (1) This Development Area is already addressed by the Development Strategy Plan for Port Kalbarri, incorporated in Amendment No 11 to the Shire of Northampton Town Planning Scheme No 4, and a Revised Structure Plan (Superlot 2 Port Kalbarri) dated 10 July 2003, endorsed by the Commission subject to it first being modified in accordance with a Schedule of Modifications, conveyed to Council on 22 January 2004. These have effect unless and until superseded by a new or revised structure plan as set out in Clause 5.28, but do not confer development or subdivisional rights contrary to the zoning of any of the land in this Scheme.*
- (2) The provisions in Clause 5.28 specify the process for any revisions to the abovementioned structure plans within this Development Area.*
- (3) Subdivision within this Development Area will not be supported unless in accordance with a structure plan as per points (1) and (2) above.*

Port Kalbarri Structure Plan – 2004 (Approved)

Known as the Superlot 2 Revised Structure Plan, Port Kalbarri Project, 2004 (see copy of the structure plan at **Appendix 2**) this prescribes:

- Applications to rezone land for residential subdivision and development will be subject to demonstration of proven demand,
- Kalbarri Access Road and Internal road network,
- Large areas for residential development (estate lots) at a range of densities,
- Primary school site, village centre, community and tourist sites.

Kalbarri Vision Structure Plan (Draft)

After several elements of the approved structure plan (2004) were implemented the previous land owner proposed to modify the structure plan and rezone additional land for development. This document is *Lot 903 and Superlot 2 – Revised Structure Plan, Kalbarri Vision, 2007* (see copy of draft structure plan at **Appendix 3**).

The draft modified structure plan and associated scheme amendment were never finalised and it is the view of the new owner that this level of urbanisation for Lots 9502 and 9505 is unlikely to be commercially feasible for the foreseeable future. The main provisions of this draft were:

- Provide for higher density residential options including lifestyle village,
- Protect native flora, and
- Modify the village centre and primary school site locations.

POLICY IMPLICATIONS:

Local: Kalbarri Townsite Local Planning Strategy (2012)

The *Kalbarri Townsite Local Planning Strategy* was granted final approval by the WA Planning Commission in February 2012 and has been created for the purpose of providing guidance to the planning and development of the Kalbarri Townsite.

The subject land is contained within Port Kalbarri Precinct. This area is separated into three planning areas with specific use and development provisions (refer **Appendix 4**).

PRECINCT	PORT KALBARRI
Objective	<i>To ensure the provision of choice in residential living styles and locations while recognising the need to promote the longer term consolidation of the Kalbarri Townsite while recognising existing subdivision and development potential.</i>
Precinct Planning	Review the approved Port Kalbarri Structure Plan to : <ul style="list-style-type: none"> ▫ Modify the Kalbarri Access Road from a through route to Kalbarri Townsite into loop road arcing with Flora Boulevard. ▫ Modify the southern intersection of Kalbarri Access Road into a

	<p>“T” junction with George Grey Drive.</p> <ul style="list-style-type: none"> ▫ Delete references to Marina / Water based recreation. ▫ Restrict retail facilities within Port Kalbarri to local convenience facilities and limited tourist retail only and a maximum supermarket gla of 500m2. ▫ Provide site for FESA station within the Western residential Precinct in consultation with FESA Officers. ▫ Retain Primary School site within Planning Area PK1. ▫ Consider providing larger range of lot sizes and particularly larger lifestyle lots in locations of remnant vegetation.
Planning Area	Use & Development Provisions
PK1	<p>Low Density Mixed Residential Estate :</p> <p>Balance future subdivision approvals in shorter term with the need to facilitate and encourage additional and more attractive located land releases within main Townsite area.</p> <p>All future lots created within Port Kalbarri of 500m2 or greater shall be subject of a minimum lot width of 17m and a minimum side setback to one side of 3m to facilitate the parking in the rear yard of recreational vehicles. Two storey building height limit.</p> <p>Minimum 10m vegetated buffer to be retained and planted where necessary to George Grey Drive in future subdivision.</p> <p>Require as condition of approval of future subdivision, extensive verge planting of appropriate height native vegetation to soften the visual impact of existing retaining walls and development while maintaining resident ocean views.</p> <p>Two storey height limit.</p> <p>All future development to be subject to Climate and Landscape Design Guidelines.</p> <p>Develop pedestrian / dual-use path linkage across Wittecarra Creek Conservation Reserve to connect with Nanda Drive DUP into Kalbarri Town Centre.</p>
	<p>Subdivision and development to be subject to :</p> <ul style="list-style-type: none"> ▫ Detailed Flora & Fauna assessment; ▫ Aboriginal Heritage assessment; and ▫ Approval by Council and the WA Planning Commission of a Local Structure Plan providing for a range of lot sizes and residential opportunities ranging from R2.5 to R30. Minimum 28 day public advertising period for Local Structure Plan.

	<p>Include in new Kalbarri Planning Scheme as “Residential Development” Zone and associated Local Structure Plan provisions from the Model Scheme Text as a pre-condition to subdivision and development approvals.</p>
PK2	<p>Medium Term Residential :</p> <p>Eastern portion of approved Port Kalbarri Structure Plan to be protected for medium term residential development requirements pending subdivision of an adequate range of housing choices within main Townsite.</p> <p>Subdivision and development to be subject to Use and Development provisions of PK1.</p> <p>Minimum 10m vegetated buffer to be retained and planted where necessary in future subdivision to all surrounding major road boundaries including major internal distributor.</p>
PK3	<p>Long Term Residential :</p> <p>The balance site area east of the Kalbarri Access Road in Port Kalbarri Structure Plan to be protected for long term residential requirements following substantial subdivision of Precinct SR1.</p> <p>Subdivision and development to be subject to Use and Development provisions of PK1.</p> <p>Protection and rehabilitation of existing creek lines in Recreation and Conservation Reserves.</p> <p>Minimum 10m vegetated buffer to be retained and planted where necessary in future subdivision to all surrounding major road boundaries including major internal distributor.</p>

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Shire of Northampton Planning for the Future 2013-2023

Key Imperatives:

- Further development of residential and industrial land in the Shire.
- Achieve sustainable development in new land and residential projects.

Economy & Marketing Strategies:

- Increase the number and affordability of short term and long term accommodation options available within the Shire.

- Attract developers through appropriate zoning and rezoning of residential blocks.
- Increase support for tourism across the Shire and enable tourism to become a major and sustainable industry for the Shire.

Environment Strategies:

- Increased protection of native flora through green belts.
- Encourage residents to grow natural vegetation.
- Encourage developers to retain natural vegetation on project sites.
-

Infrastructure Strategies:

- Improved zoning of land in line with development requirements and reflecting the diverse nature of residential needs.
- Ensure that there is sufficient land supply to meet the needs of commerce and industry across the Shire.

Social Strategies:

- A vibrant and inclusive community enabling a range of interests and lifestyle options.

The proposed amendments to the planning framework are considered to align with numerous strategies stated within Council's principal strategic document, *Planning for the Future 2013-2023*.

COMMENT:

Proposed Revised Structure Plan (Lots 9502 and 9505)

The current landowner has prepared a draft revised structure over the landholdings in their ownership. A requirement to any change in the spatial format of the approved structure plan will be a revised structure plan in accordance with Clause 5.28 of the Scheme, see draft revised structure plan at **Appendix 5**. The key elements of which are:

- Protect existing infrastructure, services, pipelines and bores,
- Changes in land use zones, significant decrease in overall potential dwelling density in a transitional concentric pattern of residential lots ranging in size from 1000 square metres to 20 ha,
- The introduction of larger rural lots,

- Down grade of Kalbarri Access Road and new internal road layout,
- Protection of priority flora,
- Provision for future access to the eastern section,
- Guidelines for Special Rural development control,
- Modify the southern road intersection at George Grey Drive to make a 'T' intersection,
- Special Use development site or caravan park adjacent Red Bluff Caravan Park (This area has been amended based on additional environmental studies),
- Open Space reserve for the breakaway area,
- Stage 1 being 22 lots each 2000 square metres in area,
- All lots 2000 square metres and less in area being serviced by reticulated sewer mains, and
- Specifically to include:
 - Lots 116 and 117 as Retirement Village,
 - Lot 106 and 118 as Residential R40, and
 - Lot 112 as Commercial with medical centre and service station
 - (note: these lots are in the same ownership group as per Lots 9502 and 9505).

The proposed revised structure plan for Lots 9502 and 9505 George Grey Drive, Kalbarri does not reflect the exact content of the recommendations made by the *Kalbarri Townsite Local Planning Strategy*. Whilst the Local Planning Strategy was being drafted and during the later stages of finalisation, the then landowner was in the midst of receivership dealings. As a result there was minimal comment made on the draft Local Planning Strategy and given the slow up take in lots and development of key projects (such as resorts) the planning framework was altered to create a slowing down of growth in the Browne Farm area and a refocus back onto land development closer to the townsite.

The proposals put forward by the current landowner represent a scaling down of development density for the land, especially when compared to the current approved structure plan.

Scheme Amendment No. 11

A scheme amendment has also been lodged in conjunction with the modifications to the *Kalbarri Townsite Local Planning Strategy* and the Browne Farm Local Structure Plan.

A copy of the Scheme Amendment is included in **Appendix 5**.

The Scheme Amendment includes changes to the SCA1-Rural Zone in accordance with the Browne Farm Structure Plan. The area that surrounds Capital Hill is proposed to be zoned R10 (minimum 875m²), the land to the south of Capital Hill and adjacent to Stiles Road is proposed to be zoned R5 (2000m²) and R2.5 (minimum 4000m²). An area of R5 is proposed adjacent to the existing 2000m² lots and two additional pockets of land are proposed to be zoned Special Rural (minimum 1ha)

The Scheme Amendment also includes proposals to change the zoning of parcels of land within the Eco Flora Estate as detailed below:

- Amending the provisions in Appendix 7 – Special Use Zones as it relates to No.5 (SU5) to include the use 'Aged or Dependent Persons' Dwelling' within the Special Use Zone.
- Rezoning of Lot 112 Flora Boulevard from 'Special Use' (SU5) to 'Commercial'.
- Rezoning of Lot 118 Flora Boulevard from 'Commercial' to 'Residential R40'.
- Rezoning Lot 106 Clematis Crescent, Kalbarri from 'Residential R20' to 'Residential R40'.

The applicant/landowner are therefore seeking the support of Council to resolve to proceed with amendments to the *Kalbarri Townsite Local Planning Strategy, Superlot 2 Revised Structure Plan, Port Kalbarri Project (2004) - Brown Farm Local Structure Plan* and the *Shire of Northampton Town Planning Scheme No. 9 - Kalbarri Townsite*.

VOTING REQUIREMENT:

Absolute Majority Required: No

CONCLUSION:

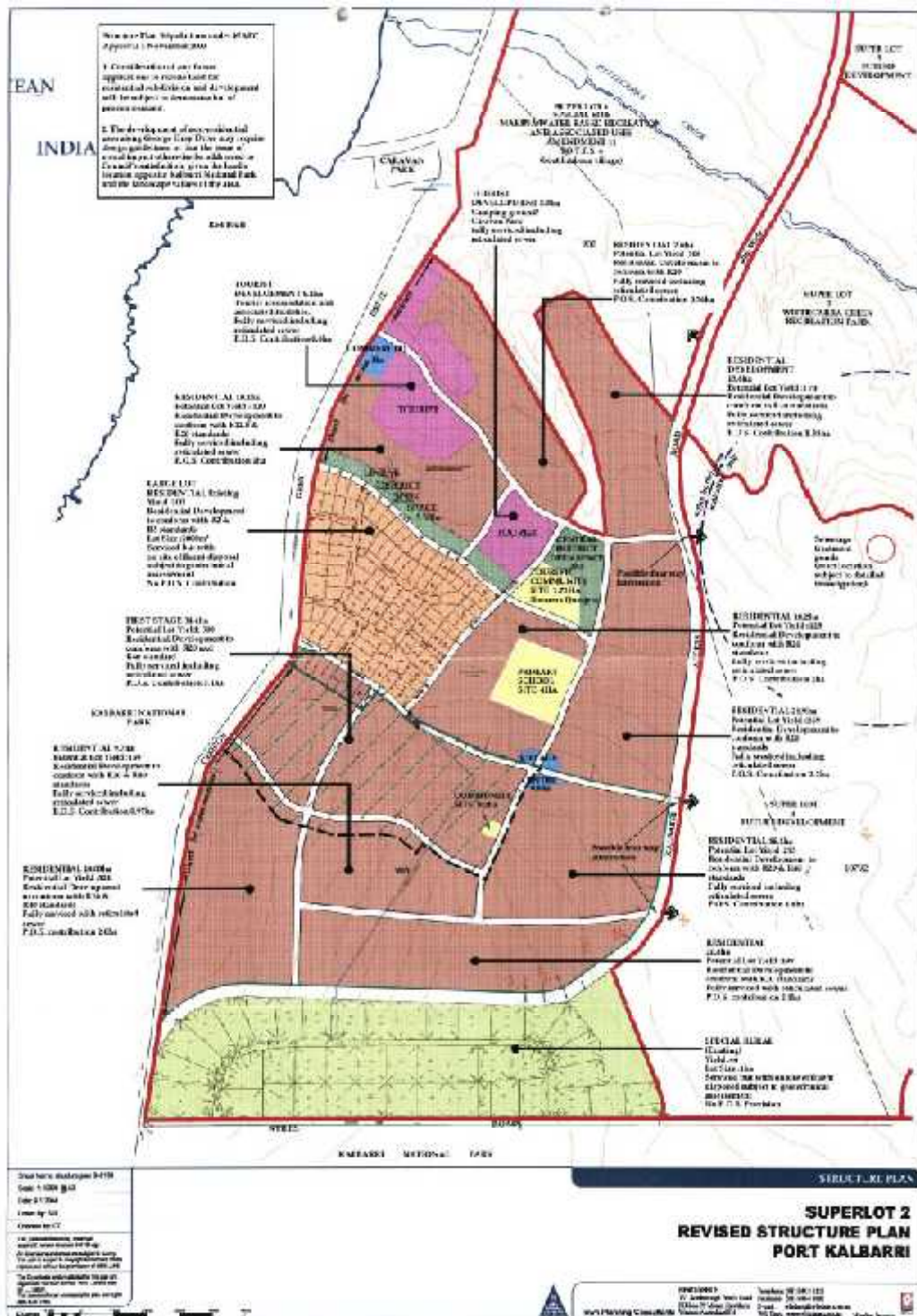
It is recommended Council grant consent to advertise amendments to the *Kalbarri Townsite Local Planning Strategy*, Browne Farm Local Structure Plan and initiate Scheme Amendment No. 11 to *Town Planning Scheme No. 9 - Kalbarri Townsite* in line with the proposed draft Browne Farm Local Structure Plan.

OFFICER RECOMMENDATION – ITEM 6.3.2	ADOPTION FOR CONSENT TO ADVERTISE
<p>That Council:</p> <ol style="list-style-type: none"> 1. Resolve to adopt the proposed amendments to the <i>Kalbarri Townsite Local Planning Strategy</i> in line with the proposed draft Browne Farm Structure Plan (refer Appendix 4 of the February 2015 Town Planning Report) and supporting documentation for Lots 9502 & 9505 George Grey Drive, Kalbarri for public comment purposes and seek consent from the WA Planning Commission to advertise the amendments to the Strategy; 2. Resolve to adopt the proposed Browne Farm Local Structure Plan (refer Appendix 4 of the February 2015 Town Planning Report) for Lots 9502 & 9505 George Grey Drive, Kalbarri for public comment purposes and seek consent from the WA Planning Commission to advertise the Draft Structure Plan; 3. Pursuant to Part 5 of the Planning and Development Act 2005 amend <i>Shire of Northampton Town Planning Scheme No.9 - Kalbarri Townsite</i> by including the following textural amendments and changes in zones: <ol style="list-style-type: none"> a) Amending the provisions in the table under Appendix 11 – Development Areas, as it relates to Special Control Area 1 (SCA1). The existing provision (1) currently reads: 	

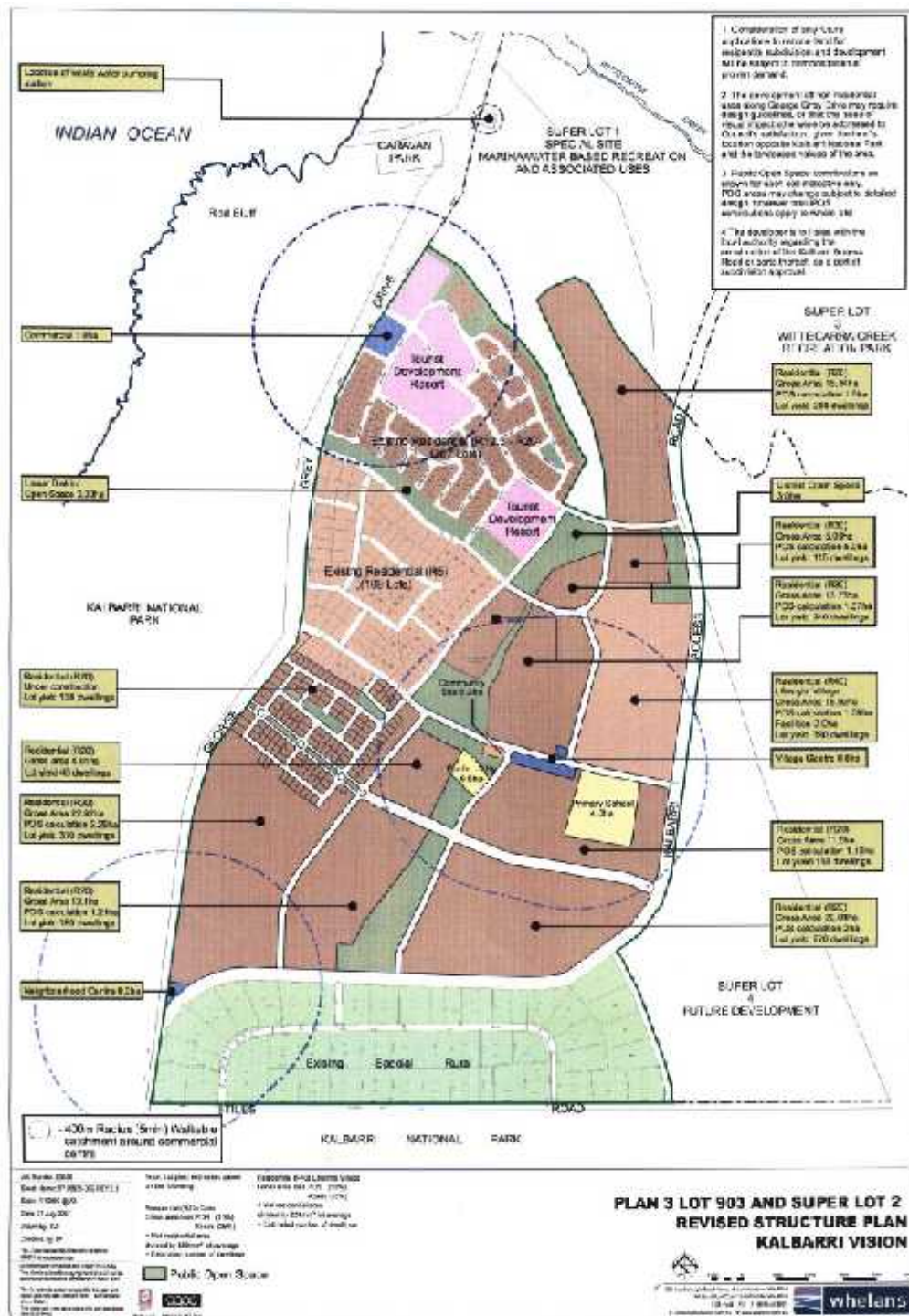
Area No.	Provisions
SCA1	<p><i>(1) This Development Area is already addressed by the Development Strategy Plan for Port Kalbarri, incorporated in Amendment No 11 to the Shire of Northampton Town Planning Scheme No 4, and a Revised Structure Plan (Superlot 2 Port Kalbarri) dated 10 July 2003, endorsed by the Commission subject to it first being modified in accordance with a Schedule of Modifications, conveyed to Council on 22 January 2004. These have effect unless and until superseded by a new or revised structure plan as set out in Clause 5.28, but do not confer development or</i></p> <p><i>subdivisional rights contrary to the zoning of any of the land in this Scheme.</i></p>
Amended to read:	
Area No.	Provisions
SCA1	<p><i>(1) This Development Area is already addressed by:</i></p> <ul style="list-style-type: none"> <i>a. the Development Strategy Plan for Port Kalbarri, incorporated in Amendment No 11 to the Shire of Northampton Town Planning Scheme No 4;</i> <i>b. a Revised Structure Plan (Superlot 2 Port Kalbarri) dated 10 July 2003, endorsed by the Commission subject to it first being modified in accordance with a Schedule of Modifications, conveyed to Council on 22 January 2004; and</i> <i>c. a Revised Local Structure Plan dated XX XXX 20XX endorsed by the Commission subject to it first being modified in accordance with a Schedule of Modifications, conveyed to Council on XXXXXX.</i> <p><i>These have effect unless and until superseded by a new or revised structure plan as set out in Clause 5.28, but do not confer development or subdivisional rights contrary to the zoning of any of the land in this Scheme.</i></p>

- b) Amending the provisions in Appendix 7 – Special Use Zones as it relates to No.5 (SU5) to include the use 'Aged or Dependent Persons' Dwelling' within the Special Use Zone;**
- c) Rezoning of Lot 112 Flora Boulevard from 'Special Use' (SU5) to 'Commercial'**
- d) Rezoning of Lot 118 Flora Boulevard from 'Commercial' to 'Residential R40'**
- e) Rezoning Lot 106 Clematis Crescent, Kalbarri from 'Residential R20' to 'Residential R40'; and**
- f) Amending the Scheme Maps accordingly.**
- i) Subject to the payment of the lodgement fee for a major structure plan and major scheme amendment as per the Schedule of Fees and Charges 2014/15.**

APPENDIX 1 – PORT KALBARRI STRUCTURE PLAN



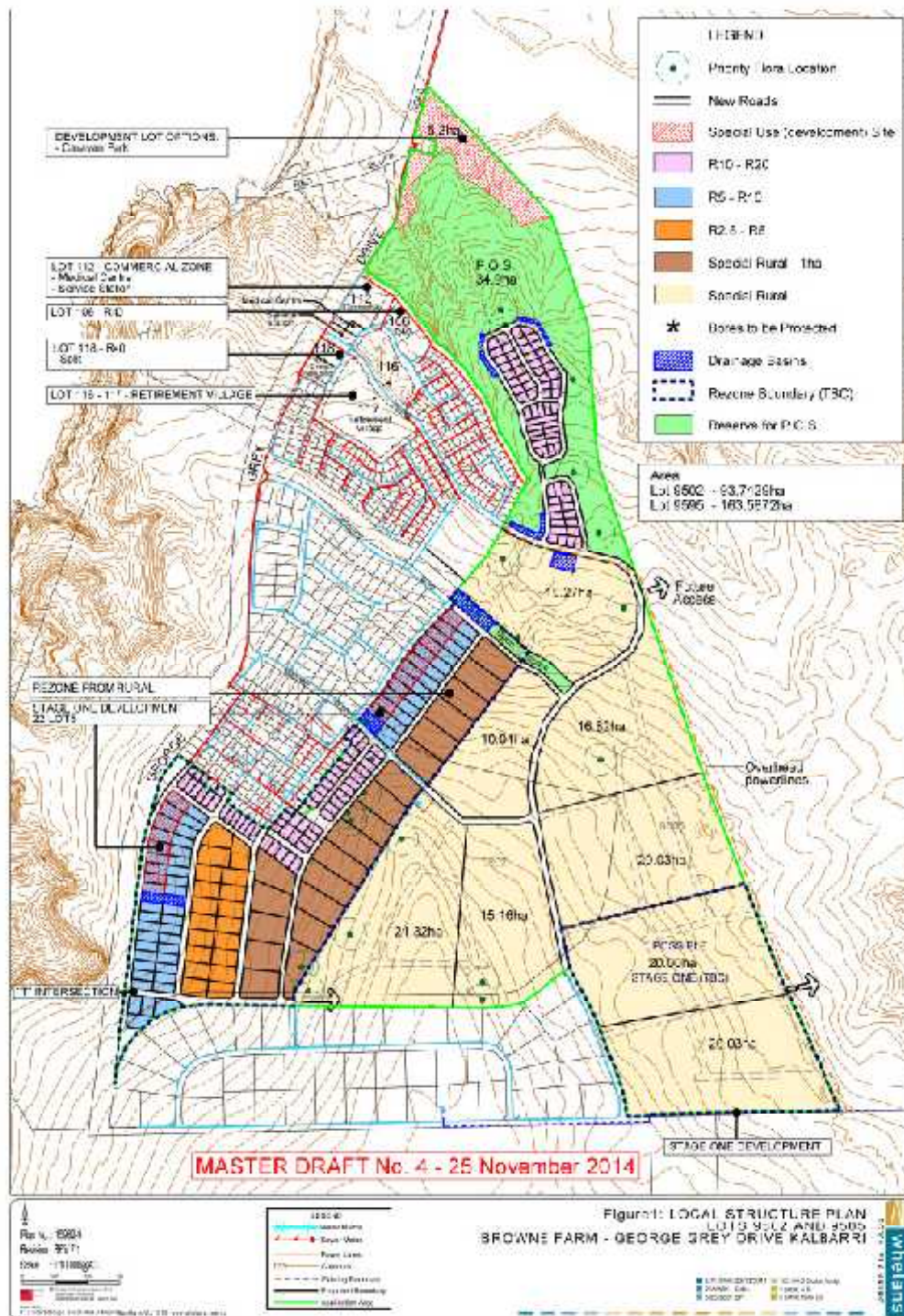
APPENDIX 2 – KALBARRI VISION STRUCTURE PLAN (DRAFT)



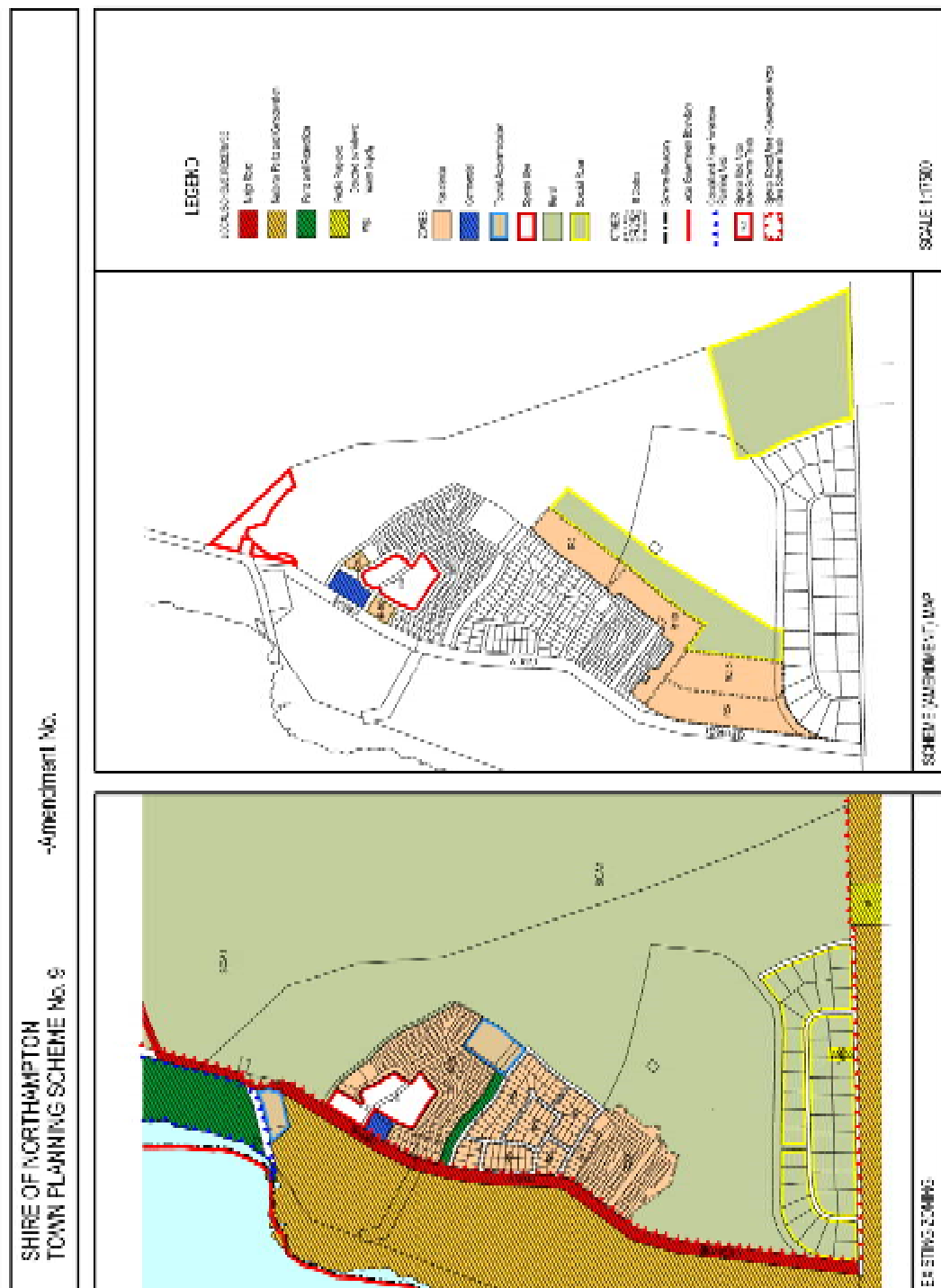
APPENDIX 3 – KALBARRI TOWNSITE LPS



APPENDIX 4 – DRAFT BROWNE FARM LOCAL STRUCTURE PLAN



APPENDIX 5 – PROPOSED SCHEME AMENDMENT NO. 11



6.3.3	PROPOSED SINGLE DWELLING PREFABRICATED CONSTRUCTION (SHIPPING CONTAINERS) - LOT 67 (NO. 2) HORAN WAY, HORROCKS
	<p>FILE REFERENCE: 10.5.1.1 / 2 HOR (A723)</p> <p>APPLICANT: L Crickmay</p> <p>OWNER: SJ & L Crickmay</p> <p>DATE OF REPORT: 5 February 2015</p> <p>REPORTING OFFICER: Hayley R. Williams - Principal Planner</p> <p>APPENDICES:</p> <ol style="list-style-type: none"> 1. Site Plan, floor plan, elevation plan & survey 2. Examples of single residential dwellings constructed of shipping containers

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

SUMMARY:

An Application for Planning Approval has been received for a single dwelling to be constructed on Lot 67 (No. 2) Horan Way, Horrocks. Council consideration is required due to the use of shipping containers, the proposed setback to Glance Street road reserve along the western boundary and the southern setback to Lot 66. It is recommended that Council grant Planning Approval subject to conditions.

LOCATION PLANS:

Figure 1 – Location Plan, Lot 67 (No. 2) Horan Way, Horrocks

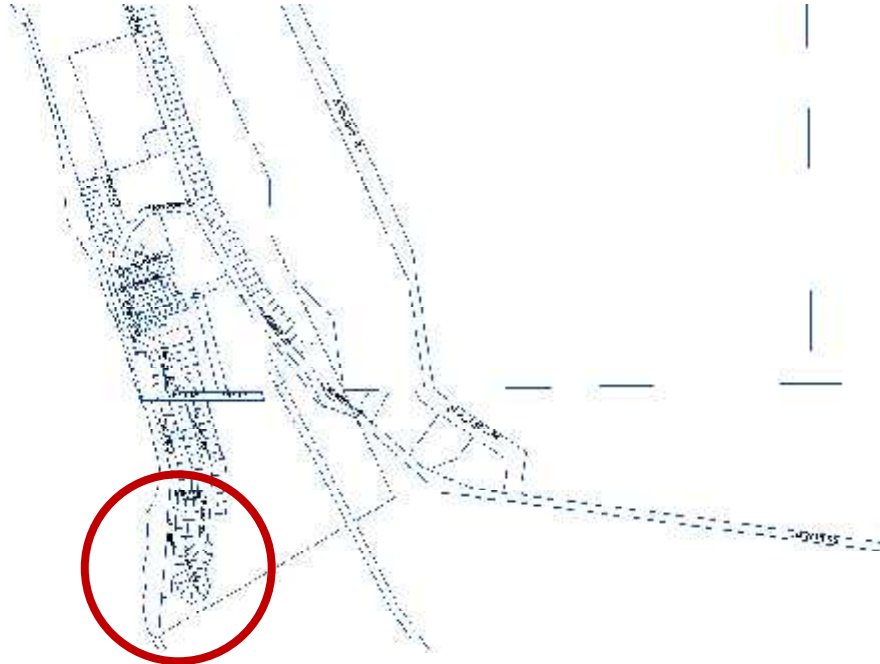


Figure 2 – Aerial Photograph, Lot 67 (No. 2) Horan Way, Horrocks



BACKGROUND:

An application has been received for the construction of a dwelling utilising shipping containers upon Lot 67 (No. 2) Horan Way, Horrocks. The application has been brought before Council for the following reasons:

- Prefabricated structure;
- Use of secondhand materials (shipping containers);
- Street setback to Glance Street road reserve; and
- Visual Privacy setback to Lot 66 (south).

The application proposes the construction of a two storey dwelling (180m²) consisting of three bedrooms, two bathrooms, kitchen, laundry and multiple living areas.

The dwelling is proposed to be well setback from Horan Way, achieving the required average setback of 6 metres. A secondary street setback from Stokes Street is also achieved with 5.6 metres. The setback from the southern boundary is 5.65 metres.

The rear setback to the Glance Street road reserve is proposed to be 1.5metres which while compliant with the *Residential Design Codes* for a rear boundary setback raises some concerns with the future development of Glance Street.

In consideration of the application the following information is provided:

Lot Size	700m ²
Existing Development	Single dwelling (to be demolished)
Existing Services	Water, Power, Phone
Vehicular Access	Horan Way
Vegetation	Cleared
Surrounding Land	Residential R20

Development plans of the proposal are included within **Appendix 1**. Examples of residential dwellings constructed of shipping containers and the external cladding materials are included in **Appendix 2**.

COMMUNITY & GOVERNMENT CONSULTATION:

The proposed setback to the southern boundary of 5.65 metres is less than the required 7.5 metres that is required for an outdoor living area that is raised above 0.5 metres.

Therefore on 15 January 2015 Shire staff wrote to the adjoining landowner to the south of Lot 67 seeking their comment upon the proposal. The landowners of Lot 66

were given 14 days in which to provide the Shire with comment. Contact was made with the owner and they advised they had no objection to the proposed reduction in setback.

FINANCIAL & BUDGET IMPLICATIONS:

Nil. However should Council refuse this application and the applicant proceed to exercise their right of appeal, costs are likely to be imposed on the Shire through its involvement in the appeal process.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

Local: Shire of Northampton Local Planning Scheme No. 10

The land is zoned “Residential R20” under *Shire of Northampton Local Planning Scheme No. 10* with a “Single Dwelling” considered a permitted use.

The objective of the “Residential” zone is:

To provide a variety of lot sizes and housing types, and accommodate a range of compatible uses, to cater for the diverse housing needs of the community at a range of densities that can ultimately support the provision of local services.

The Scheme contains a set of provisions in order to control the development of transportable, prefabricated or relocated dwellings. Section 5.11.2 of the Scheme states:

“5.11.2.1 The local government may permit the erection or placement of a transportable, prefabricated or relocated building on a lot providing it is satisfied that the building:

- (a) is in a satisfactory condition;*
- (b) will not detrimentally affect the amenity of the area having regard to the zoning of the lot and the use proposed for the building;*
- (c) is permanently affixed to the ground; and*
- (d) the façades, colours and materials and design features of the building are appropriate to that prevailing or proposed in the vicinity.*

5.11.2.2 *In relation to 5.11.2.1 the local government will have regard to the following matters:*

- (a) *the proximity to and the visibility of the building from a street or other public place;*
- (b) *the intention to prevent box-shaped structures, regardless of the use of the building, where they are visible from a street or other public place; and*
- (c) *for lots in a Residential or Rural Residential zone, the impact on the existing or proposed streetscape."*

The above provisions of the Scheme will be further discussed in the Comment section of this report.

Residential Design Codes (2013)

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

The proposed prefabricated dwelling complies with the "Deemed-to-Comply" provisions of the *Residential Design Codes* (2013), with the exception of:

- Street Setback— Clause 5.1.2; and
- Visual Privacy – Clause 5.4.1.

Section 5.1.2 (C2.1) of the R-Codes states that a primary street setback shall be 6 metres (with a reduction to 3m when the average is met) and a secondary street setback (C2.2) shall be 1.5 metres.

The primary street setback to the proposed dwelling is considered to be from Horan Way given this is the principal public road that provides access to the major entry (front door) to the dwelling.

Therefore, the proposed setback from the Glance Street road reserve of 1.5 metres meets the deemed to comply provisions of the R-Codes.

Some concern has been raised regarding the proposed setback from the Glance Street road reserve by the Manager for Works and Engineering. However, the applicant/landowner has addressed these concerns by setting the building back 1.5 metres from the western boundary.

Section 5.4.1 of the R-Codes states the following with relation to Visual Privacy:

“Major openings and unenclosed outdoor active habitable spaces (balconies, verandahs, terraces or other outdoor living areas) which have a floor level more than 0.5m above natural ground level and which overlook any part of any other residential property behind its street setback line, to comply with the following:

- i. Are setback, in direct line of sight within the cone of vision, from the boundary a minimum of:*
 - 4.5m in the case of bedrooms and studies;*
 - 6m in the case of habitable rooms other than bedrooms and studies;*
 - 7.5m in the case of outdoor unenclosed outdoor active habitable spaces; or*
- ii. Are provided with permanent vertical screening to restrict views within the cone of vision from any major opening of an active habitable space; or*
- iii. Are provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining property if closer than 25m to the opening or equivalent.”*

Therefore as the raised outdoor living area does not comply with the required setbacks the application can be considered under the Design Principles of the R-Codes which states:

“Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.

Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.

Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.

Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows."

Given the adjoining landowner has stated they have no objection to the proposed setback and that direct overlooking will be minimised due to the location and design of the outdoor living space the variation is considered to be minor in nature and complies with the design principles of the R-Codes.

POLICY IMPLICATIONS:

Local: *Shire of Northampton Local Planning Policy – Construction of Barnstyle Sheds and Prefabricated Shed Structures 2014*
Shire of Northampton Local Planning Policy – Relocated Dwellings & Second-hand Cladding Materials 2014

Construction of Barnstyle Sheds and Prefabricated Shed Structures LPP

This policy has been made in accordance with Part 5 of the *Residential Design Codes* (R-Codes). This Policy is to be read in conjunction with the R-Codes.

This policy has been made to complement Clauses 5.11.2 of *Local Planning Schemes No. 10* (Northampton District). These clauses of the Shire's Scheme outline the requirements for transportable, relocated or prefabricated buildings within the Shire. The Schemes state that Council may permit the erection of a "prefabricated building" on a lot providing that the design of the building is to the satisfaction of Council and in its opinion the building will not detrimentally affect the amenity of the area and it has a facade appropriate to that prevailing within the vicinity.

The policy provides a range of design guidelines for transportable, relocated or prefabricated buildings, including the use of verandahs, a variety of materials, a pitched roof (skillion acceptable), external treatments such as windows and landscaping.

Relocated Dwellings & Second-hand Cladding Materials LPP

The objectives of this Local Planning Policy are:

- 1.1 To ensure that any development proposing to use a second hand building or second hand cladding material meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.*

Whilst the proposed prefabricated dwelling is considered to address the policy requirements it is also important to note that a bond is required of at least 5% of the estimated value of an equivalent new building to a maximum of \$10,000.00 and a minimum of \$500.00. As with all dwellings that are using a second hand building material, whereby the external appearance needs to be addressed a

condition is placed on the Planning Approval requiring the payment of a bond to ensure that the work undertaken is done within the specified timeframe.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Nil.

COMMENT:

Assessment of the application indicates that the proposed dwelling complies with the Shire of Northampton's policies and *Local Planning Scheme No. 10* and the deemed to comply standards of the *Residential Design Codes*. However, further discussion is required in relation to the type of building materials that are proposed to be used and ensuring that they comply with the relevant Scheme and Policy provisions.

Prefabricated Building

The Applicant has provided a number of examples of shipping container homes (refer **Appendix 2**) in order to provide detail to the proposed external cladding materials. A 3D model of the proposed dwelling has also been provided which will be tabled at the Council meeting.

In order to address the Scheme and Policy provisions the proposal includes a range of measures in order to alter the appearance of the shipping containers.

The proposed dwelling will utilise a range of external cladding materials, with all of the shipping containers proposed to be encased with the exception of the shipping container doors on the eastern elevation. Given this elevation will directly impact upon the streetscape due to its visibility from Horan Way and Stokes Street it is considered vital that the shipping container doors be replaced with external cladding or windows in order to address the provisions of Scheme relating to amenity.

It is also considered necessary to require a bond so that the dwelling is finished to the standard approved by Council.

Taking into account the above requirements, it is considered that the orientation, pitched skillion roof, balcony and decks along with external treatments (windows) and cladding will assist in adequately addressing any concerns regarding residential amenity and impact on the streetscape.

The proposed development is therefore recommended for approval subject to conditions.

VOTING REQUIREMENT:

Absolute Majority Required: No

CONCLUSION:

It is recommended that Council grant planning approval to the single dwelling (prefabricated construction – shipping containers) on Lot 67 (No. 2) Horan Way, Horrocks subject to conditions.

OFFICER RECOMMENDATION – ITEM 6.3.3	APPROVAL
<p>That Council grant Planning Approval to the Single Dwelling (prefabricated construction – shipping containers) on Lot 67 (No. 2) Horan Way, Horrocks subject to the following conditions:</p> <ol style="list-style-type: none"> 1 Development shall be in accordance with the attached approved plans dated 20 February 2015 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government; 2. A building permit shall be issued by the local government prior to the commencement of any work on the site; 3. The space between the ground level and the floor level of the transportable dwelling shall be suitably enclosed to the approval of the local government; 4. All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied; 5. Prior to the issue of a building permit, the owner is to lodge a bond of \$10,000.00 to secure completion of all steps necessary to achieve an external appearance to the building in accordance with the Planning Approval; 6. A statutory declaration shall be lodged with the local government prior to the approval of a building permit. The statutory declaration is to be signed by the Applicant and appropriately witnessed, indicating that the bond will be forfeited to Council if: <ol style="list-style-type: none"> (i) The works described in the attached approved plans dated 20 February 2015 are not completed within 12 months; 	

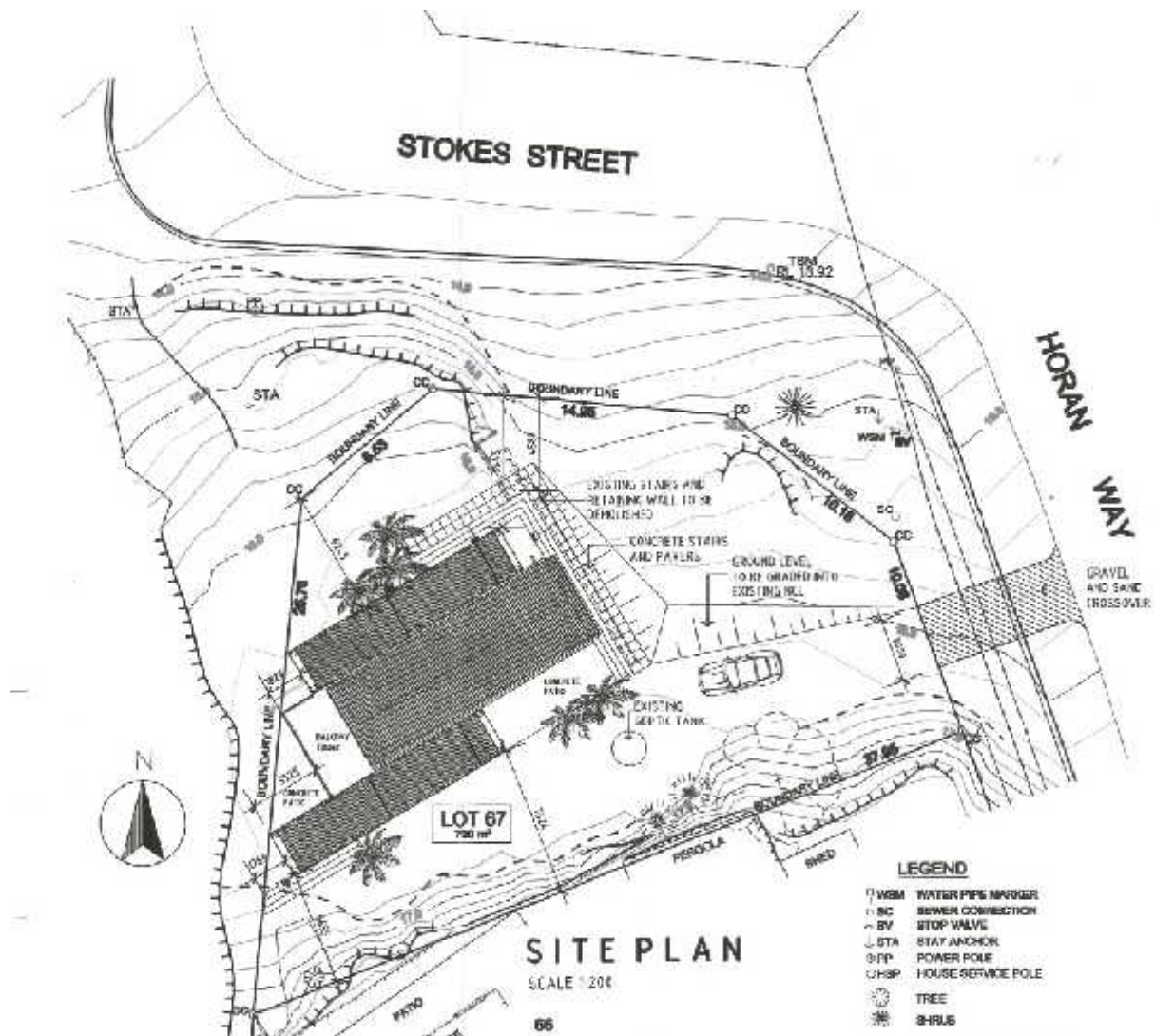
- 7. Installation of crossing places to the standards and specification of the local government;**
- 8. The roof and walls of the single dwelling being clad of new, non-reflective materials consistent or complementary in colour with the surrounding natural landscape features or desired streetscape to the approval of the local government;**
- 9. A materials and colour schedule for the single dwelling shall be provided prior to the approval of the building permit to the approval of the local government;**
- 10. A landscaping plan is to be submitted for approval by the local government, and once approved, prior to the commencement of the approved use, the approved landscaping plan is to be implemented in full and maintained thereafter to the approval of the local government;**
- 11. Access and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;**
- 12. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government; and**
- 13. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.**

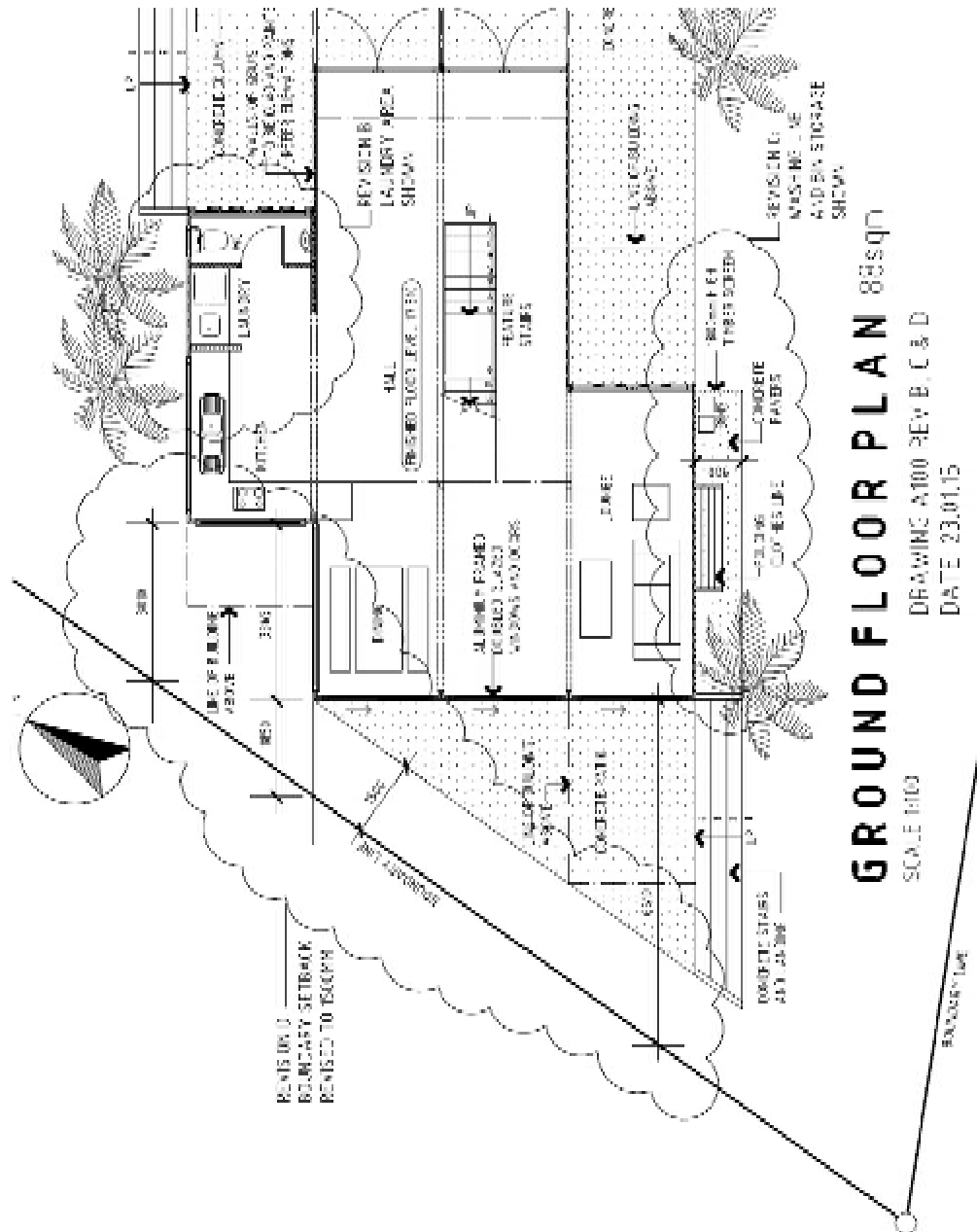
Advice Note

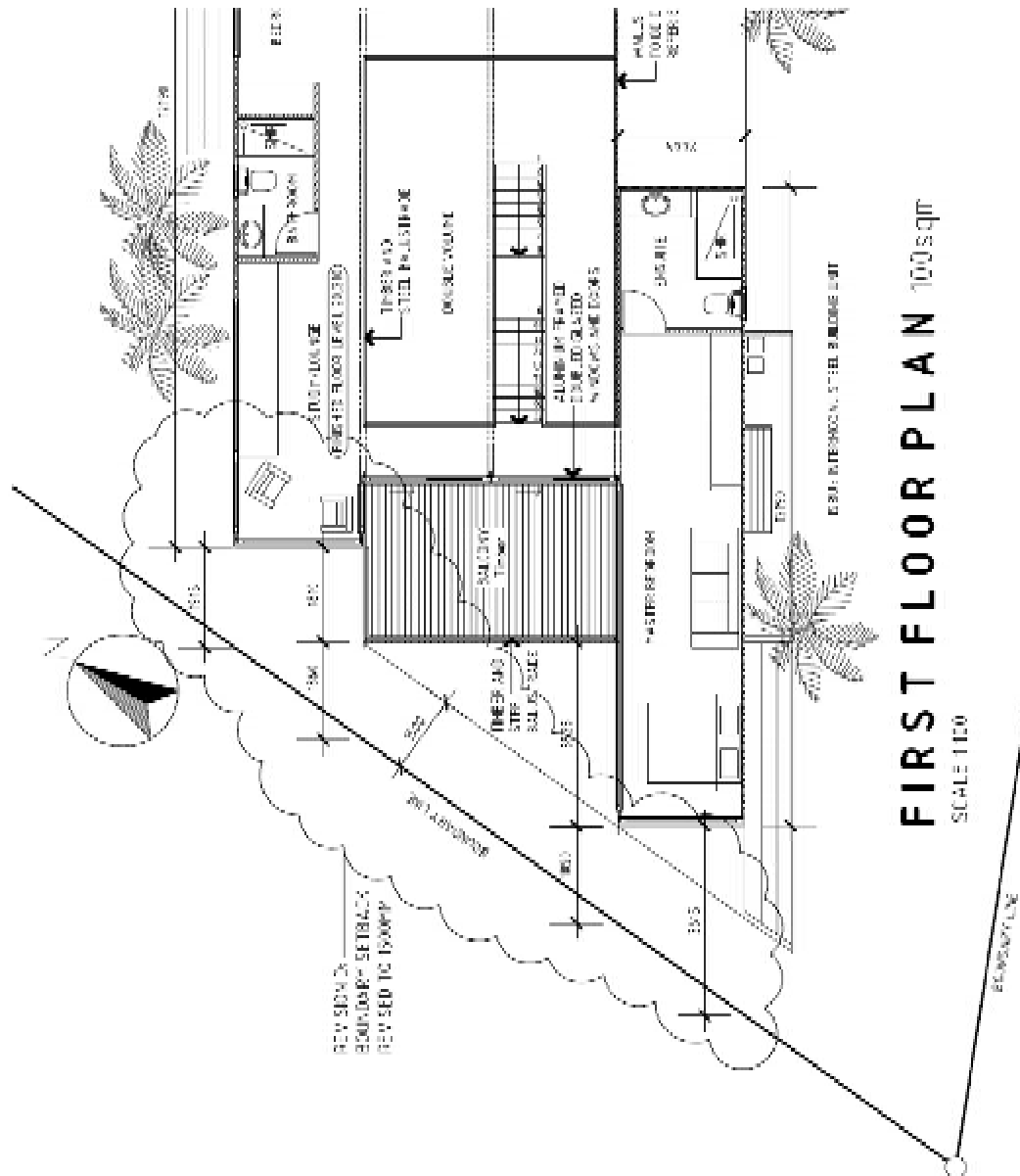
Note 1: Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.

Note 2: If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.

APPENDIX 1 – SITE PLAN, FLOOR PLAN, ELEVATIONS



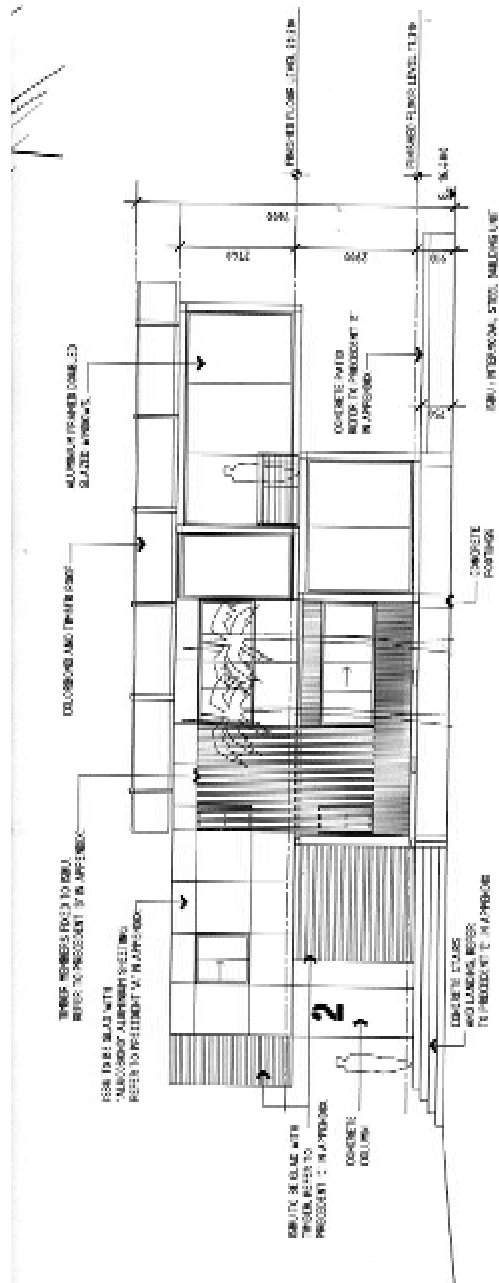




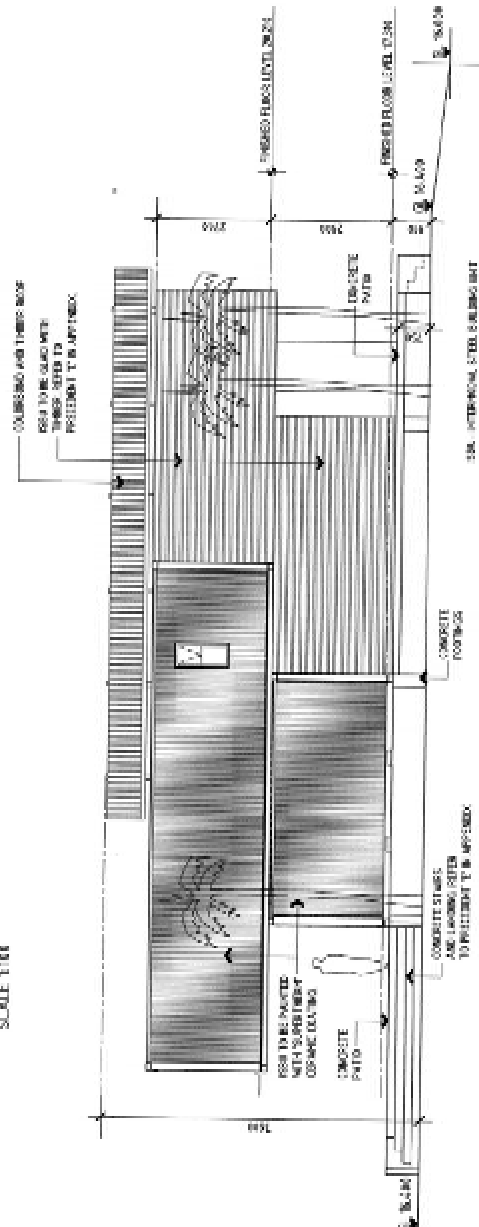


SCALE 1-100





NORTH ELEVATION
SCALE 1/8" = 1'-0"



SOUTH ELEVATION
SCALE 1/8" = 1'-0"

**APPENDIX 2 – EXAMPLES OF SHIPPING CONTAINER DWELLINGS
& EXTERNAL CLADDING MATERIALS**



PRECEDENT EXAMPLE 'A'
'ALUCOBOND' ALUMINIUM CLADDING



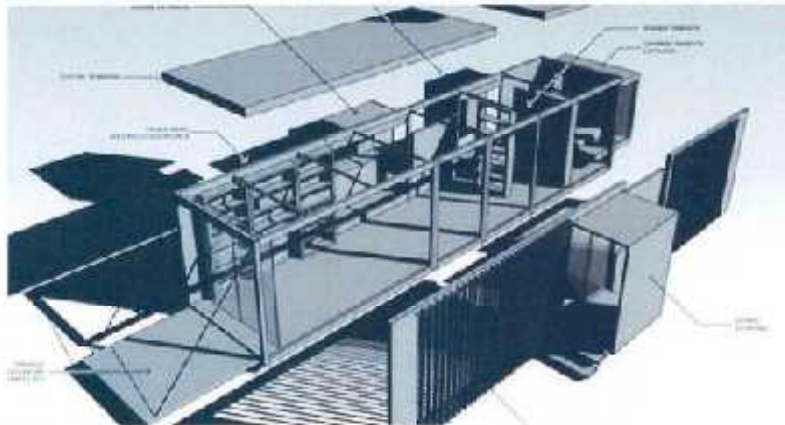
PRECEDENT EXAMPLE 'B'
'TIMBER CLADDING'



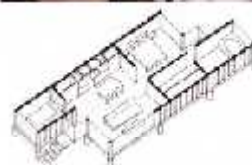
PRECEDENT EXAMPLE 'C'
TIMBER CLADDING



PRECEDENT EXAMPLE 'C'
'TIMBER CLADDING'



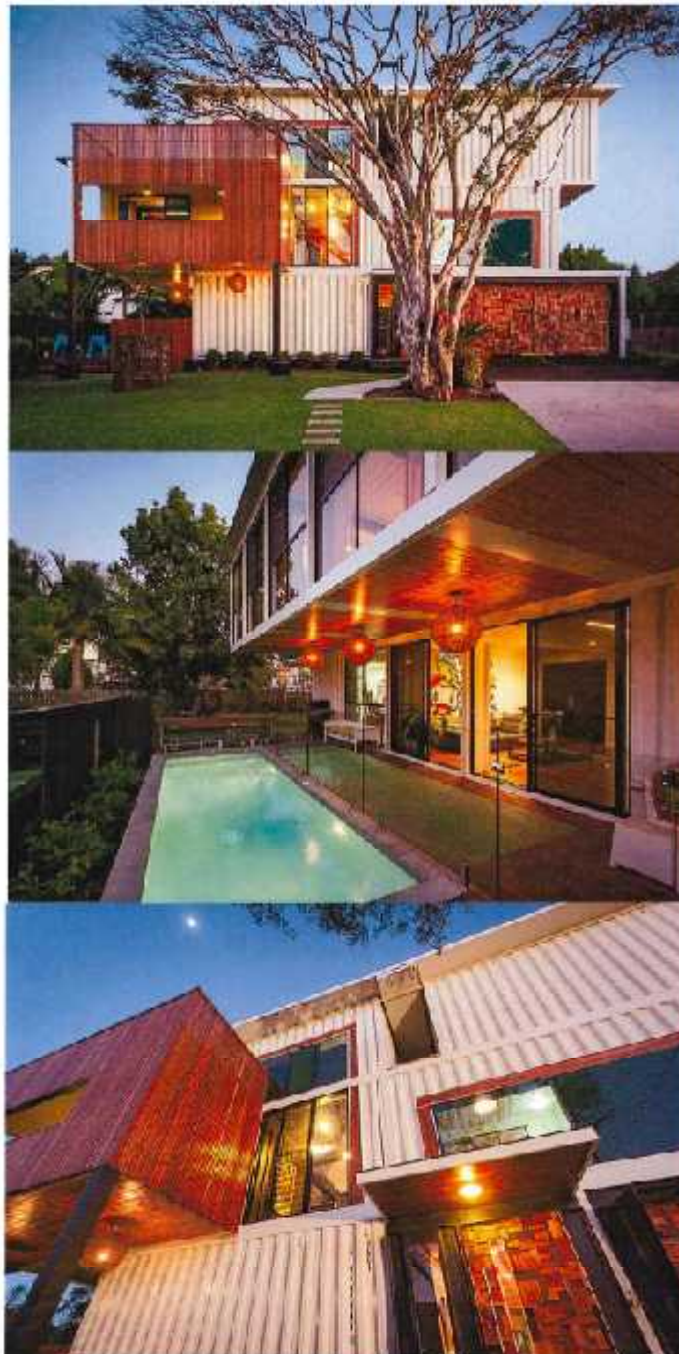
PRECEDENT EXAMPLE 'D'
DOUBLE GLAZED END WINDOWS



**PRECEDENT EXAMPLE 'E'
CONCRETE STAIRS AND PATIO**



AUSTRALIAN PRECEDENT
RESIDENCE
GRACEVILLE QUEENSLAND
BY ZIEGLERBUILD



6.3.4	PROPOSED RETAINING WALL - LOT 203 (NO. 71) GLANCE STREET, HORROCKS
	<p>FILE REFERENCE: 10.5.1.1 / 71 GLAN (A3652)</p> <p>APPLICANT: S Reynolds</p> <p>OWNER: S Reynolds</p> <p>DATE OF REPORT: 5 February 2015</p> <p>REPORTING OFFICER: Hayley R. Williams - Principal Planner</p> <p>APPENDICES:</p> <p>1. Site Plan, survey & retaining details</p>

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

SUMMARY:

An Application for Planning Approval has been received for a retaining wall to be constructed on Lot 203 (No. 71) Glance Street, Horrocks. Council consideration is required as the retaining wall height does not comply with the deemed to comply standards of the *Residential Design Codes (R-Codes)*. It is recommended that Council grant Planning Approval subject to conditions.

LOCATION PLANS:

Figure 1 – Location Plan, Lot 203 (No. 71) Glance Street, Horrocks

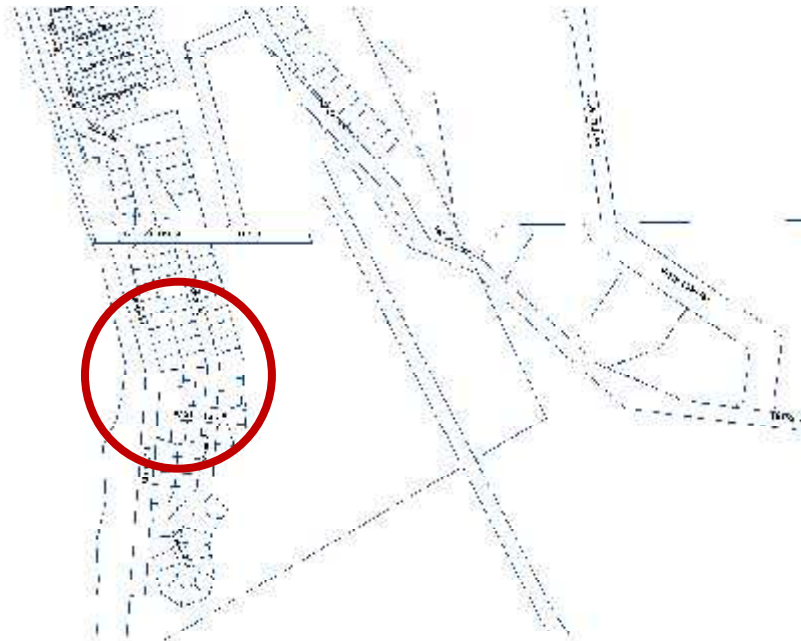


Figure 2 – Aerial Photograph, Lot 203 (No. 71) Glance Street, Horrocks



BACKGROUND:

An application has been received for the construction of a retaining wall upon Lot 203 (No. 71) Glance Street, Horrocks. The application has been brought before Council as the application does not comply with the requirements of the *Residential Design Codes of Western Australia 2013* ('R-Codes').

The application proposes the construction of a retaining wall with a maximum height of 2.7 metres. The retaining wall is proposed along the full extent of the northern boundary as well as along the front boundary to Glance Street.

The retaining wall is proposed to be tiered along the front boundary with a smaller retaining wall of 1.2 metres abutting the front boundary and then stepped back to 2.7 metres with a 1 metre gap.

In consideration of the application the following information is provided:

Lot Size	613m ²
Existing Development	Vacant
Existing Services	Water, Sewer, Power, Phone
Vehicular Access	Glance Street
Vegetation	Cleared
Surrounding Land	Residential R20

A copy of the development plans are included within **Appendix 1**.

COMMUNITY & GOVERNMENT CONSULTATION:

As the proposal does not comply with Sections 5.3.7 – Site Works and 5.3.8 – Retaining Walls of the R-Codes it is a requirement that any affected adjoining landowners are consulted.

On 12 January 2015 Shire staff wrote to the adjoining landowner to the North (Lot 202) seeking their comment upon the proposal. The landowner was given 14 days in which to provide the Shire with comment. No response was received from the landowner.

FINANCIAL & BUDGET IMPLICATIONS:

Nil. However should Council refuse this application and the applicant proceed to exercise their right of appeal, costs are likely to be imposed on the Shire through its involvement in the appeal process.

STATUTORY IMPLICATIONS:

State: *Planning and Development Act 2005*

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

The land is zoned “Residential R20” under *Shire of Northampton Local Planning Scheme No. 10* with a “Dwelling” and ‘Retaining Wall’ considered permitted uses.

Residential Design Codes (2013)

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

Section 5.3.7 – Site Works of the Residential Design Codes states:

“Excavation or filling between the street and building or within 3m of the street alignment, whichever is the lesser, shall not exceed 0.5m, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for the dwelling.

Excavation or filling within a site and behind a street setback line limited by compliance with building height limits and building setback requirements.

Subject to compliance with subclause C7.2 above all excavation or filling behind a street setback line and within 1m of a boundary, not more than 0.5m above natural ground level at the lot boundary except where otherwise stated in the scheme local planning policy, local structure plan or local development plan.”

In relation to the proposed retaining wall Section 5.3.8 of the R-Codes states the following acceptable development provision:

“Retaining Walls setback from common boundaries in accordance with the setback provisions of Table 1, Tables 2a and 2b, and Figure 3”

The proposed site works and retaining do not comply with the deemed to comply provisions of the *Residential Design Codes* and therefore need to be considered in light of the Design Principles, which are stated below:

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

Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.”

“Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1.”

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Strategy (2009)

Nil.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Nil.

COMMENT:

Assessment of the application indicates that the proposed retaining wall does not comply with the deemed to comply provisions of the *Residential Design Codes of Western Australia* and therefore further consideration is required of the proposal against the design principles.

Site Works and Retaining Wall Height

The applicant has proposed retaining of up to 2.7 metres in height along the northern side boundary and up to 1.2 metres along the western front boundary. In accordance with the R Codes comment was requested from the neighbouring landowner as the proposed wall exceeds 0.5 metres in height. No comment was received from the adjoining landowner.

The design principles regarding site works refer to development that considers and responds to the natural features of the site and requires minimal fill. Furthermore, where fill is considered to be necessary then the finished levels need to respect the natural ground level at the lot boundary of the site and as viewed from the street.

It is arguable that such a large amount of fill contained within the primary street setback area is not considering the natural features of the site and that the resultant retaining will have an impact upon the streetscape.

Council has previously granted approval for retaining walls along this particular area of Glance Street. However, the maximum height has been 1.4 metres along the front boundary with the dwelling being raised another 0.6 metres above the finished level and being well setback from the street (7.2m). This has lessened the impact of retaining walls on the streetscape.

The existing dwelling to the north (Lot 202) has a finished floor level of 12.13m and the proposed finished level of the sand pad on Lot 203 is 13.0m.

Given the topography of the land and the lack of existing retaining it is necessary to employ some level of retaining in order to develop the land. However, given that the fall over the site is 3 metres and the applicant/landowners response is to fill the site to the level at the rear of the lot without varying the levels over the site to accommodate the natural features, it is considered that the proposed retaining wall will have a negative impact on the streetscape.

It is therefore recommended that Council grant approval to the proposed retaining wall subject to modified plans being received detailing a reduction in the height of the secondary retaining wall (2.7m) to a maximum of 2 metres or alternatively that the secondary wall be setback a minimum of 3 metres from the front boundary.

VOTING REQUIREMENT:

Absolute Majority Required: No

CONCLUSION:

It is recommended that Council grant approval to the proposed retaining wall subject to modifications to the size and/or location of the secondary retaining and standard conditions.

OFFICER RECOMMENDATION – ITEM 6.3.4	APPROVAL
<p>That Council grant Planning Approval to the Retaining Wall on Lot 203 (No. 71) Glance Street, Horrocks subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Development shall be in accordance with the attached approved plan(s) dated 20 February, 2015 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government; 2. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect; 3. The secondary retaining wall shall be reduced in height from 2.7m to 2.0m or setback a minimum of 3m from the front boundary as shown in red on the attached approved plans, dated 20 February 2015; 	

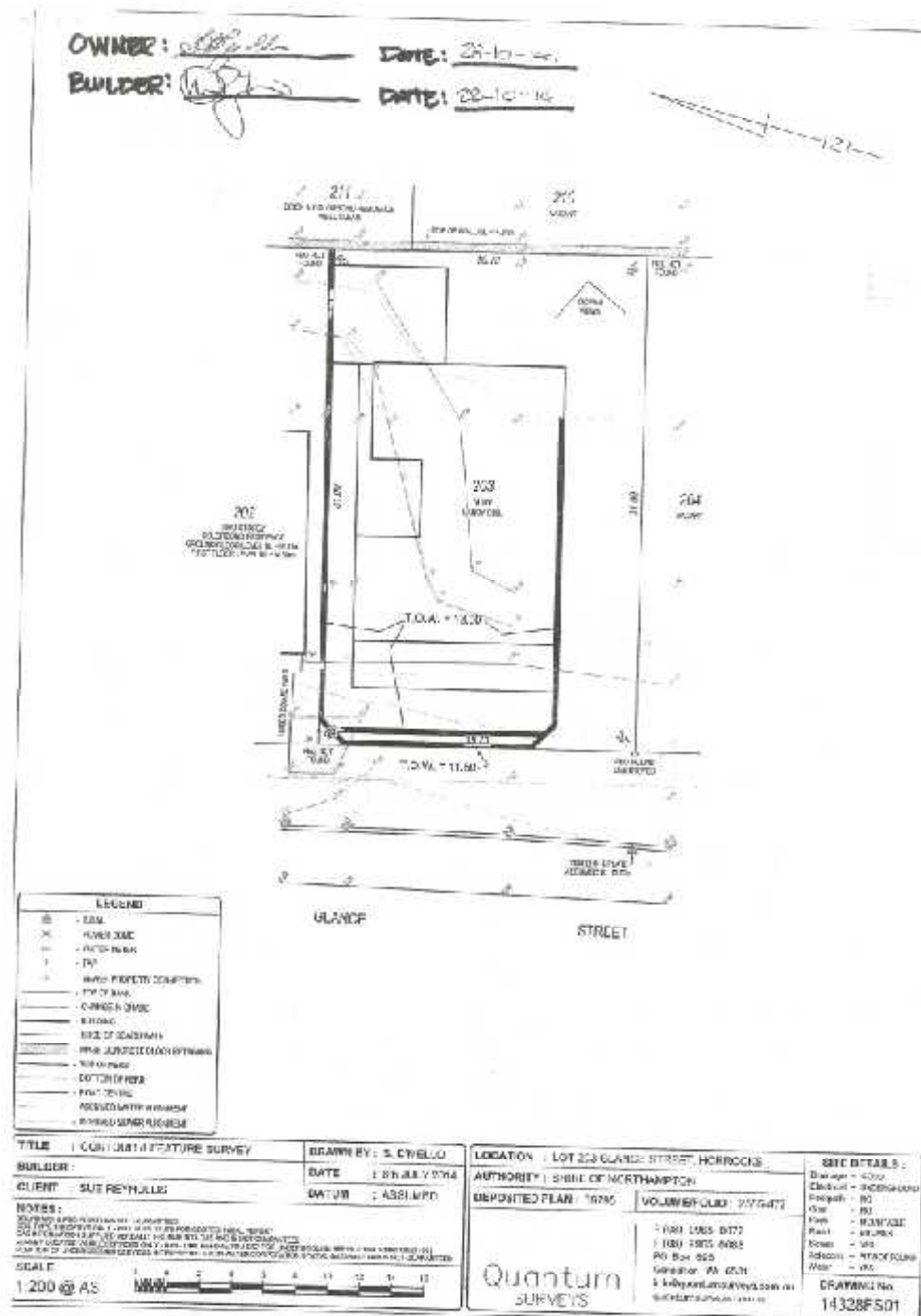
4. **A building permit shall be issued by the local government prior to the commencement of any work on the site;**
5. **Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;**
6. **In the case of the retaining wall on the property boundary, the finish of the retaining wall on the affected adjoining landowner's side is to be finished to a forked/pointed standard to the approval of the Local Government; &**

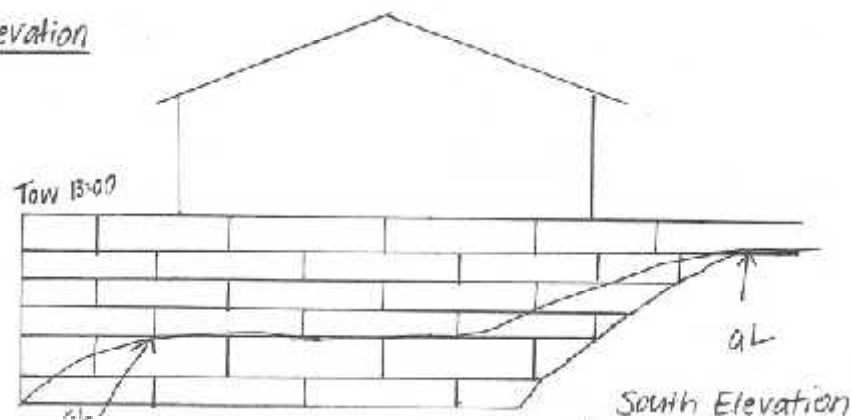
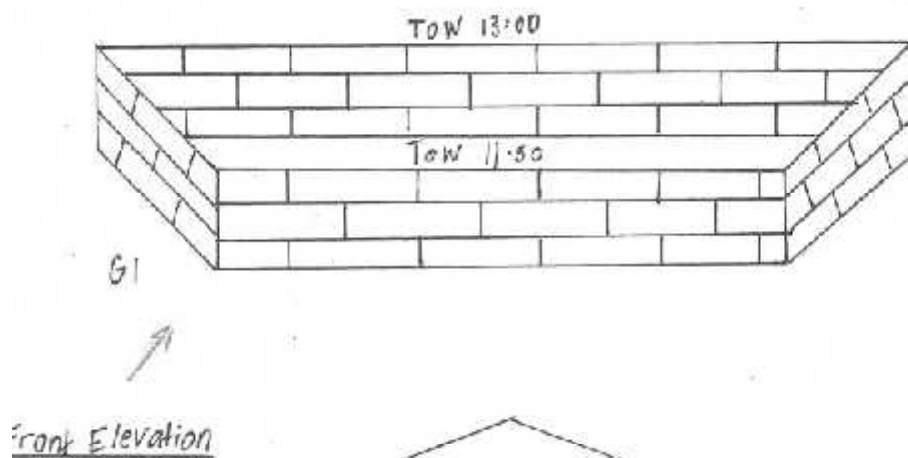
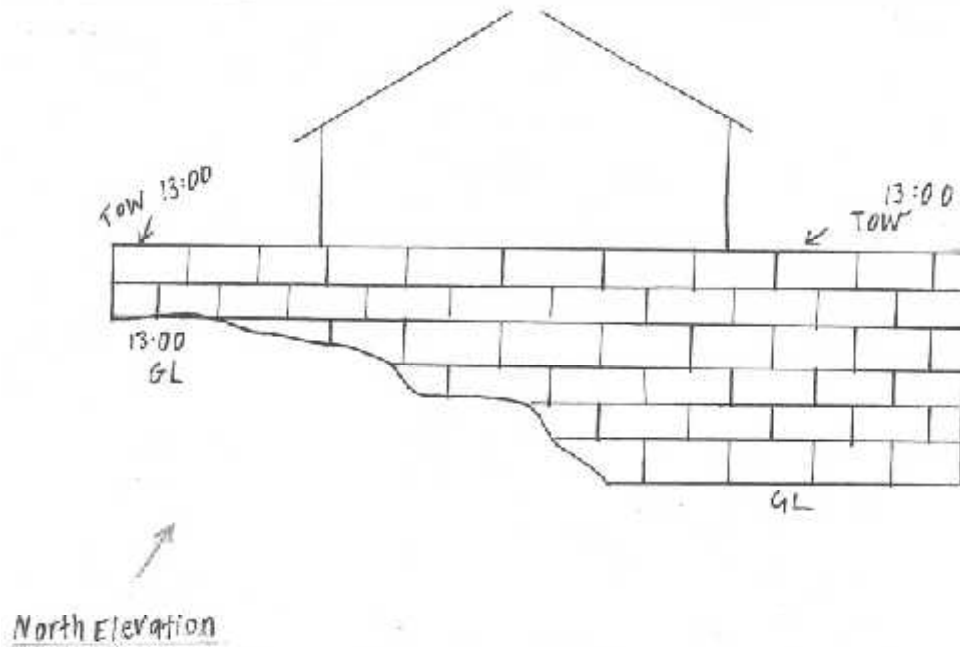
Advice Note

Note 1: Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.

Note 2: If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.

APPENDIX 1 – SITE PLAN, SURVEY & RETAINING DETAILS





6.3.5	PROPOSED RETAINING WALL - LOT 36 (NO. 12) CASTAWAY STREET, KALBARRI
	<p>FILE REFERENCE: 10.6.1.1 / 12 CAST (A3382)</p> <p>APPLICANT: T Stringer</p> <p>OWNER: T Stringer</p> <p>DATE OF REPORT: 5 February 2015</p> <p>REPORTING OFFICER: Hayley R. Williams - Principal Planner</p> <p>APPENDICES:</p> <ol style="list-style-type: none"> 1. Site Plan and retaining details 2. Example of retaining wall and fence

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

SUMMARY:

An Application for Planning Approval has been received for a retaining wall to be constructed on Lot 36 (No. 12) Castaway Street, Kalbarri. Council consideration is required as the maximum retaining wall height and privacy setback do not comply with the deemed to comply provisions of the *Residential Design Codes (R-Codes)*. It is recommended that Council grant Planning Approval subject to conditions.

LOCATION PLANS:

Figure 1 – Location Plan, Lot 36 (No. 12) Castaway Street, Kalbarri

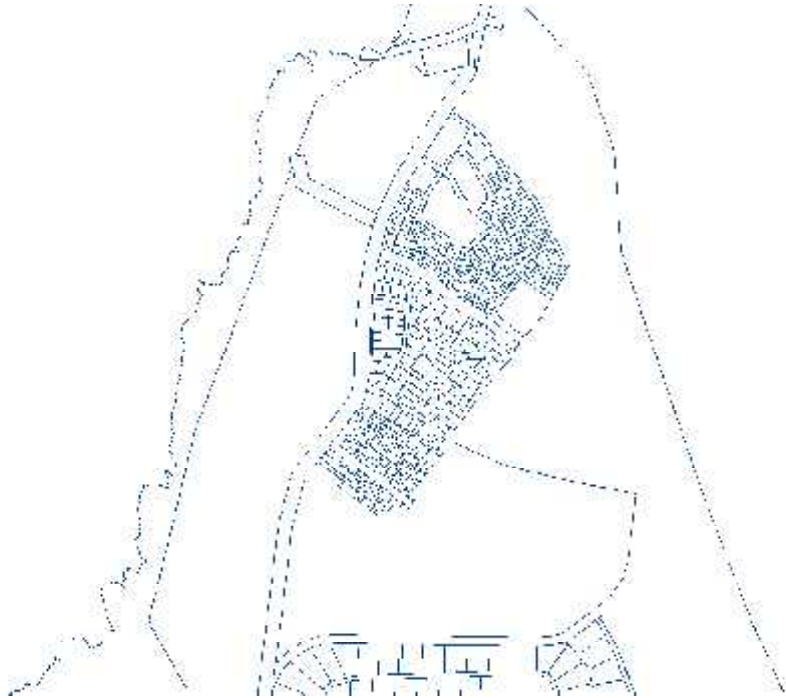


Figure 2 – Aerial Photograph, Lot 36 (No. 12) Castaway Street, Kalbarri



BACKGROUND:

An application has been received for the construction of a retaining wall upon Lot 36 (No. 12) Castaway Street, Kalbarri. The application has been brought before Council as the application does not comply with the requirements of the *Residential Design Codes of Western Australia 2013* ('R-Codes').

The application proposes the construction of a retaining wall along the northern side boundary to a maximum height of 1.2 metres. The proposed retaining wall will be 40 metres in length.

In consideration of the application the following information is provided:

Lot Size	2035m ²
Existing Development	Single Dwelling
Existing Services	Water, Power, Phone
Vehicular Access	Castaway Street
Vegetation	Cleared
Surrounding Land	Residential R5

A copy of the development plans are included within **Appendix 1**. The Applicant has also included an example of the type and style of retaining wall along with fencing that they are proposing to build, this is contained within **Appendix 2**.

COMMUNITY & GOVERNMENT CONSULTATION:

As the proposal does not comply with Sections 5.3.7 – Site Works and 5.3.8 – Retaining Walls of the R-Codes it is a requirement that any affected adjoining landowners are consulted.

On 15 January 2015 Shire staff wrote to the adjoining landowner to the North (Lot 37) seeking their comment upon the proposal. The landowner was given 14 days in which to provide the Shire with comment. No response was received from the landowner.

During initial discussions between the Applicant and the adjoining landowner it was made clear that the owners of Lot 37 were not supportive of the retaining wall along the property boundary and were concerned about the impact it would have on visual privacy.

FINANCIAL & BUDGET IMPLICATIONS:

Nil. However should Council refuse this application and the applicant proceed to exercise their right of appeal, costs are likely to be imposed on the Shire through its involvement in the appeal process.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

Local: Shire of Northampton Town Planning Scheme No. 9 – Kalbarri Townsite

The land is zoned “Residential R5” under *Shire of Northampton Town Planning Scheme No. 9* with a ‘Retaining Wall’ considered a permitted use.

Residential Design Codes (2013)

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

Section 5.3.7 – Site Works of the *Residential Design Codes* states:

“Excavation or filling between the street and building or within 3m of the street alignment, whichever is the lesser, shall not exceed 0.5m, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for the dwelling.

Excavation or filling within a site and behind a street setback line limited by compliance with building height limits and building setback requirements.

Subject to compliance with subclause C7.2 above all excavation or filling behind a street setback line and within 1m of a boundary, not more than 0.5m above natural ground level at the lot boundary except where otherwise stated in the scheme local planning policy, local structure plan or local development plan.”

In relation to the proposed retaining wall Section 5.3.8 of the R-Codes states the following acceptable development provision:

“Retaining Walls setback from common boundaries in accordance with the setback provisions of Table 1, Tables 2a and 2b, and Figure 3”

The proposed site works and retaining do not comply with the deemed to comply provisions of the *Residential Design Codes* and therefore need to be considered in light of the Design Principles, which are stated below:

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

Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.”

“Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1.”

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Strategy (2009)

Nil.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Nil.

COMMENT:

Assessment of the application indicates that the proposed retaining wall does not comply with the deemed to comply provisions of the *Residential Design Codes of Western Australia* and therefore further consideration is required of the proposal against the design principles.

Site Works and Retaining Wall Height

The dwelling located on Lot 36 has been constructed on a sand pad that has been raised approximately 1.2m above natural ground level. Although this does not present any problems regarding visual privacy due to appropriate setbacks being achieved, the issue of visual privacy will be raised with the filling and retaining of the remainder of the site up to the northern boundary with Lot 37.

It is arguable with the appropriate height of fencing (screening) the proposed retaining wall will result in land which can be effectively used for the benefit of the residents and will not detrimentally affect the adjoining property. It should also be taken into account that Lot 37 is at present vacant and so there is an opportunity for the adjoining landowner to orientate their dwelling and outdoor living areas in a way that will afford them privacy.

The applicant has stated they would be prepared to place a fence along the retaining wall at a maximum height of 1.5 metres. This would result in a total height of 2.7 metres along the boundary at the highest point to the west and reduced down to 1.85m at the eastern end.

The proposed retaining wall is not considered to detrimentally affect the adjoining property as it has taken into consideration the matter of visual privacy through the use of fencing at an appropriate height.

It is therefore recommended that Council grant approval to the retaining wall subject to conditions.

VOTING REQUIREMENT:

Absolute Majority Required: No

CONCLUSION:

It is recommended that Council grant approval to the proposed retaining wall subject to screening being provided through the use of fencing at a height of 1.5 metres.

OFFICER RECOMMENDATION – ITEM 6.3.5	APPROVAL
<p>That Council grant Planning Approval to a retaining wall on Lot 36 (No. 12) Castaway Street, Kalbarri subject to the following conditions:</p> <ol style="list-style-type: none">1. Development shall be in accordance with the attached approved plan(s) dated 20 February, 2015 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;2. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;3. A building permit shall be issued by the local government prior to the commencement of any work on the site;4. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;5. In the case of the retaining wall on the property boundary, the finish of the retaining wall on the affected adjoining landowner's side is to be finished to a forked/pointed standard to the approval of the Local Government; &	

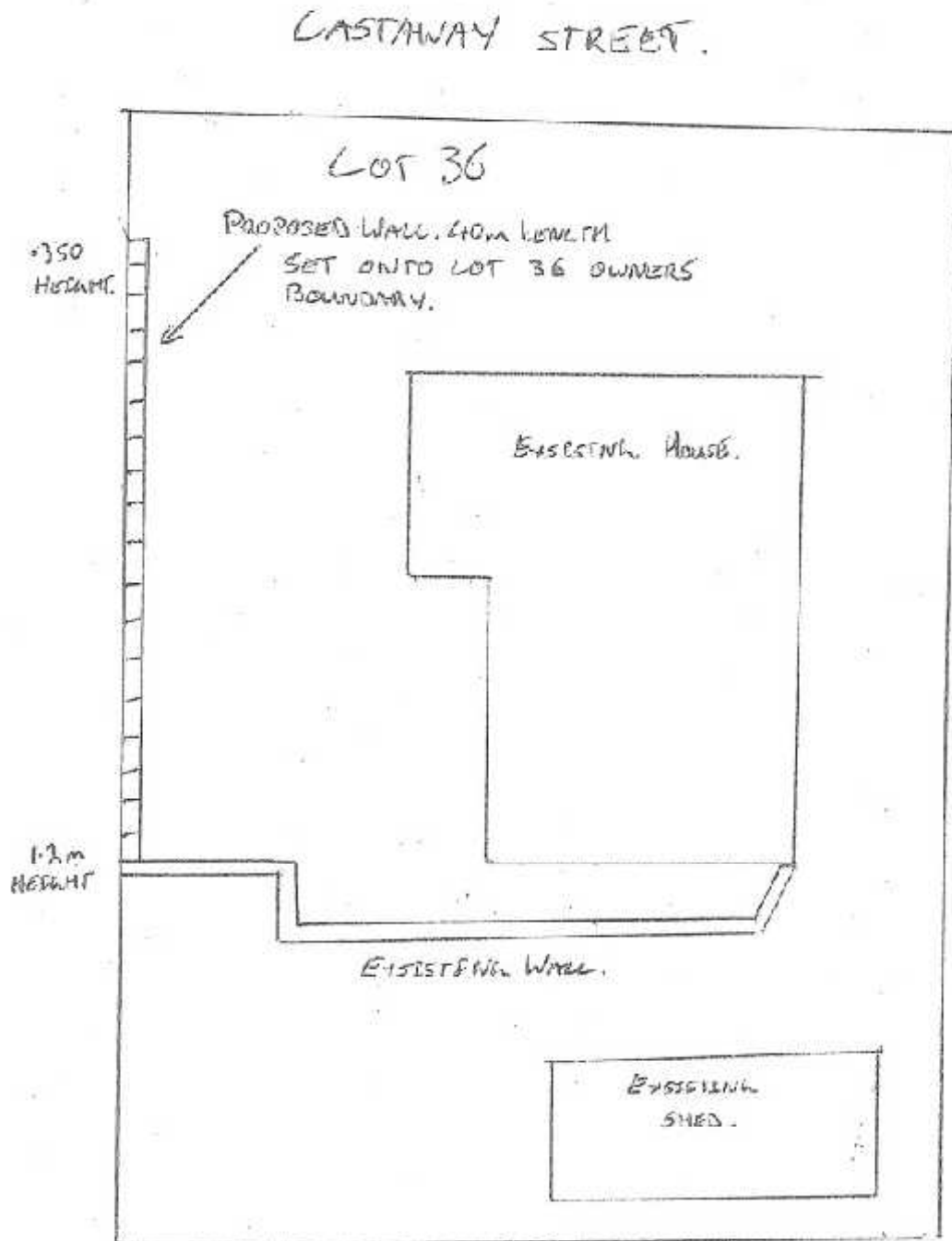
- 6. A 1.5m fence is required to be erected atop the retaining wall to the approval of the Local Government.**

Advice Note

Note 1: Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.

Note 2: If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.

APPENDIX 1 – SITE PLAN & RETAINING DETAILS



APPENDIX 2 – RETAINING WALL & FENCING EXAMPLE



6.3.6	DEVELOPMENT ASSESSMENT PANELS
FILE REFERENCE: 10.4.1 DATE OF REPORT: 9 February 2015 REPORTING OFFICER: Hayley Williams – Principal Planner APPENDICES: 1 Correspondence from Government of Western Australia – Development Assessment Panels	

AUTHORITY / DISCRETION:

Advocacy *when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*

SUMMARY:

The Department of Planning has written to all Local Governments seeking nominations for 2 Development Assessment Panel ('DAP') members and 2 alternate members (4 in total). Given that there has been a change in Council membership recently and a loss of one DAP Representative, Jessica Booth, it is proposed that Council reconsider who is elected to these positions.

BACKGROUND:

On 24 March 2011 the Planning and Development (Development Assessment Panels) Regulations 2011 ('the Regulations') commenced operation. On 2 May 2011 the Ministerial Order formally creating the 15 DAP's across the state came into operation.

The DAP proposed for the Mid West (representing Carnamah, Chapman Valley, Coorow, Cue, Geraldton-Greenough, Irwin, Meekatharra, Mingenew, Morawa, Mount Magnet, Mullewa, Murchison, Northampton, Perenjori, Sandstone, Three Springs, Wiluna and Yalgoo) would consist of 5 members:

- Chairperson (a specialist member);
- 2 specialist members;
- 2 local government representatives from the relevant Local Government;
- 1 specialist member proxy*;
- 1 local government proxy from each local government*.

(* the proxies will only be used when there is failure to reach a quorum)

Council at their Ordinary Meeting held on 22 February 2013 resolved:

That Council submit to the Minister of Planning the following Local Government nominations to serve upon a Development Assessment Panel:

Councillor Cr G Wilson (member); and
Councillor Cr J Booth (member).

Councillor Cr S Stock-Standen (alternate member/proxy); and
Councillor Cr C Simkin (alternate member/proxy).

COMMUNITY & GOVERNMENT CONSULTATION:

Not applicable.

FINANCIAL & BUDGET IMPLICATIONS:

Regulation 8(1)(b) of the Planning and Development (Development Assessment Panels) Regulations 2011 requires that any application that is required to be assessed by a DAP cannot be determined by the Local Government, this will take effect from 1 July 2011. Local Governments charge an application fee under Regulation 48A, although they will not be the determining body for DAP applications, as it will be the responsibility of the Local Government to undertake the assessment of the application. The Local Government application fee can not exceed that prescribed by Schedule 2 of the Regulations.

Applicants will be required to make payment of a DAP fee in addition to the Local Government Application Fee.

The financial threshold for activating a DAP is when the estimated cost of development is \$7 million or more (except for the City of Perth where it is \$15million). Applicants have the option of requesting that a DAP assess the application where the total development value is between \$3million and \$7million (between \$10million and \$15million in the City of Perth). Local Governments have the option of delegating applications for developments of any value to a DAP for determination if they so choose.

STATUTORY IMPLICATIONS:

State: Planning & Development (Development Assessment Panels) Regulations 2011

DAP members will be bound by similar requirements regarding their conduct as Local Government Councillors, for example:

- all DAP members will be required to declare any direct or indirect pecuniary interest in a matter, before the meeting on that application commences;
- DAP members will not be permitted to disclose or make improper use of information that they acquire during their time as a member;
- DAP members will be prevented from accepting "prohibited" gifts in all circumstances, and will be permitted to accept other types of gifts ("notifiable" gifts) as long as they notify the Department of Planning;
- Members will be required to comply with the DAP Code of Conduct developed by the Department of Planning; and
- No DAP member will be permitted to make a statement regarding the competence or honesty of a Local Government employee or public sector employee.

POLICY IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

COMMENT:

Local Governments have until 27 February, 2015 to submit to the Minister for Planning nominations for 2 DAP members and 2 alternate members. In the event that a Local Government does not provide the requisite nomination by the deadline the Minister is empowered to nominate replacements from eligible voters in the district to which the DAP is established.

The period of appointment for all DAP members will be 2 years. After the 2 year term has come to an end, the Minister will ask the relevant Local Government to provide nominations for its 2 Local Government members (and 2 alternate members). The same individuals can be re-nominated by the Local Government, however, the Regulations require the nomination process to occur every 2 years.

All DAP members, except those not entitled to receive sitting fees, will be paid sitting fees on a sessional basis. The presiding member will be paid \$500 per session, and all other members will be paid \$400 per session.

The Regulations provide that travelling costs that DAP members incur when attending meetings are to be paid to all DAP members, including accommodation and airfares. These costs are to be paid as set out in the current Public Sector Commissioner's Circular on this matter (*2009/20 Reimbursement of Travel Expenses for Members of Government Boards and Committees*). For the avoidance of doubt, all DAP members, including those not entitled to be paid sitting fees, will be entitled for reimbursement for these out-of-pocket expenses.

It is anticipated that the Minister and Cabinet would formally approve the Local Government DAP nominations on or around 15 June 2011.

The Regulations prevent a DAP member from attending a meeting without first completing mandatory training (any DAP member who successfully completes the training is entitled to payment of \$400 from the Department of Planning). DAP training is anticipated to commence from early May with priority given to areas that are likely to experience a high volume of DAP applications.

It is proposed that DAPs would operate as follows:

- meetings will be conducted in a place open to the public;
- a person who has made a submission during the advertising period will be permitted to make a presentation to the DAP;
- in some circumstances, the public may be excluded from a meeting where the application contains commercial information of a confidential nature or information about the personal affairs of a person;
- Code of Conduct will be in place for DAP Members to adhere to;
- a record of meetings and voting outcomes by individual DAP members will be kept and made available to the public via websites;
- annual report will be required by the Department for Planning;
- professional staff from the relevant Local Government will prepare a report and recommendation on the development application for the DAP's consideration in making its determination;
- the planning officer will be required to attend the DAP to present the application and provide clarity on the assessment report;
- secretariat support for the DAP will be provided by the relevant Local Governments on a six monthly rotational basis;

- these duties will include preparing agendas, advertising meetings, organising meetings, taking minutes and publicising meeting outcomes;
- the Chairperson's sessional sitting fee will be higher than the other members to reflect the responsibilities of this role;
- a quorum for the DAP's is proposed to be three members which will be comprised of at least the chair, 1 Local Government member and 1 independent specialist member; &
- meeting frequency is proposed to be determined by the individual DAP, meeting frequency will be based on the number of applications submitted for consideration.

VOTING REQUIREMENT:

Absolute Majority Required: No

CONCLUSION:

That Council nominate 4 Councillors to sit as representatives on the Development Assessment Panel's.

OFFICER RECOMMENDATION – ITEM 6.3.6

That Council submit to the Minister of Planning the following Local Government nominations to serve upon a Development Assessment Panel:

Councillor _____ (member); and

Councillor _____ (member).

Councillor _____ (alternate member/proxy); and

Councillor _____ (alternate member/proxy).

APPENDIX 1 - CORRESPONDENCE FROM GOVERNMENT OF WESTERN AUSTRALIA – DEVELOPMENT ASSESSMENT PANELS

RECEIVED
16/2/2015



Government of Western Australia
Development Assessment Panels

Our Ref: DP/12/00000
Enquiries: DAPs secretariat
Telephone: 08 551 9919

Mr Garry Keefe
Chief Executive Officer
Shire of Northampton
PO Box 61
NORTHAMPTON WA 8535

NORTHAMPTON SHIRE COUNCIL				
File: 10-4-1				
24 DEC 2014				
Admin	Eng	High St	Low St	Range
			HW	

Dear Garry

DEVELOPMENT ASSESSMENT PANELS: LOCAL GOVERNMENT NOMINATIONS

As you would be aware, fifteen Development Assessment Panels (DAP) came into operation on 1 July 2011 to determine development applications that meet a certain threshold value. Each DAP comprises five members: three specialist members, one of which is the presiding member, and two local government members.

Appointments of all local government DAP members expire on 26 April, 2015. Members whose term has expired will be eligible for re-consideration at this time.

An Expression of Interest for Development Assessment Panel specialist members was advertised in the *West Australian* on 6 and 10 December, 2014 and in regional newspapers in the week commencing 8 December, 2014. Nominations for specialist members will close on Friday, 23 January, 2015. You will be advised of the new specialist members once they have been appointed by the Minister.

Under regulation 20 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, your local council is requested to nominate four elected members of the Council, comprising two local members and two alternate local members to sit on your local DAP as required.

Using the attached form, please provide names, address, email, mobile and land line telephone numbers, date of birth, employer(s), position(s) and include curriculum vitae details of your four local government DAP nominees.

Nominations are required to be received no later than Friday 27 February, 2015.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2017. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local

140 William Street, Perth, Western Australia 6000
Tel: (08) 6551 9000 Fax: (08) 6551 9001 <http://daps.planning.wa.gov.au/>
ABN 79 351 750 68

government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

Local government elections may result in a change to local DAP membership if current councillors who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

The Council should consider the above matters in selecting nominees as local DAP members.

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

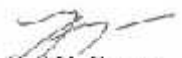
Members who are not entitled to payment of sitting, training and State Administrative Tribunal attendance fees include Federal, State and local government employees, active or retired judicial officers and employees of public institutions. These DAP members are not entitled to be paid without the Minister's consent, and such consent can only be given with the prior approval of Cabinet. This position is in accordance with *Premier's circular – State Government Boards and Committees Circular (2010/02)*.

Further information, including DAP location maps and the Premier's Circular, is available online at <http://daps.planning.wa.gov.au>.

Local representation is vital to DAPs. If no nominations are received by Friday 13 March, 2015, or if I have not allowed the local government a longer nomination period, regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, enables me to include on the local government register a person who is an eligible voter of your local government district and who has relevant knowledge or experience that will enable that person to represent the interest of the local community of your district.

If you have any queries regarding this request for nominations, please contact the DAPs secretariat – phone 6551 9619 or email daps@planning.wa.gov.au.

Yours sincerely


Gail McGowan
Director General

18 December 2014

6.3.7	BUILDING AND RETAINING WALL ENCROACHMENTS, MITCHELL STREET HORROCKS
LOCATION:	Mitchell Street, Horrocks
FILE REFERENCE:	10.5.1.1 / 36 MIT / A746
APPLICANT:	D Munday & S Mitchell
OWNER:	D Munday & S Mitchell
DATE OF REPORT:	11 December 2014
REPORTING OFFICER:	Hayley Williams – Principal Planner
APPENDICES:	1. Letter from D Munday & S Mitchell

AUTHORITY / DISCRETION:

Quasi-Judicial	<i>when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State</i>
Executive	<i>the substantial direction setting and oversight role of the Council. For example, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>

SUMMARY:

Council Staff have been liaising with the identified property owners in regard to formalising an easement for retaining walls constructed on Council owned land.

Three owners have confirmed that they are willing to pay the required amount for the survey and registration of an easement on their titles for the retaining wall encroachments. However, one landowner has forwarded correspondence to Council for consideration.

BACKGROUND:

Council staff have been working towards resolving a number of encroachments onto Lot 9501, which is owned freehold by the Shire of Northampton.

It was resolved at the Ordinary Meeting of Council in October 2014:

1. *To grant easements to building and/or retaining walls on Lot 9501 for the following properties:*

Lot 17; Lot 93; Lot 67; Lot 18; Lot 94; and Lot 66 Mitchell Street, Horrocks.

2. *To obtain a quote for the survey of the property boundary between Lot 9501 and the abovementioned properties; and*

3. *To obtain a quote for the granting of easements from Council's appointed solicitor.*

Council staff have forwarded correspondence to the four landowners with retaining wall encroachments (Lots 17, 18, 66 and 67) regarding the cost of obtaining and interest only deposited plan survey and easement documentation.

Correspondence has been received from D Munday & S Mitchell, owner of Lot 18 expressing their dissatisfaction with the cost associated with formalising the encroachment of what is essentially the footings of the retaining wall given the face of the wall is located solely on their land.

A copy of the correspondence is included in **Appendix 1**.

COMMUNITY & GOVERNMENT CONSULTATION:

Nil.

FINANCIAL & BUDGET IMPLICATIONS:

Costs will be incurred through surveying and the creation of easements. Council staff have obtained quotes for the associated works and this has been communicated to all four landowners.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

Local: Shire of Northampton Town Planning Scheme No. 10

The land is zoned “Residential” and “Parks and Recreation” under *Local Planning Scheme No. 10*.

The zoning will not be affected should Council consider the easement option. Should Council consider pursuing for the boundary realignment option for Lots 93 and 94 then a minor amendment will need to be undertaken to change the zoning of the Scheme to reflect the new residential zone boundary.

COMMENT:

The correspondence from the owners of Lot 18 outlines what they believe is to be a minor encroachment of the retaining wall onto Lot 9501.

The owners did undertake a survey of the property as part of the Planning Application process and approval was granted to them for the construction of the retaining wall within their property boundary. However, the contractor did not adhere to the approved plans and constructed the footings of the retaining wall over the boundary, even when expressly told that this was not appropriate by Council staff. Although according to the landowners they were not made aware of this matter by the contractor.

In order to address the concerns of the landowner it is necessary for Council to consider contributing to the cost of the easement preparation or alternatively deciding that the encroachment is minor in nature and does not warrant an easement.

VOTING REQUIREMENT:

Absolute Majority Required: No.

OFFICER RECOMMENDATION – ITEM 6.3.7	For Council consideration
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APPENDIX 1 – CORRESPONDENCE FROM D MUNDAY & S MITCHELL

Simon Mitchell & Debbie Munday
36 Mitchell Street
HORROCKS WA 6555

16 January 2015

Dear Garry,

I am writing to you regarding the building, excavation & retaining wall encroachments on Lot 9501 Mitchell Street Horrocks. We recently received a letter from you with a quote for preparing easement documents and feel we have a good base with regards to you and council reviewing the proposed costing that we will have to incur. Can you please discuss our concerns at the next meeting of Council. Our concerns are listed below:

- From our understanding, we submitted plans for the retaining/dividing wall that were approved by you with no breach of boundaries. We were unaware that the contractor we hired to build the wall had indeed not followed the plans. After talking to Ma Williams at your offices, the contractor was apparently spoken to about the Council's concerns before the wall was completed. We were unaware of this and feel if Shire had of informed us of their concerns we could have prevented this situation arising.
- From our understanding, the breaches into the lot held by the Shire are all underground and only breach the boundaries by one meter. Surely this is only a minor breach considering some of the other structures that have been erected along Mitchell Street and the encroachment into the Shire's lot cannot be seen. The visible part of our dividing structure is within the boundaries of our lot (as is lot 17).
- We were under the impression that the lot that makes up the hill along Mitchell Street was Crown Land and being crown land, no one would be able to build any structures within 20 meters of the top of the hill. We had concerns of the safety of this land with regards to falling debris and fire. We felt the wall was the safest option. We are planning to place a fire break behind the wall and some signage (and maybe a physical barrier) to indicate the drop ahead to prevent any falling from heights. The design of the wall was constructed with safety in mind.
- The reason the dividing wall needed to be built in the first place was because rocks from your lot kept falling down the hill, one coming through the existing fence and smashing the panel. We thought it appropriate to build a structure that would ensure that any falling debris did not cause any further damage. We could have tried to landscape the hill to inhibit falling rocks and sand, similar to what other lot owners have done. We spoke to those lot owners and they reported that this was not a good solution as they still have problems with rocks and sand slipping into their lots.
- We have already paid for our lot to be surveyed and the pegs are still in place. We do not see why we would have to pay to have your lot surveyed as you did not make any payments into having our land surveyed. We do not understand why this cost is inflicted upon us.
- We feel we have done the right thing. We are only one of a few along Mitchell Street that went through the correct processes of applying for approval and meeting all that Shire has requested of us. We have made all the appropriate payments and complied with all directives without question. There are many lots along this street that have structures of varying degrees of permanency that I am sure have not gone through the correct processes. We feel we are now paying a penalty for this.

We write this letter in good faith and hope Council can review our situation as we feel that we are being penalised without due cause. If you would like to discuss this matter with us please do not hesitate to call either Simon on 0459 343 142 or myself on 0429 343 154. Our email address is debbiem@wardland.com.au

Yours faithfully


Debbie Munday

10-5-11
100239125

36 MIT / A74
GR/HW

6.3.8	REQUEST TO MODIFY LOCATION OF BUILDING ENVELOPE & LANDSCAPE PROTECTION AREA – LOT 6 (NO. 18) RANCH COURT, KALBARRI
	<p>LOCATION: Lot 6 (No. 18) Ranch Court, Kalbarri</p> <p>FILE REFERENCE: 10.6.1.1</p> <p>APPLICANT: L Simkin & A Sweetman</p> <p>OWNER: Kalbarri River Developments Pty Ltd</p> <p>DATE OF REPORT: 9 February 2015</p> <p>REPORTING OFFICER: Hayley Williams – Principal Planner</p> <p>APPENDICES:</p> <ol style="list-style-type: none"> 1. Correspondence from L Simkin & A Sweetman 2. Big River Ranch – Subdivision Guide Plan 3. Geotechnical Plan 4. Overlay of Geotechnical Plan and Subdivision Guide Plan – Lot 6

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

SUMMARY:

Correspondence has been received from abovementioned Applicant requesting Council consider modifying the location of the building envelope and landscape protection area on Lot 6 (No. 18) Ranch Court, Kalbarri. Although the Scheme allows for the modification of the building envelopes location, it does not permit the landscape protection zone to be changed. Therefore Council consideration is required.

LOCALITY PLANS:

Figure 1 – Location Plan, Lot 6 (No. 18) Ranch Court, Kalbarri

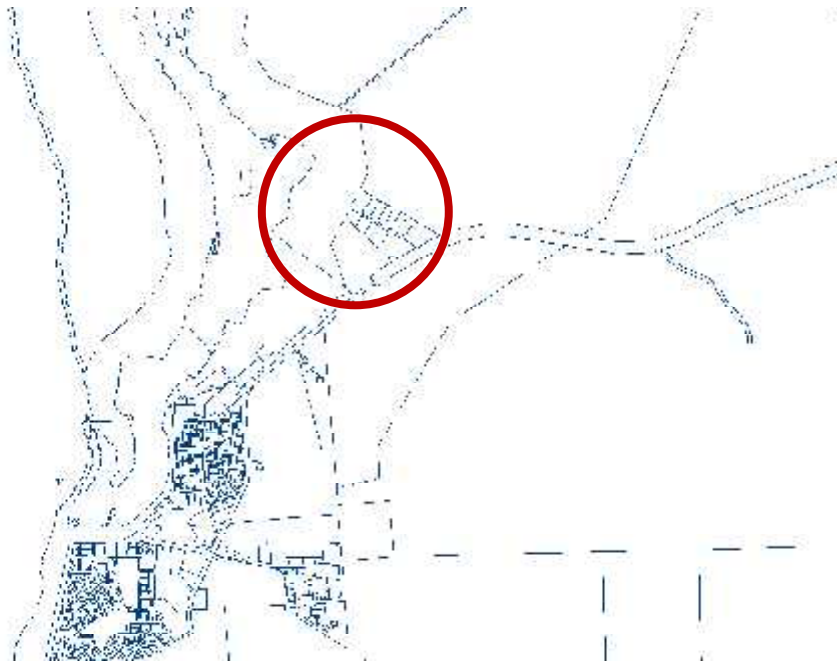


Figure 2 – Aerial Photograph, Lot 6 (No. 18) Ranch Court, Kalbarri



BACKGROUND:

Correspondence has been received from L Simkin and A Sweetman requesting that Council consider the relocation of a building envelope and landscape protection area on Lot 6 (No. 18) Ranch Court, Kalbarri.

Victoria Location 11493 Kalbarri-Ajana Road was subject of Scheme Amendment No. 37 to Town Planning Scheme No. 4. This Scheme Amendment rezoned the land from 'Special Site (Equestrian Centre/Resort) Zone' to 'Special Rural Zone' and 'Tourist Accommodation Zone'.

As part of the Scheme Amendment a Subdivision Guide Plan was included within the Scheme through the inclusion of Appendix No. 8. This contains various clauses relating to the subdivision and development of the land.

As part of the Scheme Amendment a detailed investigation was undertaken into the land capability, with specific reference to drainage. A copy of the Land Capability and Environmental Management Report will be tabled at the Council meeting.

The Applicant has provided a number of reasons for the proposed relocation of building envelope and landscape protection zone including:

- The existing envelope is positioned over the secondary water course area and thus may be inundated in winter.
- It would be necessary to build a "crossing" over the creek to reach the current building area.
- Our proposed site for the building envelope is on the higher part of the block, it is closer to the main entrance, power, water and is clear of any native vegetation.

A copy of the correspondence is included within **Appendix 1**.

Lot 6 Ranch Court, Kalbarri is approximately 1.1ha. It has a shared access point with Lot 7 across the landscape protection area. The building envelope is located on the eastern side of the lot and the landscape protection zone covers the western half of the lot.

COMMUNITY CONSULTATION:

Nil

GOVERNMENT CONSULTATION:

Consultation with relevant government agencies will be necessary in order to ascertain if the relocation of the building envelope and landscape protection area is feasible.

FINANCIAL & BUDGET IMPLICATIONS:

Nil.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

Local: Shire of Northampton Town Planning Scheme No. 9 - Kalbarri Townsite

The land is zoned "Special Rural" under *Town Planning Scheme No. 9 - Kalbarri Townsite* with Appendix 8 providing a number of specific clauses that relate to the subdivision and development of the land.

Appendix 8 – Special Rural Zone No. 2 includes the following subdivision and development control provisions:

Subdivision

- (2) *Subdivision shall be generally in accordance with the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment. Variations to the Subdivision Guide Plan may only be made subject to endorsement by Council and the Commission, and in consultation with other relevant government agencies.*
- (3) *The minimum lot size shall be 1.0 hectare.*

Building

- (4) (a) All building on a lot shall be erected within the building envelope defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment.
- (b) No building envelope or effluent disposal system shall be located within the Landscape Protection Area defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment.
- (c) Notwithstanding (4 a), Council may permit a variation to the location of a defined building envelope on a lot if it is shown to the satisfaction of Council that the proposed location of the building envelope will not be detrimental to the landscape or environment and satisfies the following minimum setbacks:
- Front Boundary 30 metres
 - Rear Boundary 15 metres
 - Side Boundaries 15 metres
- (d) Notwithstanding (4 a), Council may permit the construction of stables (maximum area of 24m²) outside the defined building envelope on a lot if it is shown to the satisfaction of Council that there will be no detrimental impact on the amenity of the Zone or neighbouring properties.
- (e) No stable is permitted within the Landscape Protection Area defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment or within 15 metres of a habitable building on a lot.
- (f) All buildings (including stables) shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, building height, materials and cladding colours.
- (g) All buildings shall be constructed utilising roof and external wall materials comprising natural earth or green vegetation colours.

- (h) *The use of zincalume, galvanised iron and other coloured (including white or off-white) roof and wall materials which, in the opinion of Council, prejudice the landscape amenity of the adjacent Kalbarri National Park and surrounding area, are not permitted.*
- (i) *All stormwater and runoff shall be disposed of within each lot and shall not be directed into the Landscape Protection Area.*
- (j) *No building shall exceed two (2) storeys in height.*

A copy of the Subdivision Guide Plan is included within **Appendix 2**.

POLICY IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Nil.

COMMENT:

Council has previously allowed the relocation of building envelopes on lots within the Big River Ranch Special Rural Zone, however, these have been in accordance with the requirements specified by Appendix 8 and have complied with the setbacks in Clause 4(c).

The Land Capability and Environmental Management Report prepared by Landform Research examined a range of matters. Of particular importance to this request is the audit of the existing environment, the capability of the land to support subdivision and the geotechnical factors as they relate to drainage, stormwater disposal and erosion potential.

According to the author of the report, Mr Lindsay Stephens, there are no land capability or environmental management issues which would preclude the rezoning of the land for special rural purposes, provided that the recommendations made in the Environmental Management section are adhered to.

These recommendations included:

Water erosion – drainage control	<ul style="list-style-type: none"> • Excavate and train the central drainage channel by clearing some of the fringing shrubs and leaving space for future cleaning. • Replant widened vegetated buffer to the drainage line, with local species to a width of 20 metres either side of the drainage line. This would be encompassed within the landscape protection area shown on the subdivision guide plan. • Locate dwellings off the alluvial flood plain as shown on the attached geotechnical plan. • Normal soil management practices will reduce potential loss of solid particles from the larger lots. • Runoff from roads should be retained in detention basis designed for a 1:10 year storm event. • There is little or no surface runoff from soils because of the porosity of the soils. • Stormwater from dwellings should be retained in rainwater tanks, soakwells or similar facilities.
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A copy of the Geotechnical Plan is included within **Appendix 3**. This provides detail on the location of the existing trained drainage line, the previous storm erosion channel and the alluvial flood plain.

Examining an overlay of the geotechnical /floodrisk plan with the subdivision guide plan (refer **Appendix 4**) it is evident that Lot 6 is impacted upon by the previous storm erosion channel and is wholly contained within the extent of the alluvial soils. However the current building envelope is located outside the primary and secondary drainage line.

There is the potential for the building envelope to be placed on the western side of the drainage line, however, this space is considerably smaller and it could be difficult to achieve the 15 metre side and rear setback requirements.

The potential for storm flood flow is still within the existing drainage line, which is included in the landscape protection area. However, the area of land that is located to the north-west corner is located outside the trained drainage line and is free from any secondary storm erosion channels.

In order to confirm that the relocation of the building envelope and modification of the landscape protection is possible without flood risk the Applicant would be required to undertake all necessary environmental and geotechnical investigations at their cost.

It is also recommended that Council obtain a legal opinion with regard to the risk associated with modifying the location of the landscape protection area on the subdivision guide plan.

VOTING REQUIREMENT:

Absolute Majority Required: *No.*

CONCLUSION:

It is recommended that Council consider the Applicant's request to modify the building envelope and location of the landscape protection area for the Big River Ranch Special Rural Zone in Appendix 8 of *Town Planning Scheme No. 9 – Kalbarri Townsite*.

OFFICER RECOMMENDATION – ITEM 6.3.8	For Council consideration
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APPENDIX 1 – CORRESPONDENCE FROM L SIMKIN & A SWEETMAN

Allan Sweetman
Lauren Simkin
24 Salmon Loop
EXMOUTH

10.6.1.1 Hn
14765 18 RAN

FOOTPRINT
ICR25383

Dear Councillors,

Re: Lot 6 River Ranch Road, Kalbarri

We are considering purchasing Lot 6 River Ranch Road with the intention of moving to Ka barri in the future.

Although the block is ideal for what we want, we feel the current position of the Building Envelope is not in the most suitable place and we are requesting Council allow for its repositioning. Please see the attached documentation to support our proposal.

The factors influencing our request for the repositioning are:

- The existing Envelope is positioned over the secondary water course area and thus may be inundated in winter.
- It would be necessary to build a "crossing" over the creek to reach the current building area.
- Our proposed site for the Building Envelope is on the higher part of the block; it is closer to the main entrance, power and water and is clear of any native vegetation.

We understand that our preferred position for the Building Envelope is within a Landscape Protection Area and this precludes the moving of the Building Envelope at this stage. However, we intend to seek alteration of this also from the relevant departments and agencies as it would be far more beneficial environmentally if the Protection Area included the creek and the secondary water course – not the higher, cleared area and only part of the creek as it stands now.

We have permission from the current owners via Ray White Real Estate to seek these amendments.

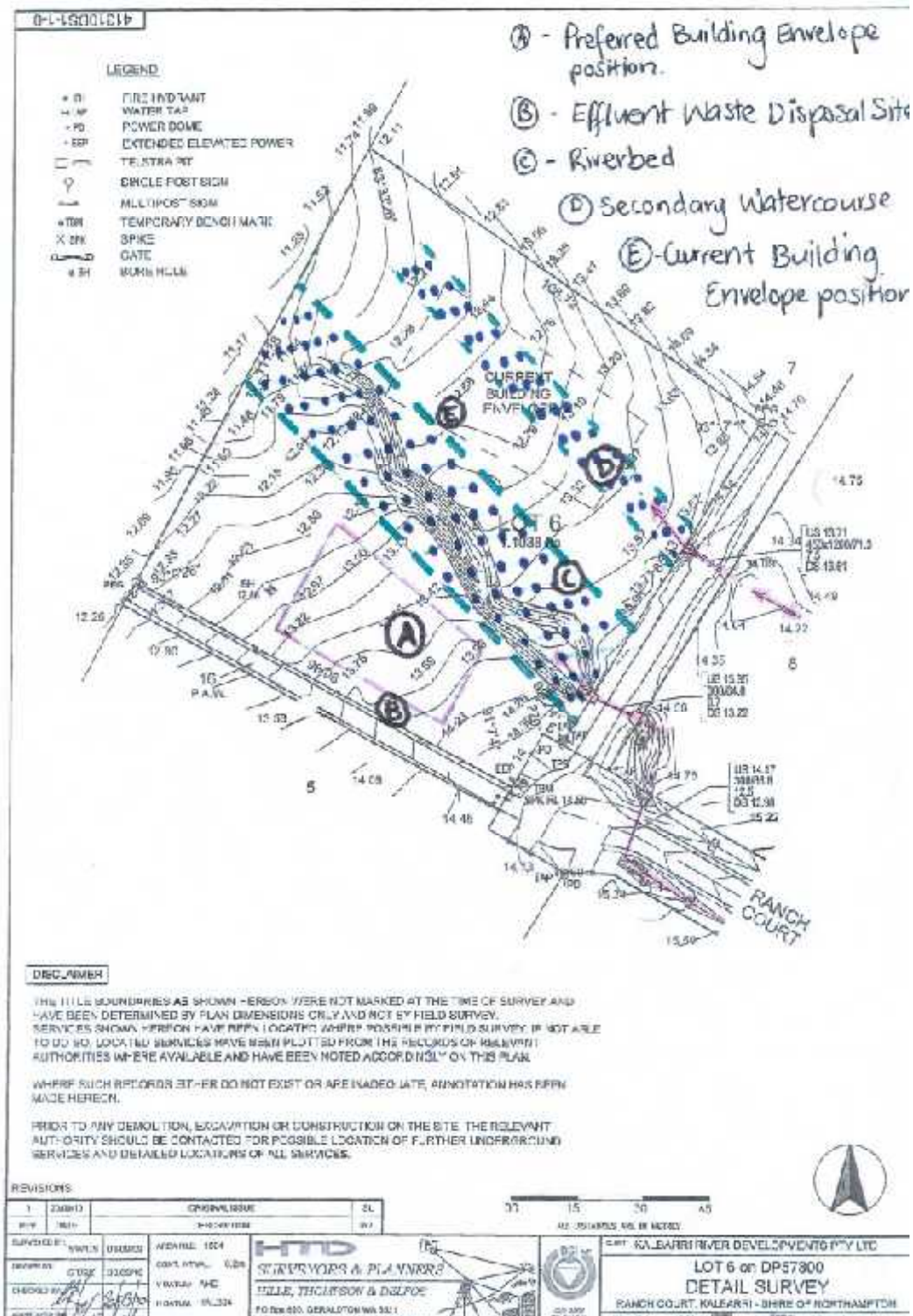
We hope you will consider our proposal favourably and look forward to your reply.

Yours sincerely,

Lauren Simkin
0427666353
lsimkin87@hotmail.com

Allan Sweetman
0429121474
aisweetman03@hotmail.com

14 January 2014



Preferred new building envelope.

By repositioning the envelope here there is no need to disturb any of the natural vegetation and it is closer to the power and water stations. We are aware of the need to preserve these water-ways so any septic tanks shall be positioned well away from the river itself.



Current building envelope.

The current building envelope is situated in the middle of a secondary water course as well as being well vegetated. We do not wish to disturb too much of the natural landscape, therefore we would prefer the building envelope be moved to the other side of the water way in the clearing shown in the next photo.

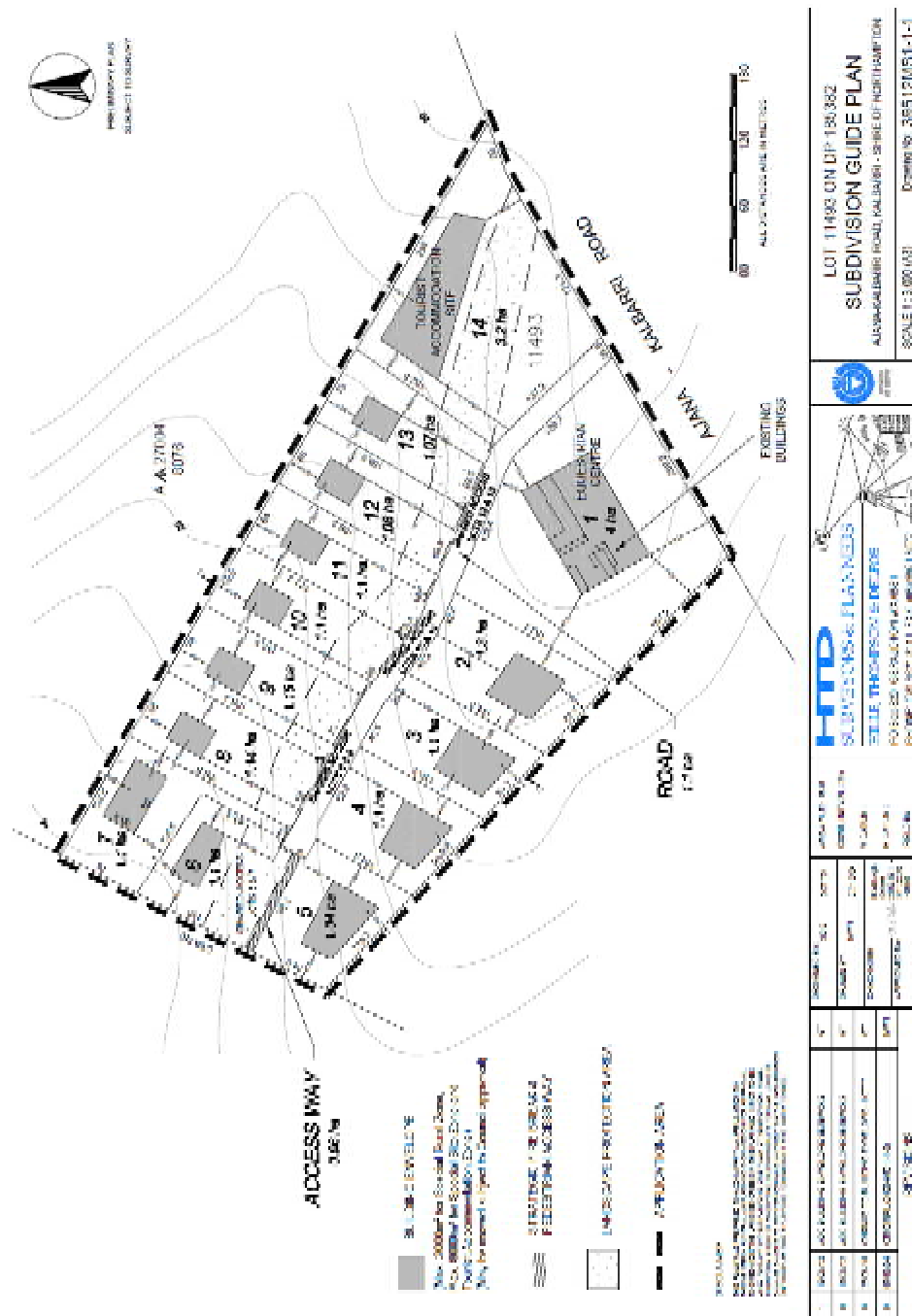




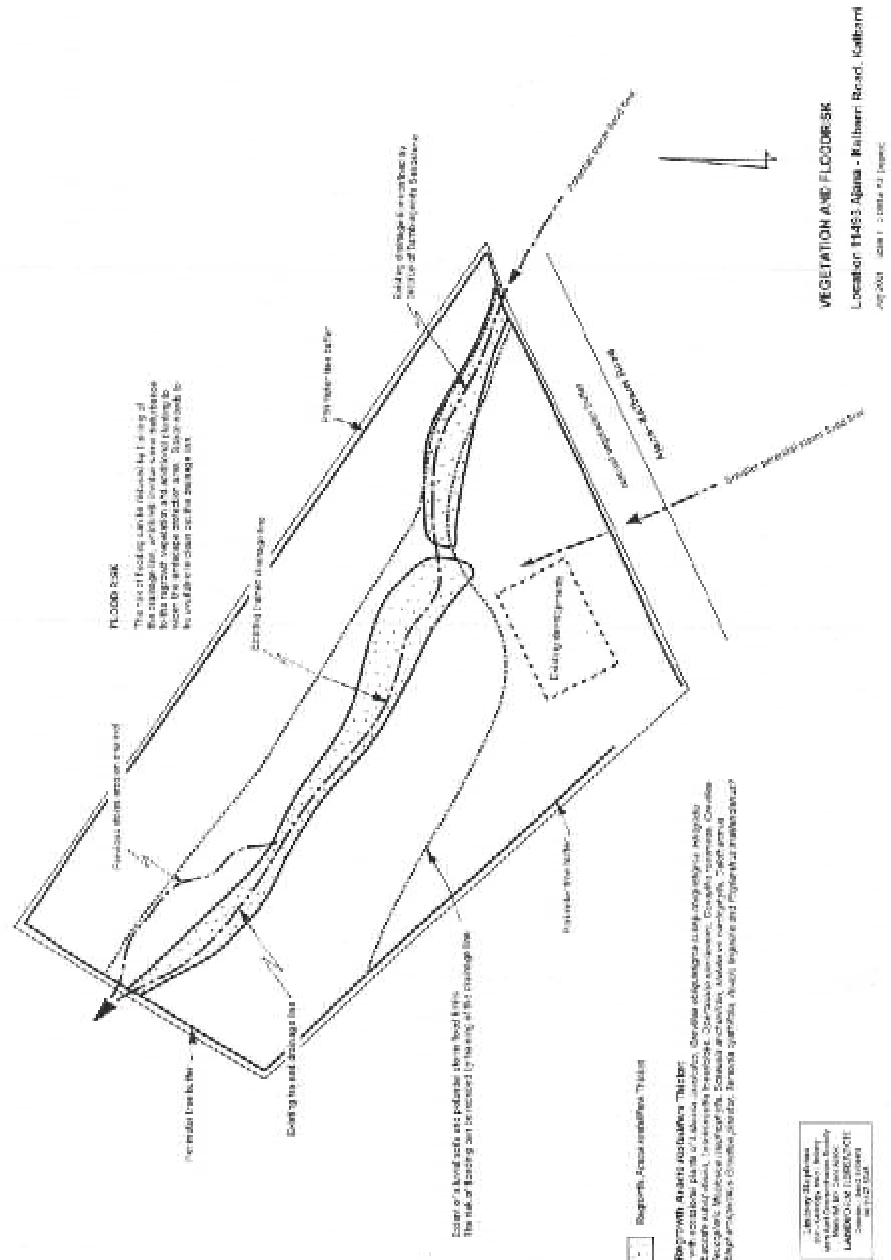
Photos taken of secondary watercourse
(apparent overflow) situated in the middle
of the current Building Envelope.



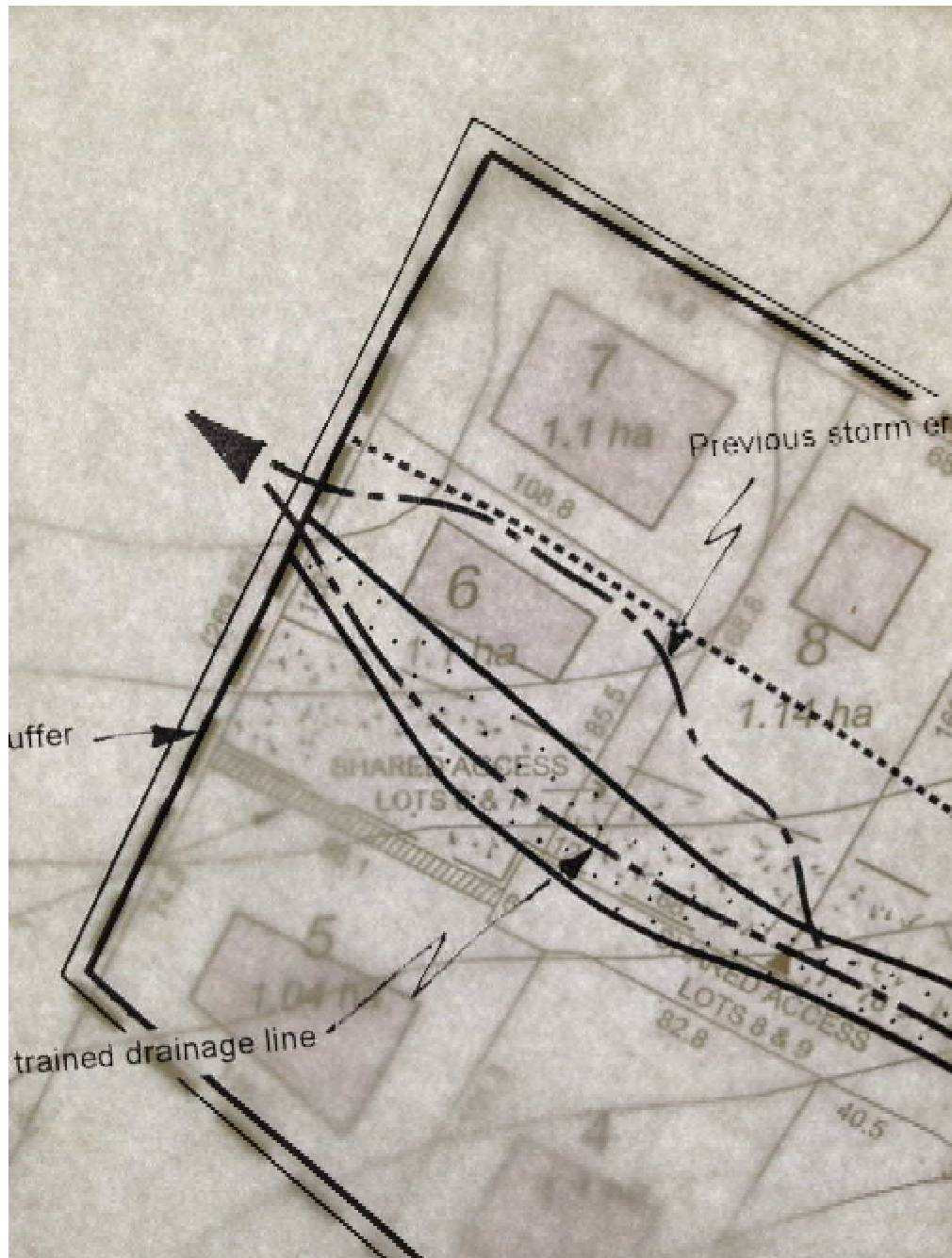
APPENDIX 2 – BIG RIVER RANCH SUBDIVISION GUIDE PLAN



APPENDIX 3 – GEOTECHNICAL PLAN (FLOOD RISK), LANDFORM RESEARCH



**APPENDIX 4 – OVERLAY OF GEOTECHNICAL PLAN &
SUBDIVISION GUIDE PLAN FOR LOT 6**



6.3.9	SUMMARY OF PLANNING INFORMATION ITEMS
DATE OF REPORT:	5 February 2015
REPORTING OFFICER:	Hayley Williams - Principal Planner

COMMENT:

The following informs Council of the various planning items (including delegated approvals) that have been dealt with since last reported to Council. Further information regarding any of the items can be obtained from the Principal Planner.

REF	APPLICANT	LOCATION	PROPOSED DEVELOPMENT / USE	DATE
066	J Walsh & M Close	LOT 4 (NO. 128) STEPHEN STREET, NORTHAMPTON	OUTBUILDING & RETAINING WALL – REDUCED SETBACKS	8 December 2014
067	I Leck	Lot 342 (No. 16) Penn Street, Kalbarri	Deck and Patio 0.5m	18 December 2014
068	P & K Murphy	LOT 254 (NO. 41) STOKES STREET, HORROCKS	SINGLE DWELLING & OUTBUILDING	18 December 2014
069	G White	LOT 366 (NO. 57) SMITH STREET, KALBARRI	ANCILLARY DWELLING	18 December 2014
070	V White	LOT 198 (NO. 46) HAMPTON ROAD, NORTHAMPTON	SIGNAGE	18 December 2014
071	J & B Armstrong	LOT 473 (NO. 10) PORTER STREET, KALBARRI	PROPOSED TWO (2) ENSUITE UNITS – KALBARRI TUDOR CARAVAN PARK	19 December 2014
Planning Approvals 2015				
001	M McKeown	LOT 51 (NO. 4562)	Outbuilding – General Rural	27 January 2015



SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 20 FEBRUARY 2015

		NORTH WEST COASTAL HIGHWAY, BOWES	Purposes	
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OFFICER RECOMMENDATION – ITEM 6.3.9

For Council Information

Shire of Northampton

KALBARRI TOWNSITE STRATEGY

January 2015

larry smith planning

Urban and Strategic Planning & Design

A.C.N. 009 254 666

Telephone: (08) 6241 3333

Telephone: 0418-916908

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Whelans Australia PTY LTD

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FIGURES & PLANS :

Figure 1.1 : Strategy Plan Area

Plan 1 : Kalbarri Townsite Strategy

Plan 2 : Kalbarri Town Centre Strategy

ADOPTION :

Adopted by the *Council of the Shire of Northampton* at its Ordinary Meeting of the 16th July, 2010.

Adopted by the *Western Australian Planning Commission* on the 29th September, 2010.

1. INTRODUCTION

[Figure 1 – Strategy Area]

Kalbarri is located in the Mid-West Region of Western Australia approximately 600 km north of Perth and 150km north of Geraldton, at the northern extent of the Shire of Northampton.

The Townsite is situated on the southern banks of the Murchison River and is substantially north facing, a favoured orientation along the Western Australian coast as a consequence of the degree of protection afforded from on-shore breezes.

Primary access to Kalbarri is via road, approximately six hours from Perth and 90 minutes from Geraldton. Kalbarri is also serviced by an airport situated within the National Park.

The Shire of Northampton has identified a need for the preparation of a Local Planning Strategy (LPS) to guide the future planning, development and management of the Kalbarri Townsite.

The need for the Plan has arisen as consequence of developing pressures on the Townsite from expanding tourism to the Town and region, an increasing population of “seachangers” and the fact that the current strategy is 15 years old, having been prepared in 1992.

Existing and planned major resource projects in the Mid-West Region combined with increasing tourism, will likely result in further significant population movement to mid-western Townsite locations and will result in further pressures and increases in demand for residential, employment, tourist and recreational choices in the short to medium term.

Larry Smith Planning, in association with *GHD Environmental*, was appointed by the Shire of Northampton to undertake the preparation of the LPS for the Kalbarri Townsite. The Strategy Area is broadly bounded by:

- the Kalbarri National Park in the east and to the south;
- the Murchison River in the north; and
- Gantheaume Bay and the Indian Ocean to the west.

The Strategy has been prepared under the guidance of a Project Steering Group, comprising representatives of the:

- Shire of Northampton;
- Department of Planning;
- Department of Environment and Conservation;
- LandCorp;
- Kalbarri Community; and
- Nanda Working Group.

Preparation of the Strategy has also involved extensive community consultation through a series of Public Workshops undertaken at key phases of the Strategy development process in addition to meetings with key stakeholders from government, business, service agencies and the community.

This document should be read in conjunction with the *Kalbarri Townsite Strategy – Volume 2 : Technical Appendix*.