



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 15th September 2017 in the Council Chambers, Northampton commencing at 1.00pm.

Lunch will be served from 12.00pm.

A handwritten signature in blue ink, appearing to be 'Garry L Keeffe', is positioned above the name and title.

**GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER**

8th September 2017



~ **Agenda** ~

15th September 2017

NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Northampton Shire Council will be held on Friday 15th September 2017, at The Council Chambers, Northampton commencing at 1.00pm.

GARRY KEEFFE
CHIEF EXECUTIVE OFFICER

8th September 2017

SHIRE OF NORTHAMPTON

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Signed  _____

Date 8th September 2017

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

AGENDA
ORDINARY MEETING OF COUNCIL
15th September 2017

1. OPENING

2. PRESENT

3. QUESTION TIME

4. CONFIRMATION OF MINUTES

4.1 Ordinary Meeting of Council – 18th August 2017

5. RECEIVAL OF MINUTES

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 Allen Centre, Grey Street Kalbarri on
18 August 2017**

8.1	OPENING	3
8.2	PRESENT	3
8.2.1	LEAVE OF ABSENCE	3
8.2.2	APOLOGIES	3
8.3	QUESTION TIME	3
8.4	PRESENTATION OF DRAFT DISTRICT WATER MANAGEMENT STRATEGY	3
8.5	CONFIRMATION OF MINUTES	4
8.5.1	CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 21 JULY 2017	4
8.5.2	BUSINESS ARISING FROM MINUTES	4
8.6	RECEIVAL OF MINUTES	4
8.7	WORKS REPORT	4
8.7.1	INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)	4
8.7.2	PORT GREGORY ROAD, HUTT LAGOON – PINK LAKE ROAD CONDITION, SIGNAGE AND PINK LAKE VEIHING AREA/S (ITEM 6.1.2)	5
8.7.3	(ITEM 6.1.3)	5
8.8	HEALTH/BUILDING REPORT	6
8.8.1	BUILDING STATISTICS (ITEM 6.2.1)	6
8.9	TOWN PLANNING REPORT	6
8.9.1	DRAFT DISTRICT WATER MANAGEMENT STRATEGY – HORROCKS TOWNSITE – CONSENT TO ADVERTISE (ITEM 6.3.1)	6
8.9.2	UPDATE ON SOLAR THERMAL POWER STATION, KALBARRI – LOT 10792 GEORGE GREY DRIVE, KALBARRI (ITEM 6.3.2)	6
8.9.3	FINALISATION OF LOCAL PLANNING SCHEME NO.11 – (KALBARRI TOWNSITE) (ITEM 6.3.3)	6
8.9.4	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.4)	6
8.10	FINANCE REPORT	7
8.10.1	ACCOUNTS FOR PAYMENT (ITEM 6.4.1)	7
8.10.2	MONTHLY FINANCIAL STATEMENTS JULY 2017 (ITEM 6.4.2)	7
8.10.3	2017/2018 BUDGET ADOPTION (ITEM 6.4.3)	7
8.10.4	WAIVER OF 2017/2018 RATES (ITEM 6.4.4)	8
8.11	ADMINISTRATION & CORPORATE REPORT	9
8.11.1	BUSHFIRE RISK MANAGEMENT PLAN – ENDORSEMENT & APPROVAL (ITEM 6.5.1)	9
8.11.2	GST REVENUE TO WESTERN AUSTRALIA (ITEM 6.5.2)	10

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre, Grey Street Kalbarri on
18 August 2017**

8.11.3	ROAD DEDICATION – HEAVY VEHICLE REST AREA (ITEM 6.5.3)	10
8.11.4	CANCER COUNCIL UV METERS (ITEM 6.5.4)	10
8.11.5	SPORTS SCHOLARSHIP APPLICATION (ITEM 6.5.5)	11
8.11.6	COMMUNITY SPORT & RECREATION FACILITIES FUND APPLICATION (ITEM 6.5.6)	11
8.11.7	REQUEST FOR EXEMPTION OF RATE INTEREST PENALTY (ITEM 6.5.7)	11
8.12	SHIRE PRESIDENT'S REPORT	12
8.13	DEPUTY SHIRE PRESIDENT'S REPORT	12
8.14	COUNCILLORS' REPORTS	12
8.14.1	CR SUCKLING	12
8.14.2	CR PIKE	12
8.14.3	CR CARSON	12
8.15	INFORMATION BULLETIN	13
8.16	NEW ITEMS OF BUSINESS	13
8.17	NEXT MEETING OF COUNCIL	13
8.18	CLOSURE	13

8.1 OPENING

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

8.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr M Scott	Vice President	Kalbarri Ward
Cr T Carson		Northampton Ward
Cr D Stanich		Northampton Ward
Cr R Suckling		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr S Krakouer		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Glenn Bangay	Principal Building Surveyor	
Mr Neil Broadhurst	Manager of Works	
Mrs Hayley Williams	Principal Planner	
Mrs Deb Carson	Planning Officer	

8.2.1 LEAVE OF ABSENCE

Nil

8.2.2 APOLOGIES

Nil

8.3 QUESTION TIME

No questions put to Council.

8.4 PRESENTATION OF DRAFT DISTRICT WATER MANAGEMENT STRATEGY

Mr Shane McSweeney of RPS Group (being the consultants engaged to undertake a Horrocks District Water Management Strategy), gave a presentation to Council regarding their water management investigations and the different options identified (and estimated costs) to service the townsite and future expansion areas of Horrocks with water and wastewater.

Mr Shane McSweeney departed the meeting at 1:35pm.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Grey Street Kalbarri on
18 August 2017

8.5 CONFIRMATION OF MINUTES

8.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 21 JULY 2017

Moved Cr KRAKOUER, seconded Cr SCOTT

That the minutes of the Ordinary Meeting of Council held on the 21st July 2017 be confirmed as a true and correct record.

CARRIED 8/0

8.5.2 BUSINESS ARISING FROM MINUTES

Minute 7.8.1 Proposed Solar Thermal Plant

CEO advised of outcome of the State Administrative Tribunal hearing held 9.30am on the 18 August 2017. SAT has instructed Council to request the advisors from the Department of Water and Environmental Regulation to meet with the consultants of the proponents to discuss their short comings in their noise assessment. Should that meeting not occur, due to the Department not being compelled to attend, then a direction hearing will be held to determine the matter.

8.6 RECEIVAL OF MINUTES

Moved Cr SCOTT, seconded Cr SUCKLING

That the minutes of the Budget Meeting held on the 28th July 2017 be confirmed as a true and correct record.

CARRIED 8/0

8.7 WORKS REPORT

8.7.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)

Noted

Mrs Debbie Carson departed the meeting at 1:48pm, returning at 1:49pm.

8.7.2	PORT GREGORY ROAD, HUTT LAGOON – PINK LAKE ROAD CONDITION, SIGNAGE AND PINK LAKE VIEWING AREA/S (ITEM 6.1.2)
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Moved Cr SCOTT, seconded Cr SUCKLING

That Council direct management to;

1. Formally approach Main Roads to undertake a review of the general speed zoning within the area with a view to reduce the speed limit in the general area;
2. Undertake works to investigate, design and estimate works for future budget consideration to improve the existing parking / viewing area for the Pink Lake area; and
3. Install suitable directional and advanced warning signs to direct traffic to the viewing parking area.

CARRIED 8/0

8.7.3	(ITEM 6.1.3)
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Cr Scott raised the issue of the poor condition of Von Bibra Road, with a road accident having occurred there recently. Shire staff advised that historically, a substandard quality road base was used in the original construction of the road by the developer which has contributed to the existing road condition. Cr Scott asked what could be done to improve the road to an acceptable standard for the single landowner access road.

Moved Cr SCOTT, seconded Cr PIKE

That:

1. Von Bibra Road be given routine grading maintenance; and
2. The upgrade of Von Bibra Road, to a 6 metre wide gravel surface, be costed and listed for future budget consideration.

CARRIED 8/0

Mr Neil Broadhurst departed the meeting at 2:13pm.

8.8 HEALTH/BUILDING REPORT

8.8.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

Mr Glenn Bangay departed the meeting at 2:15pm.

8.9 TOWN PLANNING REPORT

**8.9.1 DRAFT DISTRICT WATER MANAGEMENT STRATEGY – HORROCKS
TOWNSITE – CONSENT TO ADVERTISE (ITEM 6.3.1)**

Moved Cr STOCK-STANDEN, seconded Cr SUCKLING

That Council endorse the Draft District Water Management Strategy for Horrocks
Townsite for advertising purposes only.

CARRIED 8/0

**8.9.2 UPDATE ON SOLAR THERMAL POWER STATION, KALBARRI – LOT
10792 GEORGE GREY DRIVE, KALBARRI (ITEM 6.3.2)**

Noted

**8.9.3 FINALISATION OF LOCAL PLANNING SCHEME NO.11 – (KALBARRI
TOWNSITE) (ITEM 6.3.3)**

Noted

8.9.4 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.4)

Noted

Mrs Hayley Williams departed the meeting at 2:29pm.

8.10 FINANCE REPORT

8.10.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr CARSON, seconded Cr STANICH

That Municipal Fund Cheques 21245 to 21258 inclusive totalling \$45,145.90, Municipal EFT payments numbered EFT16647 to EFT16753 inclusive totalling \$926,702.00, Trust Fund Cheques 2217 to 2222, totalling \$10,038.69 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

8.10.2 MONTHLY FINANCIAL STATEMENTS JULY 2017 (ITEM 6.4.2)

Moved Cr CARSON, seconded Cr SIMKIN

That Council adopts the Monthly Financial Report for the period ending 31 July 2017.

CARRIED 8/0

8.10.3 2017/2018 BUDGET ADOPTION (ITEM 6.4.3)

Council also considered Late Item 6.4.5, being advice from the WA Grants Commission that a reduction in the Council Financial Assistance Grant and Untied Road Grant of \$90,854 which requires a change in the adoption of the 2017/18 Budget.

Moved Cr SCOTT, seconded Cr STANICH

That Council in accordance with section 6.2 of the Local Government Act 1995, subject to removing the provision of \$92,681 for transfer to the Plant Reserve Fund, adopts the 2017/2018 budget as presented inclusive of the following:

Statement of Comprehensive Income

Statement of comprehensive income as detailed on pages 2-3 of the budget for the 2017/2018 financial year showing the projected "Total Comprehensive Income" amount of -\$13,714.

Statement of Cash Flows

Statement of Cash Flows detailed on page 4 of the budget for the 2017/2018 financial year showing a projected "Cash and Cash Equivalents at the End of the year" totaling \$2,838,379.

Rate Setting Statement

Rates Setting Statement detailed on page 6 of the budget for the 2017/2018 financial year showing a "Net current assets at start of financial year" totaling \$649,494 from 2016/17.

Statutory Budget

Statutory Budget detail for 2017/2018 as presented on pages 6 to 35.

2017/2018 Budget By Schedule Format

Detailed Schedule Budget format for 2017/2018 detailed on pages 1 to 137 of the supplementary information to the budget document showing a balanced budget totaling \$10,809,628.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

8.10.4 WAIVER OF 2017/2018 RATES (ITEM 6.4.4)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council in accordance with section 6.47 of the Local Government Act 1995:

1. Waive the rates on the following lessees for the 2017/2018 financial year:

- Northampton Bowling Club – Lot 39 Hampton Road Northampton;
- Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;
- Northampton Community Centre – Portion of Reserve 23432
- Kalbarri Camp and Community Hall – Kalbarri Town Lot 468 Reserve No 35559.
- Kalbarri Golf and Bowling Club – part of Reserve No 30953;
- Kalbarri Sport and Recreation Club – part of Reserve No 25447.

- Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri.
- Edna Bandy Centre – Reserve 2038, Stephen Street Northampton
- Old School Community Centre – Lot 475, Stephen Street Northampton
- Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu
- Doctors Surgery – 51 (lot 29) Robinson Street, Northampton
- Doctors Surgery – 24 (lot 833) Hackney Street, Kalbarri
- LIA Units 1 – 4 lot 83 Kitson Circuit, Northampton
- Kalbarri Town Talk Lot 175 Kaiber Street, Kalbarri
- Horrocks Community Centre Lot 9501 North Court Horrocks

2. Waive the rates on the following aged care accommodation:

- Pioneer Lodge Inc – Lot 7 Robinson Street, Northampton; and
- Department of Housing and the Shire of Northampton Lot 1001 Hackney Street, Kalbarri.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

8.11 ADMINISTRATION & CORPORATE REPORT

8.11.1 BUSHFIRE RISK MANAGEMENT PLAN – ENDORSEMENT & APPROVAL (ITEM 6.5.1)

Moved Cr SCOTT, seconded Cr STANICH

That the Council endorse and approve the Shire of Northampton Bushfire Risk Management Plan (BRM Plan) as presented in the Attachment Booklet – August 2017. This is a requirement under the State Hazard Plan for Fire (Westplan Fire) for Shires that are exposed to a significant bushfire risk as mentioned in section 1.1 of the BRM Plan.

CARRIED 8/0

8.11.2 GST REVENUE TO WESTERN AUSTRALIA (ITEM 6.5.2)

Moved Cr SUCKLING, seconded Cr PIKE

That Council:

1. Write to the Prime Minister of Australia and the Leader of the Opposition to demand a better return of our GST back to Western Australia.
2. The rate of return be set at no less that 70 cents in the dollar back to Western Australia.
3. The amended GST distribution back to Western Australia be dealt with as a matter of urgency.
4. All Western Australian Federal members also receive the same correspondence.
5. Publish the correspondence in the local newspapers.

CARRIED 8/0

8.11.3 ROAD DEDICATION – HEAVY VEHICLE REST AREA (ITEM 6.5.3)

Moved Cr CARSON, seconded Cr STANICH

That Council approve for the dedication of lands, subject of Main Roads Land Dealings Plan 1660-223, as a road pursuant to Section 56 of the Land Administration Act 1997.

CARRIED 8/0

8.11.4 CANCER COUNCIL UV METERS (ITEM 6.5.4)

Moved Cr STANICH, seconded Cr STOCK-STANDEN

That:

1. The request to provide and install a UV metre within Kalbarri be deferred for consideration in the 2018/19 Budget;
2. That a provision for UV metres at Horrocks and Port Gregory also be included for consideration;
3. Staff investigate grant funding opportunities for the project; and
4. Staff advises Mr Love accordingly.

CARRIED 8/0

8.11.5 SPORTS SCHOLARSHIP APPLICATION (ITEM 6.5.5)

Moved Cr SIMKIN, seconded Cr SUCKLING

That Council contributes \$1,000 to Luke Dooley to assist with costs for his attendance to compete in the 2017 World Marathon Canoeing Championships in South Africa in September 2017.

CARRIED 8/0

8.11.6 COMMUNITY SPORT & RECREATION FACILITIES FUND APPLICATION
(ITEM 6.5.6)

Moved Cr SCOTT, seconded Cr CARSON

That Council supports the CSRFF grant application as presented, and forwards it to the Department of Sport and Recreation for their consideration.

CARRIED 8/0

8.11.7 REQUEST FOR EXEMPTION OF RATE INTEREST PENALTY (ITEM 6.5.7)

Moved Cr SCOTT, seconded Cr KRAKOUER

That Council discuss this item *"in-camera"* at 2.57pm.

CARRIED 8/0

Moved Cr STOCK- STANDEN, seconded Cr KRAKOUER

That Council continue the meeting *"out of camera"* at 3.02pm.

CARRIED 8/0

Moved Cr STANICH, seconded Cr SUCKLING

That Council accept Mr Jessop's request to cease charging the interest rate penalty on all outstanding rates and charges as from 18 August 2017.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

ADJOURNMENT

Council adjourned at 3:05pm.

Meeting reconvened at 3:14pm with the following in attendance:

Cr Simkin, Cr Scott, Cr Stock-Standen, Cr Carson, Cr Stanich, Cr Suckling, Cr Krakouer, Cr Pike, Garry Keeffe, Grant Middleton and Debbie Carson.

8.12 SHIRE PRESIDENT'S REPORT

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

2-4/8/2017 Local Government Week
16/8/2017 Meeting with Northampton Environmental Group representative
17/8/2017 LEMC Meeting
18/8/2017 State Administrative Tribunal Directions Hearing

8.13 DEPUTY SHIRE PRESIDENT'S REPORT

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

18/8/2017 State Administrative Tribunal Directions Hearing

8.14 COUNCILLORS' REPORTS

8.14.1 CR SUCKLING

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

16/8/2017 Meeting with Northampton Environmental Group representative

8.14.2 CR PIKE

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

9/8/2017 Kalbarri Maritime Advisory Group
2-4/8/2017 Local Government Week

8.14.3 CR CARSON

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

3-4/8/2017 Local Government Week

8.15 INFORMATION BULLETIN

No bulletin presented.

8.16 NEW ITEMS OF BUSINESS

Cr Simkin made the suggestion that Council purchase neck ties and scarves designed around the Shire of Northampton logo and colours, to further formalise Council and staff attire.

Draft neck tie designs were presented to the meeting.

Moved Cr PIKE, seconded Cr SIMKIN

That:

1. Council staff revise the design of the neck ties to include 'Shire of Northampton' wording on an angle on the yellow section of Tie Design No. 2 as presented; and
2. Staff to obtain final cost for purchase of neck ties and chiffon scarves to be presented to Council.
- 3.

CARRIED 7/1

Cr Scott voted against the motion

8.17 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday the 15th September 2017 commencing at 1.00pm at the Council Chambers, Hampton Road, Northampton.

8.18 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3:37pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 13 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 15TH SEPTEMBER 2017

PRESIDING MEMBER: _____

DATE: _____

WORKS & ENGINEERING REPORT CONTENTS

6.1.1	INFORMATION ITEMS MAINTENANCE /CONSTRUCTION WORKS PROGRAM	2
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6.1.1

INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM

REPORTING OFFICER:	Neil Broadhurst - MWTS
DATE OF REPORT:	7th September 2017
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 Ogilvie East, Wundi, Parker, Johnson, Drage, Ogilvie South, Burges, Fifth, Isachar, Teakle Bowes River and Northampton Rubbish Tip Road/s.

Maintenance Items

- Northampton and Kalbarri – Chemical spraying to verges.
- Northampton – Northampton Show preparation and cleanup works.
- Northampton – Drage Street upgrade in association with lead tailing cleanup works completed.
- Kalbarri – Sporting complex area- Assistance with Cricket pitch installation.
- Kalbarri – Potholes works around townsite.
- Kalbarri – Selective vegetation clearing/pruning for western power areas.

Other Items (Budget)

- Northampton – Lions Park – Playground works continuing.
- Northampton – Lions Park Septic system – Full replacement.
- Rural – Wheel of May to Northampton townsite boreline replacement works – Minor cleanup required.
- Rural – White Cliffs Road – Road construction to north end continuing.
- Rural – Wundi Road – Road gravel sheeting works continuing.

Plant Items

- Utility and EHO vehicle 'Request for Quote/s' advertised.

Staff/Personnel Items

- Up to 3 x Casual staff for construction and maintenance works activities.
- Basic and Traffic Management renewals undertaken.
- Chainsaw course undertaken.

OFFICER RECOMMENDATION – ITEM 6.1.1

For Council information.

SHIRE OF NORTHAMPTON

WORKS CREW 12 MONTHLY PROGRAM AND PROGRESS REPORT (2017/2018)

(September 2017)

2017/2018 Budget Works	Status	Comments
<p><u>Regional Road Group Projects</u></p> <p>Kalbarri Road Shoulder Reconditioning works 23.00 - 33.00 slk</p> <p>Horrocks Road Shoulder Reconditioning works 13.50 - 16.75 slk</p> <p><u>Roads to Recovery</u></p> <p>Chilimony Road Shoulder Reconstruction - Stage 3 (North of North Road)</p> <p>Chilimony Road Reseal Stage 2</p> <p>Horrocks - Mitchell Street Add kerbing and Slurry/Asphalt seal</p> <p>Wundi Road / Parker Road Gravel Sheeting approx 4.5 - 5 kms</p> <p><u>Royalties for Regions Funding</u></p> <p>White Cliffs Road Construct and seal - Stage 1 of 2 (Total 12.8kms)</p> <p><u>Black Spot Funding</u></p> <p>Kalbarri - Grey Street/Red Bluff Road - Chinamans Construct corner and develop car park area etc.</p> <p>Cont.</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p>Commenced</p> <p></p> <p>Commenced</p> <p></p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>Stage 1 of 2 - Northern 6 to 7 kilometres</p> <p></p>
2017/2018 Budget Works	Status	Comments

<p><u>MUNICIPAL FUND CONSTRUCTION</u> <i>(Carry over 2016/17)</i></p> <p>Northampton - West Street Upgrade stormwater, Reseal Bateman to Stephen</p> <p>Northampton - Kitson Court Reseal</p> <p>Kalbarri - Gallant Close Reseal</p> <p>Kalbarri - Hackney Street Reseal</p> <p><u>Kalbarri (New 2017/2018)</u></p> <p>VMR Carpark area Reseal Carpark area</p> <p><u>Rural (New 2017/2018)</u></p> <p>Sandy Gully Road RAV4 Network upgrade works</p> <p>Swamps Road RAV4 Network upgrade works</p> <p><u>OTHER WORKS - SHIRE ASSISTED WORKS</u></p> <p>Kalbarri - Sporting complex Tennis, Netball, Basketball Construct and seal carpark area</p> <p>Northampton - Lions Park Redevelopment and install of new playground equipment</p> <p>Cont.</p>	<p>Commenced</p>	
<p>2017/2018 Budget Works</p>	<p>Status</p>	<p>Comments</p>
<p><u>MUNICIPAL FOOTPATHS</u></p>		

<p>Northampton - Stephen Street Replace DUP from NWCH to West Street</p> <p><u>OTHER WORKS - Depots/Yards etc</u></p> <p>Horrocks Jetty Maintenance works to pier supports</p> <p>Kalbarri - Depot Yard Construct Community bus shed/cover</p> <p>Northampton - Wannarenooka Storage Tanks New Tanks x 4 plus barrier fence replacement</p> <p>Northampton - Wheel of May pipeline Replacement of pipeline from site to Wannarenooka Road</p> <p>Northampton - Oval Boundary Fence Replacement of last section of Boundary fence</p> <p>Rural - RAV4 Surveys Survey assessments for road gradient identification.</p> <p>Cont.</p>	<p>Commenced</p>	<p>Site inspected and subject to Lead contamination review.</p> <p>All pipeline inplace, completion pending alignment cleanup etc.</p>
2017/2018 Budget Works	Status	Comments
<p><u>PLANT ITEMS - Major</u></p> <p>Northampton - Tandem axle pig trailer</p>		

Purchase new - trade/sell P184 Tandem axle pig trailer		
Kalbarri - New Large Mower		
Purchase new - trade/sell P210 Northampton Mower (JD)		
Northampton - Utility - Maint Leading Hand	Advertised	
Purchase New - trade/sell P222 - Horrocks utility		
Northampton - Utility - Kalbarri Leading Hand	Advertised	
Purchase New - trade/sell P211 - Kalbarri utility		
Northampton - Sedan - EHO vehicle	Advertised	
Purchase New - trade/sell P257 - Sedan		
<u>PLANT ITEMS - Minor/Other/Sundry tools</u>		
Northampton - Dia 400mm auger		
Northampton - Chainsaw		
Northampton - Plate compactor		
Northampton - Vertical Ram/compactor		
Northampton - 4 inch water transfer pump		
Northampton Gardeners - Blower/Vac		
Northampton Gardeners - Whipper Snipper		
Kalbarri - Extendable Chainsaw		
Kalbarri - Blower/Vac		
Kalbarri - Post Hole Digger		
Lucky Bay - Chainsaw and safety equipment		
<u>OTHER WORKS - SPECIFIC / MAINTENANCE</u>		
Ogilvie East Road - Nolba to Balla Whellarra		
Balla Whellarra Road - 1.1km yellow sand		

HEALTH AND BUILDING REPORT CONTENTS

6.2.1	BUILDING STATISTICS FOR THE MONTH OF AUGUST 2017	2
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6.2.1	INFORMATION ITEM: BUILDING STATISTICS
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DATE OF REPORT:	8th September 2017
RESPONSIBLE OFFICER:	Glenn Bangay – Principal EHO/Building Surveyor

1. BUILDING STATISTICS

Attached for Councils' information are the Building Statistics for August 2017.

OFFICER RECOMMENDATION – ITEM 6.2.1
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For Council information.

**SHIRE OF NORTHAMPTON
HEALTH AND BUILDING REPORT – 15th September 2017**

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - AUGUST 2017									
Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Materials	Area m2	Value	Fees
						1. Floor			1. App Fee
						2. Wall			2. BCITF
						3. Roof			3. BRB
									4. Other
9/08/2017	1538	S & R Amos 97 Stephen St NORTHAMPTON	Shoreline Outdoor World PO Box 3223 BLUFF POINT	97 (Lot 28) Stephen St NORTHAMPTON	Patio	1. Concrete	31	\$10,623	1. 96.00
						2. Steel			2. 0.00
						3. C/Bond			3. 61.65
									4. 0.00
9/08/2017	1529	L Aheam 6 Shoreview St WANDINA	Owner/Builder	54 (Lot 54) Glance St HORROCKS BEACH	Additions	1. Concrete	7	\$15,450	1. 96.00
						2. H/Flex			2. 0.00
						3. C/Bond			3. 61.65
									4. 0.00
9/08/2017	1536	R J Reynolds 5 Glance St HORROCKS BEACH	Owner/Builder OB 1004675	5 (Lot 12) Glance St HORROCKS BEACH	Additions	1. Timber/Conc	138	\$48,000	1. 153.60
						2. Brick			2. 96.00
						3. C/Bond			3. 65.76
									4. 0.00
9/08/2017	1413	J Bradshaw 174 Camdean St HEATHRIDGE	Owner/Builder OB 1004399	Lot 7 Larard Rd BOWES	Dwelling	1. Concrete	290	\$165,000	1. 528.00
						2. H/Plank			2. 330.00
						3. Zinc			3. 226.05
									4. 0.00

TOWN PLANNING CONTENTS

6.3.1	PROPOSED ANIMAL HUSBANDRY - INTENSIVE PIGGERY - LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY	2
6.3.2	SHIRE OF NORTHAMPTON - DRAFT COASTAL MANAGEMENT STRATEGY - CONCLUSION OF PUBLIC ADVERTISING & FINAL ADOPTION	62
6.3.3	SUMMARY OF PLANNING INFORMATION ITEMS	82

**6.3.1 PROPOSED ANIMAL HUSBANDRY - INTENSIVE PIGGERY - LOT 25 (NO. 90)
WILLIGULLI ROAD, SANDY GULLY**

LOCATION:	Lot 25 (No. 90) Willigulli Road, Sandy Gully
APPLICANT:	C. Scott
OWNER:	WS & AJ Hall
FILE REFERENCE:	10.5.1.3
DATE OF REPORT:	8 August 2017
RESPONSIBLE OFFICER:	Hayley R. Williams - Principal Planner
APPENDICES:	
1.	Application Details
2.	Schedule of Submissions

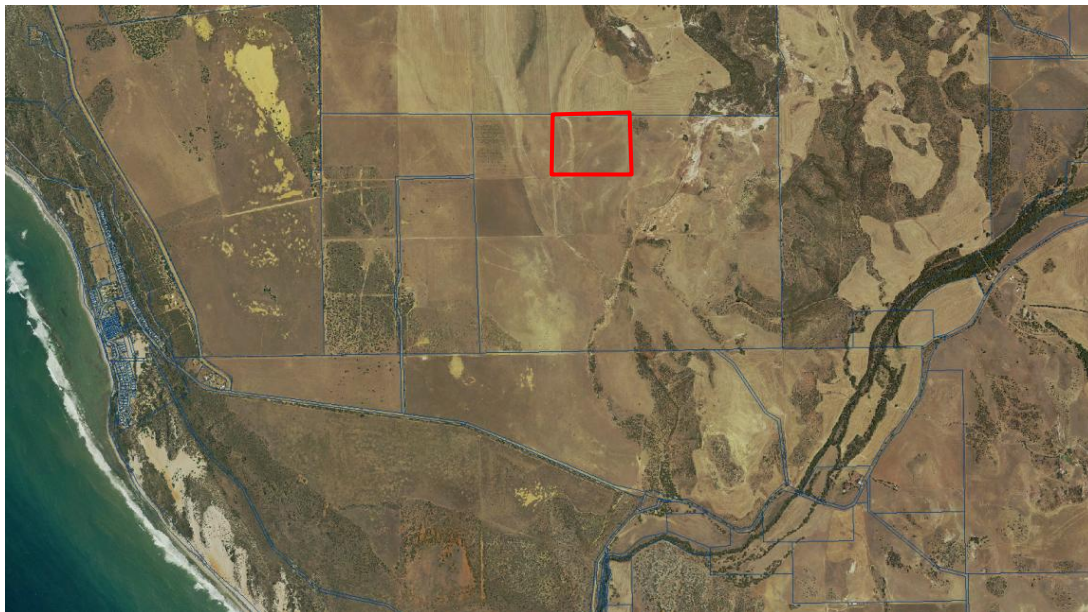
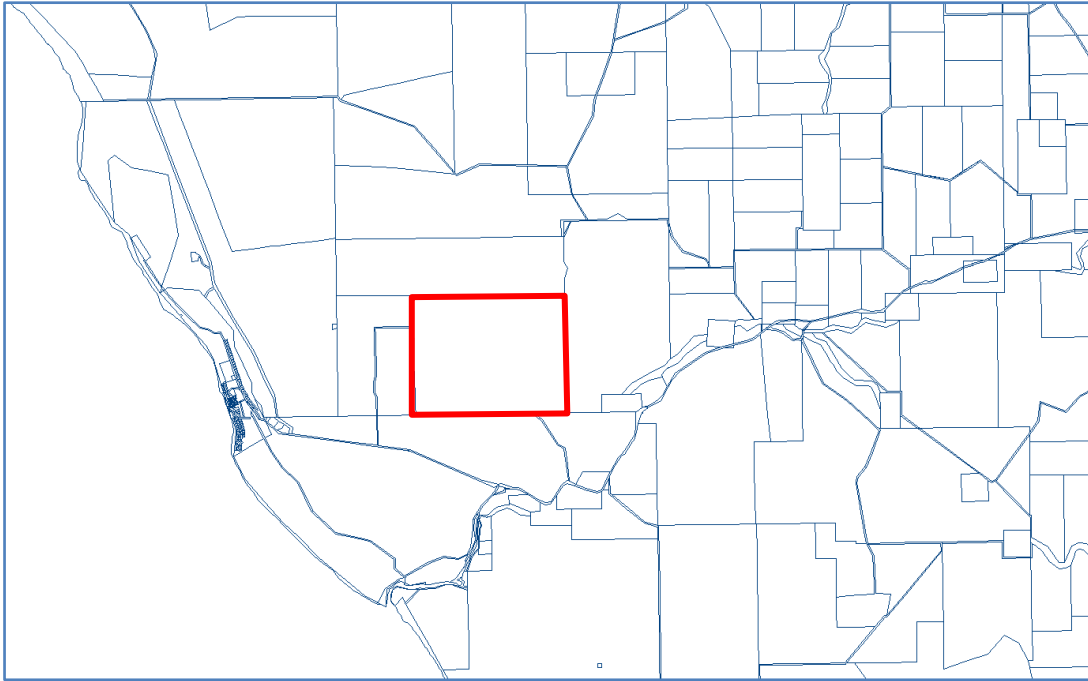
AUTHORITY / DISCRETION:

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:

Council is in receipt of a development application for a proposed "Animal Husbandry - Intensive Piggery" on Lot 25 (No. 90) Willigulli Road, Sandy Gully. The application has been advertised for public comment. At the close of advertising 17 submissions were received, 4 submissions supported the proposal, 5 objected to the proposal and 8 supported the proposal with advice and subject to conditions. In considering the submissions, the statutory and strategic planning framework and additional approval processes under the *Environmental Protection Act 1986* this report recommends conditional approval of the application.

LOCALITY PLANS:



BACKGROUND:

Lot 25 Willigulli Road, Sandy Gully (the 'site') is a 403ha property that is located approximately 3.5 kilometres to the east of the Horrocks townsite and approximately 2 kilometres to the north of Horrocks Road. Lot 25 is predominantly cleared and to date has been used for a sheep stud, where it has been heavily stocked and cropped.

The Application seeks development of an intensive piggery ("piggery"), using the deep litter housing method, (technically defined as Animal Husbandry-Intensive under *Local Planning Scheme No. 10*), including the three phases as follows:

	Phase 1	Phase 2	Phase 3
Sows housed	150	300	500
Grow out	3000	6000	10,000
Housed at any one time	1500	3000	5000

The proposed development at completion of Phase 3 will include:

- 40 dome shelters, white in colour and non-reflective, with a maximum height of 4 metres and a maximum area of 200m²;
- 1 Farrowing shelter 30m x 12m (360m²), also a dome style shelter;
- 1 Breeding shelter 30m x 12m (360m²), also a dome style shelter;
- 1 Transport preparation shelter 12m x 15m (180m²);
- 1 new transportable building 9m x 3m (27m²);
- 2 effluent ponds 12m x 25m (300m² each);
- 4 grain storage silos; and
- 2 water storage tanks.

The site selection for the proposed intensive piggery is to the north of Lot 25 and setback 100m from its closest adjoining boundary (Lot 26 to the north) and 700m from the Willigulli Road, western boundary. The site has been selected due to its topography as well as being setback to the rear of the property to minimise any visual disturbance from Horrocks Road.

Access to the site is proposed via Horrocks and Willigulli Roads. The application states at full production (Phase 3) the piggery would employ four full time staff, with a maximum of two grain trucks and one livestock truck utilising the road system per week.

The proposed piggery is setback the following distances:

Lot 27 Farm Dwelling	1.54km
Blue Hills Farm Dwelling	2.31km
Future Rural Tourism Enterprise Precinct	700m
Horrocks Townsite	3.5km

A full copy of the received application has been provided as **Appendix 1 - Application Details**.

COMMUNITY & GOVERNMENT CONSULTATION:

The proposed use of a Piggery falls under the Use Class of "Animal Husbandry - Intensive" which is identified in the Zoning Table as a "D" (discretionary) Use. Whilst the application does not require advertising under the Scheme, shire staff were of the view that the proposed development could potentially have an impact on surrounding landowners and therefore warranted advertising seeking community and Government agency comment.

The advertising period for the application ran for a period of 21 days from 19 June 2017 until 10 July 2017, with one extension being provided until the 28 July 2017. A late submission was also received from the Department of Water and Environment Regulation (Water Regulation) on 2 August 2017.

The following advertising measures were undertaken:

- Public Notice within the Geraldton Guardian;
- Public Notice within the July editions of Kalbarri Town Talk and Northampton News newspapers;
- Referral to Government agencies;
- Referral to rural landowners within a 2 kilometre radius;
- Public Notice placed at the Horrocks General Store, Northampton and Kalbarri Offices;
- Copies of Development Application available to view at both the Northampton and Kalbarri Offices; and
- Development Application available to view via Shire of Northampton website.

At the conclusion of the advertising period 17 submissions had been received in total in relation to the development. Of these 17 submissions, 4 supported the proposal, 5 objected to the proposal and 8 supported the proposal with advice and conditions.

A Schedule of Submissions has been prepared and provided to Councillors as **Appendix 2**. The Schedule identifies the respondents, summarises the matters raised and provides individual comment upon the matters raised and a recommendation in regard to each.

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.

The Shire has charged a fee of \$2728.00 under its adopted Planning Service Fee Schedule for the assessment of this application.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

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

Lot 25 is zoned “General Rural” under *Local Planning Scheme No. 10 – Northampton District*. The proposed intensive piggery falls within the Use Classification of “Animal Husbandry – Intensive” which means:

“...premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots.”

The use “Animal Husbandry-Intensive” is a “D” (discretionary) use within the “General Rural” zone. This means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

The objective of the “General Rural” zone is:

“To provide for the sustainable use of land for the agricultural industry and other uses complimentary to sustainable agricultural practices, which are compatible with the capability of the land and retain the rural character and amenity of the locality.”

The subject site is located adjacent to land contained within Special Control Area No. 6 (SCA6). The objectives of SCA6 are:

- (a) *To protect and enhance the environmental, cultural, recreational and/or scenic values of the area; and*

- (b) *To ensure that the expansion of Horrocks Townsite is undertaken in a coordinated manner through structure planning.*

The proposed development is considered to comply with the provisions of the “General Rural” zone and is compatible with the adjoining landholdings given its compliance with the separation distances as specified by the *National Environmental Guidelines for Piggeries* (2010). The Applicant's assessment for separation distance has been supported by DWER therefore demonstrating how the proposal can retain the rural character and amenity of the locality, as well as protect the environmental values of the area.

POLICY IMPLICATIONS:

State: State Planning Policy 2.5 Rural Planning (SPP 2.5)

National Environmental Guidelines for Piggeries 2010 (NEGP)

Local: Horrocks Beach Local Planning Strategy 2015

Shire of Northampton Local Planning Policy - Intensive Agriculture

SPP 2.5 – Rural Planning

The purpose of this policy is to protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome.

Section 5.7 Animal Premises sets out the Western Australian Planning Commission policy in regard to piggeries. WAPC policy in regard to animal premises is:

- (a) *animal premises are a rural land use, and are generally supported and encouraged on rural land provided rural amenity and environmental impacts can be effectively managed;*
- (b) *animal premises that require large sites or buffers, and could limit existing or potential industrial land uses, should generally not be located in State strategic industrial areas or within their buffers;*
- (c) *expansion of existing animal premises may be supported where off-site impacts (such as odour, dust or noise) are mitigated or managed to achieve maintenance or reduction of impacts, in accordance with an accepted code of practice;*
- (d) *in addition to environmental issues, planning decision-makers must consider the following matters in assessing proposals –*
 - (i) *the staging of the proposal and ultimate design capacity;*
 - (ii) *the transport of animals to and from the site;*
 - (iii) *the handling and disposal of deceased or ‘retired’ animals on or off-site;*

- (iv) *the transport, handling and/or disposal of animal feed and/or waste on or off-site;*
- (v) *outdoor pens or roaming areas for animals;*
- (vi) *the potential impacts of operating hours;*
- (vii) *shed configuration, including rotation and/or automation;*
- (viii) *servicing, including location and size of effluent disposal ponds; and*
- (ix) *biosecurity (based on advice from the industry); and*
- (e) *where an animal premises proposal may affect the nutrient load of a river, estuary or associated tributary and the system and/or its receiving water body has no further capacity to assimilate nutrients without an adverse impact on ecosystem health, a reduction in nutrient export is to be demonstrated.*

National Environmental Guidelines for Piggeries (2010)

Australian Pork Limited (APL) has developed a set of National Guidelines that provide guidance for environmental assessments for developing piggeries.

The Department of Water and Environment Regulation are extensively using the 2010 *National Environmental Guidelines for Piggeries* (NEGP) and the 2016 *National Environmental Guidelines for Rotational Outdoor Piggeries* (NEGROP) to provide information into its risk based assessment of the proposed piggery. Amongst many environmental considerations, the guidelines provide a framework for the assessment of odour impact.

Northampton Local Planning Strategy (2009)

Lot 25 is located partly within the Northampton and Coastal Precincts in the *Northampton Local Planning Strategy*. The aim of the Northampton precinct is:

To enable diversified rural pursuits and incidental tourist developments that complement the sustainable use of agricultural resources. Promote a range of compatible land uses for Isseka befitting the image and function of the area as a rural living environment.

Relevant environmental strategies and actions are:

Strategies	Actions
Protect the natural environment and biodiversity whilst ensuring appropriate development opportunities are realised.	<ul style="list-style-type: none"> • Require the potential impact on water bodies, land/soil quality and vegetation to be considered as an integral component in assessment of all land use proposals. • Where land use and development are to be

	<p>established, require compliance with practical and reasonable conditions to prevent or minimise risk of degradation to these natural attributes, whilst maintaining the economic viability of the land use.</p> <ul style="list-style-type: none"> • Ensure that changes of land use and new development do not increase run-off, soil degradation, nutrient/salinity levels or effluent release to watercourses. • Ensure that in areas of land degradation, rehabilitation measures are included as conditions of subdivision or development approval.
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Relevant economic strategies and actions for the Northampton Precinct are:

Strategies	Actions
Identify and protect productive agricultural land and promote opportunities for the continuation of existing and new farming enterprises including intensive and diversified use of rural land.	<ul style="list-style-type: none"> • Seek support to undertake land capability/suitability assessment to identify productive agricultural land of significance to the local, regional and state economy, meanwhile in the interim include existing agricultural areas within a “General Rural” zone. • Introduce policies to protect and provide incentives for more intense and diversified agricultural land use, and ensure such uses are sustainable in the context of land capability constraints.

The aim of the Coastal Precinct is:

"To safeguard a major natural asset that accommodates a range of activities including housing, tourism and recreation, while sustaining or enhancing coastal resources, environmental quality and heritage needs. Lynton is a historically significant town that should continue to support tourist uses compatible with surrounding agriculture."

The relevant strategies and actions relating to the environment and economy are the same for both precincts.

The proposed piggery is considered to comply with the aim, strategies and actions of both the Northampton and Coastal Precincts within the Local Planning Strategy. The Strategy recognises the importance of allowing limited urban expansion adjacent to existing townsites, such as Horrocks, but also notes the importance of protecting productive agricultural land for the continuation of existing and new farming enterprises, including intensive and diversified use of rural land.

Horrocks Beach Local Planning Strategy (2015)

Although the site is located outside of the *Horrocks Beach Local Planning Strategy* it is immediately adjacent to the eastern most boundary of the expansion area. Therefore consideration needs to be given to the objectives and recommendations of this strategy.

The aim of the Horrocks Beach Local Planning Strategy is:

"To facilitate the expansion of Horrocks as an alternative and desirable residential location to Northampton and Geraldton that offers a unique range of sustainable housing and holiday choices while respecting the primacy of Northampton Townsite and protecting the uniqueness of Old Horrocks."

The area of land immediately adjacent to Lot 25 has been designated for "Rural Tourism Enterprises" (RTE) with a minimum lot size of 5ha. The areas identified for RTE are cleared, peripheral to the main Expansion Area, border onto to broadacre farming lands and are highly visible to the Northampton - Horrocks Road. It is noted the land within the RTE Precinct is located higher along the ridgeline than where the intensive piggery is proposed which is further to the east within a valley formation.

The development is proposed to be setback 700m from the adjoining boundary of the RTE Precinct and is therefore considered to contain an adequate buffer for the long term protection of this area. One of the key aims of the *Horrocks Beach Local Planning Strategy* is to balance the opportunity for urban expansion within the Special Control Area whilst protecting the use of land adjacent to the site for continued agricultural purposes. The proposed site is considered to be well setback from future residential development which is concentrated to the west of White Cliffs Road and within the westerly part of Lot 20.

Shire of Northampton Local Planning Policy – Intensive Agriculture

The objective of the Local Planning Policy – Intensive Agriculture is:

"To provide clarity and direction with regard to the approval of intensive agricultural and animal husbandry uses in consideration of potential conflict issues with other land-uses."

Relevant provisions of the Local Planning Policy are detailed below:

- a. *"An acceptable water supply, endorsed / licenced by the Department of Water, exists on the property with confirmation to this effect being submitted in writing at the time of application for development approval."*

- b. *Information is submitted at the time of application for development approval demonstrating the proposed intensive agricultural use will not impact on any neighbouring agricultural practice or be detrimental to the subject land, surrounding locality or environment by way of land degradation or erosion, noise, dust, odour, spray drift, effluent disposal or leaching, waste water disposal or runoff etc.*
- c. *It can be demonstrated the proposed intensive agricultural use/development will not adversely affect a known drinking water source.*
- d. *The Council will only support the establishment of buildings for an intensive agricultural use where they are clustered with other buildings on the site and are located well away from hills, mesa tops, and ridge-lines."*

The Applicant has submitted adequate information to undertake an assessment of the proposed development. It is additionally noted:

- a) Enquiries have been made to the Department of Water in regard to water licencing and an acceptable water supply is available.
- b) The proposed development will not impact on any neighbouring agricultural practice. The Application has addressed how management of the site will not result in any detrimental impact to the locality or environment and issues relating to odour, noise, waste water disposal/runoff can be effectively managed. It is further noted the Works Approval Application has also been thoroughly assessed by DWER in terms of potential environmental impact.
- c) The Public Drinking Water Source Area is located to the north of the subject site, approximately 3km . This area is currently under review to be further reduced in size. No concerns have been raised by DWER in this regard.
- d) Buildings are clustered on the site and are located away from hills, mesa tops and ridgelines. Some visibility will occur from Horrocks Road, however, this can be adequately addressed through the implementation of vegetation screening.

The information submitted is in accordance with the *National Environmental Guidelines for Piggeries* (2010). The same information has been provided to DWER for their assessment under the Works Approval process.

A Local Planning Policy shall not bind Council in respect of any application for Development Approval but Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

STRATEGIC IMPLICATIONS:

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

Economy & Marketing

- *"Strategy: Promotion of industrial and commercial activities that add value to the existing industries and activities within the shire"*

COMMENT:

The proposed intensive piggery is considered to comply with the *Shire of Northampton Local Planning Scheme No. 10, Local Planning Strategy* and associated State and Local Planning Policies.

During the advertising period a number of submissions raised concern regarding environmental impact of the proposed intensive piggery on ground and surface water, odour and waste management. Additional concerns were also raised on the suitability of the location of the proposed development in relation to the expansion area denoted by the *Horrocks Beach Local Planning Strategy* and potential for conflict between land uses. These issues will be further examined below.

Works Approval and Licencing

The proposed intensive piggery is considered to be a Category 2 Piggery and is therefore required to obtain a Works Approval and Licence under the *Environmental Protection Act 1986* (EP Act).

The EP Act requires the occupiers of the prescribed premise (piggery) to build the premises in accordance with the provisions of a works approval which is obtained prior to construction. At the operational stage, operators of piggeries are required to hold a licence and manage odour and wastes in accordance with the conditions attached to the licence.

Applications for works approvals and licences are assessed in accordance with Department of Water and Environment Regulation's (DWER) regulatory framework which is an evidence based risk framework.

Due processes for assessing applications for works approvals involve seeking public comments on an application and input from key agencies with an interest in the subject matter of the application.

Australian Pork Limited (APL) has developed a set of National Guidelines that provide guidance for environmental assessments for developing piggeries. DWER is extensively using the 2010 National Environmental Guidelines for Piggeries (NEGP)

and the 2016 National Environmental Guidelines for Rotational Outdoor Piggeries (NEGROP) to provide information into its risk based assessment of the proposed piggery. Amongst many environmental considerations, the guidelines provide a framework for the assessment of odour impact.

Odour

The National Environmental Guidelines for Piggeries (NEGP) include a set of minimum separation distances. The minimum separation distances are included to account for inaccuracies with predicting odour impact at close distances. Both the site-specific and minimum separation distance to receptors (town, rural residential and rural dwelling) must be calculated, and the greater distance of the two applied. Optimum separation distances between the piggery complex and receptors depend on a number of factors, including the size of the piggery, the topographical features, vegetation and surface roughness between the piggery and receptors, and the operating and management procedures at the piggery

The Applicant has undertaken a Level 1 Assessment using the S Factor calculation and this calculation has been supported by DWER. This places the separation distances at:

- 273m – Closest Rural Dwelling;
- 356m – Rural Residential (Rural Tourism Enterprise Precinct); and
- 404m – Horrocks Townsite.

Clause 5.8.1 includes Table A.9 which specifies minimum separation distances for piggeries. According to the NEGP both the site-specific and minimum separation distance to receptors must be calculated, and the greater distance of the two applied.

TABLE A.9 Separation distances from piggery sites to other relevant features

Feature	Distance (m)
Public road – carrying > 50 vehicles per day	200
Public road – carrying < 50 vehicles per day	100
Town	750
Rural residential area	500
Rural dwelling	250
Property boundary	20

A greater separation distance for both rural residential and townsite features is noted in Table A.9. Therefore the following separation distances are considered to apply:

- 273m – Closest Rural Dwelling;
- 500m – Rural Residential (RTE Precinct); and
- 750m – Horrocks Townsite.

The proposed intensive piggery is setback:

- 1.54km to closest rural dwelling on Lot 27;
- 2.31km to rural dwelling at Blue Hills Farm;
- 700m to future rural residential/rural tourism enterprise precinct;
- 3.5km to Horrocks Townsite;
- 100m to closest property boundary; and
- 2km to Horrocks Road.

It is therefore considered to adequately meet separation distances to all relevant features from the proposed piggery.

It is additionally noted that separation distances surrounding by-product reuse areas have also been met under the provisions contained within NEGP.

Ground and Surface Water Impact

A number of submissions also raised concern with the potential for the proposed intensive piggery to negatively impact both ground and surface water.

Groundwater is considered by the Department of Water and Environmental Regulation (DWER) in its assessment of applications and is generally managed by ensuring there are physical barriers to ensure that wastes are collected, drained and treated in structures that are impermeable, rather than seeping into the ground. That is, pens, drains and ponds etc, need to have liners or engineered structures to detailed engineering specifications.

Testing of existing bores on site as shown an approximate distance to ground water of between 40-50 metres. This is considered to be a significant separation distance that would reduce any potential risk of ground water contamination.

Surface waters are considered by DWER in its assessment of applications and they are generally protected by ensuring that there is a controlled drainage system that collects all surface waters (including storm water) that may contain animal wastes. The

size of ponds are checked against rainfall and evaporation patterns to ensure that there is sufficient storage for winter rainfall and extreme rainfall events.

The site of the proposed intensive piggery on Lot 25 is setback to the north western part of the property with the greatest setback distance to the Bowes River and located away from existing drainage lines. Furthermore, all drains from the facility lead to the effluent disposal ponds and in a significant rain event an overflow system is proposed.

Manure application is assessed by DWER and generally managed to ensure that the application rate of nutrient in manure is equivalent to the uptake rate of crops or pasture on the land to which manure was applied. Manure application is also controlled to ensure that it is only applied to appropriate areas and set back sufficiently from creeks and surface water drainage lines to ensure that manure is not mobilised to nearby waterways.

All of these environmental matters are thoroughly considered by DWER and detailed in a report (a Decision Report) that accompanies the decisions made on the works approval and licence applications. Conditions may be attached to any works approval or licence that is granted dealing with the matters mentioned above.

It is therefore considered that the proposed development would have no negative environmental impact on surface or ground water. However, in response to the concerns raised, should Council consider granting approval appropriate conditions will be included such as:

- 1) The Applicant shall prior to commencement of the development, submit (and subsequently adhere to) a Management Plan, in accordance with the “National Environmental Guidelines for Piggeries – Second Edition” (as amended), to the approval of the Local Government;
- 2) The Development at all times shall comply with the Works Approval Licence. This is not limited to, but specific mention is made to the management and mitigation strategies applicable to:
 - Wastewater effluent management;
 - Solid waste management;
 - Odour management;
 - Noise management;
 - Nutriment management;
 - Groundwater monitoring;
 - Fire management (internal and external fire risk); and
 - Environmental monitoring and reporting.

- 3) The Applicant/Operator is required to undertake testing of bores to the approval of Department of Water and Environment Regulation.

Local Planning Strategies and Conflict of Land Use

A number of submissions raised concern with the potential for conflict between the proposed intensive piggery and future subdivision and development of land within Special Control Area 6.

According to SPP 2.5 animal premises are a rural land use, and are generally supported and encouraged on rural land provided rural amenity and environmental impacts can be effectively managed. This is supported by the Application and its odour assessment as appropriate separation distances are achievable in order to preserve rural amenity.

It is also integral to the decision making process that the future land use allocation contained within the relevant Local Planning Strategies be considered. It is for this reason that the Applicant has also provided appropriate separation distances to the adjacent Rural Tourism Enterprise Precinct under the *Horrocks Beach Local Planning Strategy*.

One of the key aims of the *Horrocks Beach Local Planning Strategy* is to balance the opportunity for urban expansion within the Special Control Area along with protecting the use of land adjacent to the site for continued agricultural purposes. The proposed site is considered to be well setback from future residential development which is concentrated to the west of White Cliffs Road and within the westerly part of Lot 20.

This is further supported by the aims for the Coastal and Northampton Precincts within the *Shire of Northampton Local Planning Strategy*. The Strategy makes it clear that it supports frontal urban expansion around the existing edge of townsites, however, without compromising diversified agricultural activities in the rural hinterland. It is for this reason that the *Horrocks Beach Local Planning Strategy* expands upon this recommendation and incorporates a gradation of lot sizes to the east, including a rural interface with the existing "General Rural" zone to the east of Lot 27.

It is considered that the purpose and intent of SCA6 and the recommendations of the Northampton and *Horrocks Beach Local Planning Strategies* are addressed given the proposed development is located outside of the expansion area with adequate separation distances to ensure the long term protection of the receptor and the proposed piggery.

VOTING REQUIREMENT:

Absolute Majority Required: No

CONCLUSION:

It is recommended that Council grant development approval to the proposed Animal Husbandry - Intensive Piggery on Lot 25 (No. 90) Willigulli Road, Sandy Gully subject to conditions.

OFFICER RECOMMENDATION – ITEM 6.3.1	APPROVAL
<p>That Council grant development approval to the proposed Animal Husbandry - Intensive Piggery on Lot 25 (No. 90) Willigulli Road, Sandy Gully subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The land use and development shall be in accordance with the attached approved plan(s) dated 15 September 2017 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. This decision constitutes Development Approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect; 3. The use when established shall at all times comply with the definition of Animal Husbandry - Intensive Piggery contained within the <i>Shire of Northampton Local Planning Scheme No. 10</i>; 4. The approval is for Phases 1-3 inclusive and any ancillary works with a capacity to house up to 5,000 pigs at any one time; 5. The Applicant/Operator shall prior to commencement of the development, submit (and subsequently adhere to) an Environmental Management Plan, in accordance with the “National Environmental Guidelines for Piggeries – Second Edition” (as amended), to the approval of the Local Government; 6. The Development at all times shall comply with the Works Approval Licence. This is not limited to, but specific mention is made to the management and mitigation strategies applicable to: <ul style="list-style-type: none"> - Wastewater effluent management - Solid waste management; - Odour management; 	

- **Noise management;**
 - **Nutrient management;**
 - **Groundwater monitoring;**
 - **Fire management (internal and external fire risk); and**
 - **Environmental monitoring and reporting.**
7. **The development must be designed, constructed and operated to ensure that it is capable of retaining and managing stormwater run off and not discharge stormwater or waste into the watercourse network, in accordance with the Stormwater Management Manual for WA, to the approval of the local government (this will be to a minimum requirement that development is able to manage/contain a 1 in 100 year stormwater/flood average recurrence interval event;**
 8. **The Applicant/Operator shall prepare and implement a Pigs Death Management Plan in accordance with the National Environmental Guidelines for Piggeries - Second Edition (2010) to the approval of the Local Government;**
 9. **The Applicant/Operator is required to undertake testing of bores in accordance with the requirements of the Department of Water and Environment Regulation;**
 10. **The Applicant/Operator is required to undertake annual soil testing in accordance with the requirements of the Department of Primary Industries and Regional Development;**
 11. **The intensive piggery will be operated to comply with the *Environmental Protection (Noise) Regulations 1997*. Routine observations and inspections will be required to be undertaken in regard to noise. Onsite management will be informed of results of inspections and observations and will implement contingency actions to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*;**
 12. **Crossovers, access and egress to the subject site from Willigulli Road shall be located and constructed to the approval of the local government. Costs applicable to the construction of access points onto the site and any related issues shall be borne by the Applicant;**
 13. **All internal roadway surfaces and designated car parking areas within the site are to be constructed of a suitable material such as road base, limestone or coarse gravel and compacted to limit dust generation, to the approval of the local government;**
 14. **The use and development must be conducted so that it has minimum impact on the amenity of the area by reason of:**
 - a) **transportation of materials, good and commodities to and from the premises;**
 - b) **appearance of any buildings, works and materials; and**
 - c) **the emission of odour, noise, vibration, dust, wastewater, waste**

products or reflected light;

- 15. The effluent ponds are at all times to be covered with an impermeable cover in order to reduce odour escaping to the environment, excluding when maintenance is carried out;**
- 16. A building permit shall be issued by the local government prior to the commencement of any work on the site;**
- 17. Prior to the commencement of the development/land use, a plan incorporating native or locally acceptable trees capable of growing to 5m in height being planted and thereafter maintained around the development for screening purposes from neighbouring properties and view corridor from Horrocks Road, is to be submitted to and approved by the local government. Prior to the commencement of the approved use, the approved plan is to be implemented in full and maintained thereafter to the approval of the Local Government;**
- 18. The space between the ground level and the floor level of the proposed transportable site office shall be suitably enclosed to the approval of the Local Government (eg. brick, masonry, timber, textured fibrous cement sheeting or similar).**

Advice Note

Note 1. *Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.*

Note 2: *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*

Note 3: *In regard to Condition No. 5, the Applicant is advised that the Environmental Management Plan shall outline how the site will be managed including:*

- Wastewater effluent management;*
- Solid waste management;*
- Odour management;*
- Noise management;*
- Nutrient management;*
- Groundwater monitoring;*
- Fire management (internal and external fire risk); and*
- Environmental monitoring and reporting.*

The Applicant is thereafter to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a complaint being received the Applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to Management

Plan.

Note 4: *The Applicant shall note that the Horrocks Road, Main Roads WA RAV assessment for transport vehicles is RAV4 (max 27.5m) from 00 – 5.80 slk only (Suckling Road). The remainder of the road is rated as a 'As of right access' max 19.5m). Road grades/pavement width/corner radius would all have to be accessed past this point for RAV4 vehicles to be permitted. A alternative for the approval of RAV4 vehicles via the White Cliffs Road may be a consideration. This alternative route is yet to be submitted to Main Roads WA for consideration as a alternative route.*

Note 5: *The Applicant is advised that the proposed development should at all times comply with the provisions of the Food Act 2008 and related regulations, codes and guidelines.*

Note 6: *The Applicant shall liaise with the Department of Primary Industries and Regional Development in regard to the implementation of systems to detect and manage any distress to the pigs from temperature extremes in order to demonstrate how they will manage this animal welfare issue.*

APPENDIX 1. APPLICATION DETAILS

Proposal

To breed and grow out pigs in the method of using Deep Litter Housing, Sows will be grouped housed in dome shelters with concrete floors covered in straw. Sows will be moved to the farrowing shed up to a week before giving birth and stay there until weaning (2 weeks). Sows will not spend more than 3 weeks per cycle in a farrowing crate. After weaning sows they will then move to the mating shed. Once pregnant they will be moved back to the group housing shelters where they will remain until one week before giving birth.

From birth, weaners will then be moved to the weaner’s shelters, then to growers and then to finishers where they will grow out until they reach live weight of 100kg (baconer) and then trucked out for slaughter (approx. 24 weeks)

The farm in full production will house 500 sows with the aim of producing 10,000 pigs for slaughter per year. Meaning in full production the property would be housing up to 5,000 pigs at any one time.

The farm would have 3 phases to it;

Phase 1 to house 150 sows and grow out 3000 pigs per year, housing 1500 pigs at any one time

Phase 2 to house 300 sows and grow out 6000 pigs per year, housing 3000 pigs at any one time

Phase 3 to house 500 sows and grow out 10 000 pigs per year, housing 5000 pigs at any one time

Between each phase we would allow between 6 – 12 months to ensure production was running smoothly and rectify any issues or complaints if needed.

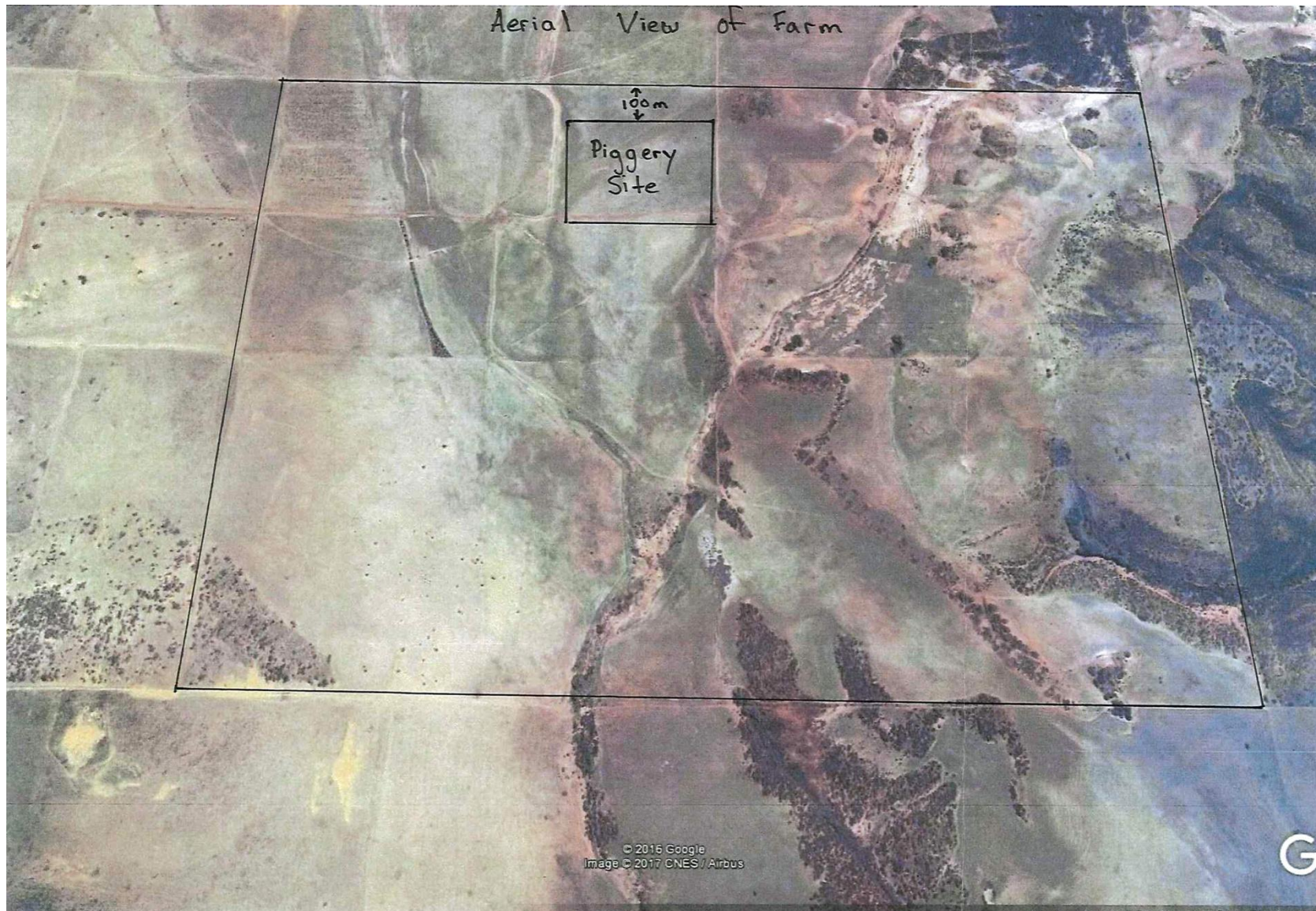
Lot 25 Willigulli Road was carefully chosen. It far exceeds all buffer distances set out in guide lines. (Shown in table A9) It has good quantity and quality of ground water. Climate requirements are suited well for production of pigs being coastal. The small town of Horrocks and Northampton nearby offer employment opportunities for locals.

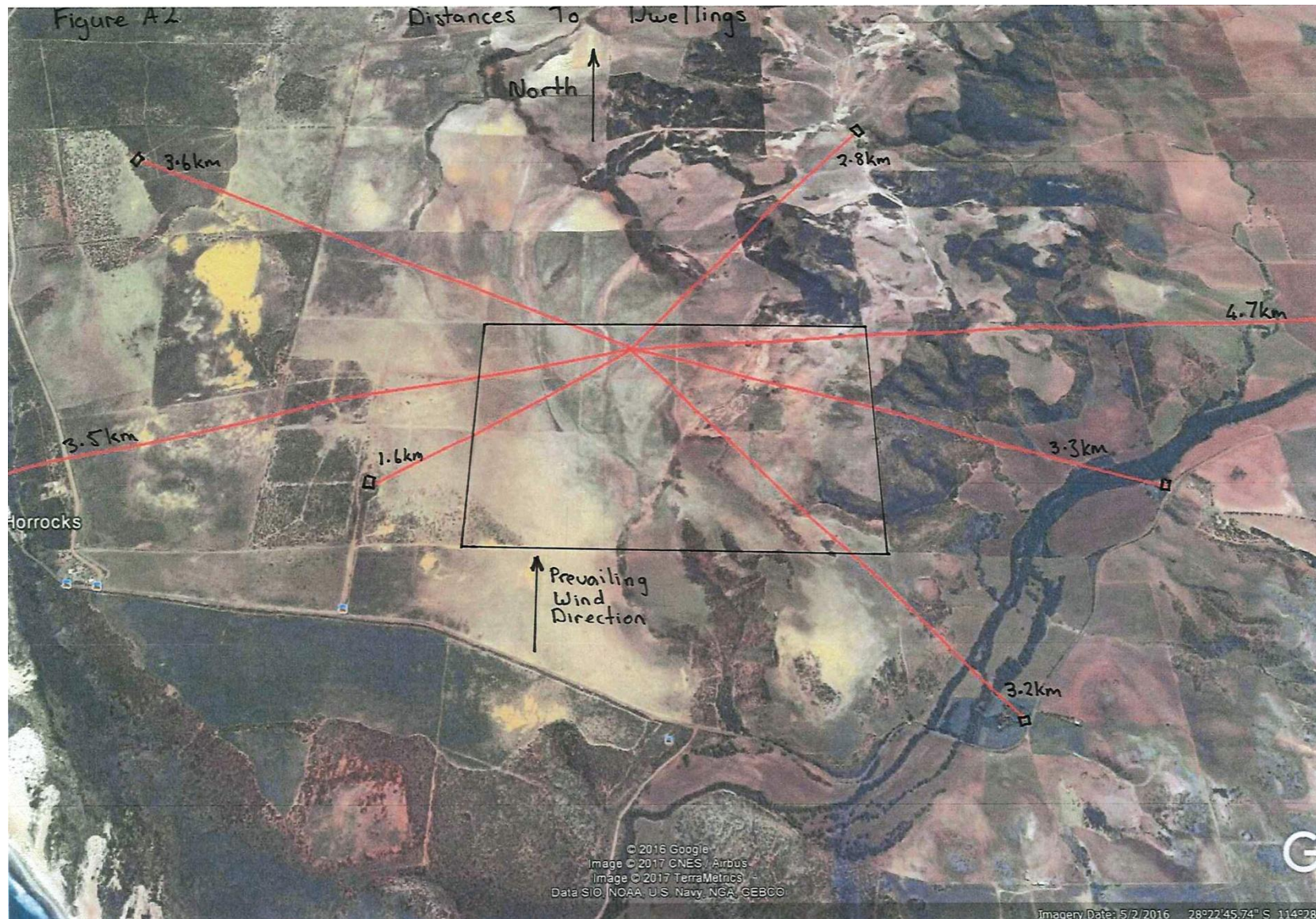
TABLE A.9 Separation distances from piggery sites to other relevant features

FEATURE	DISTANCE (m)
Public road – carrying > 50 vehicles per day	200
Public Road – carrying < 50 vehicles per day	100
Town	750
Rural residential area	500
Rural dwelling	250
Property boundary	20

Ariel shot figure A2 shows the distances between all dwellings and the nearby town of Horrocks. Far exceeding the requirements needed.







Plan 1A shows the layout of the piggery. It has dimensions of shelters and all the other infrastructure that goes with the piggery. It shows the drains that run alongside all shelters and the direction they would flow to reach the effluent dam.

Stocking rates in shelters are based on Weaners	0.6m ² /pig
Grower's	1.5m ² /pig
Finisher's	1.5m ² /pig
Dry Sows	3.5m ² /pig

Plan 1B shows the boundaries of the property with the site location of the piggery and the contours lines for the location of the piggery. The contours show a fall of 1 meter to every 100m. This is ideal for the drainage system. It has the location of existing bores and well. The spreading area for the spent litter with the free draining soil is marked out. X marks the location of carcass disposal area. The plan shows a marked out area of 250,000m² for the piggery site. The actual size of the piggery being 106,400m². The larger area nominated is to allow for any changes that may occur during construction that could benefit systems within the piggery site but staying inside the site nominated.

Plan 1C shows the floor layout of shelters. All shelters will have a 100mm step up area at one end being 3 meters wide. This is a raised feed area out of the deep litter. The detail for the concrete slab shows a 3 degree fall from the centre to the sides of the slab. This is to allow good drainage when shelters are washed down between batches. The details of concrete drains that run alongside the shelters is shown.

Land Description

The total farm area consists of 1000 acres. 750 acres being cropable with 600 of the cropable acres being sandy soil types, offering good free draining soils. The land is 90% cleared and to date has been used as a sheep stud property where it has been heavily stocked and also cropped. The rest of the farm area consists of clay soils, gravel and rock. 10% of natural bushland remains on the property.

Climatic Information

Mean Annual Rainfall:	444.7mm
Average monthly rainfall: 37mm	Summer 5mm Winter 85mm
Average monthly max and min temperatures:	Summer 31 - 18 Winter 20 - 10
Average monthly evaporation: 200mm	Summer 300mm Winter 100mm

Traffic Volumes

Access to the farm would be via Horrocks Road on to Willigulli Road that leads to farm gates. The area is surrounded by farms so farm traffic including trucks, tractors and utilities are a common occurrence in the area.

At full production it would be estimated that the piggery would employ 4 fulltime staff. That means the potential of 4 vehicles coming and going daily from the farm. It would be expected that one livestock truck per week to leave the farm and up to 2 grain trucks per week to bring feed to farm. Expected no more than 3 trucks per week.

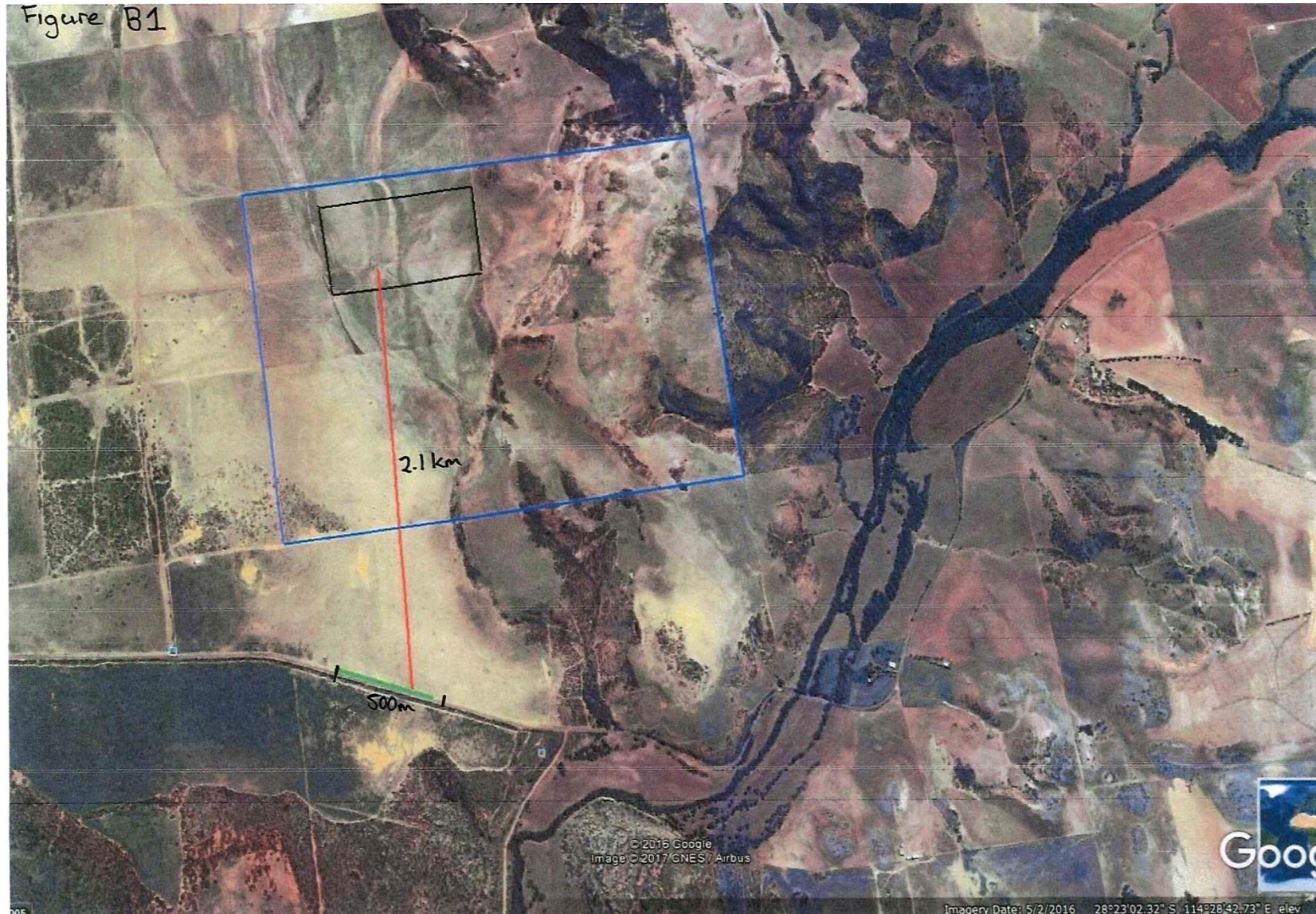
Visual

The site on the farm chosen has very little visual impact on the environment. Attached is an aerial map of the farm. (Figure B1) The black lines show the location of the piggery on the farm. The green strip on Horrocks road is approximately 500m long and 2.1 km from the piggery site on the farm. This is the only public location where the piggery would be visible. The red line is the line of sight from the road. It is not in direct line of sight in the direction the road travels. It is at 90 degrees to the Horrocks road at a distance of 2.1 km.

The dome shelters are white in colour and are non-reflective. Over time dust will discolour them. The only other visual infrastructure for the piggery will be silos (maximum 70 tonne silos) and water storage. All typical farming equipment located on every farm in the district.

Below is a picture (figure B2) of a piggery with a similar set up and numbers of what we are proposing. The shelters are a low profile with a maximum height of 4 meters. Far less visible than some of the zincalume farm sheds located in the region. The location on the farm is in a gully which makes it less visible, it is not on top of a hill where it can be seen from all directions. It is not visible from a dwelling or town site.





Evaporative Effluent System

The effluent system will consist of 2 dams. Only 1 dam at a time will be in use for 12 months at a time. As evaporation rate far exceeds rainfall, the dam will be left to dry out while the other dam is used for 12 months. Once dried out the remaining solids will be dug out and added to the compost pile. A drain connecting the 2 dams together will run through the dams wall above the 2m mark to act as an emergency overflow should a significant rain event ever occur. Investigations show no ground water exists within 100m of the dams at a depth of less than 70m.

Construction of Dams

The dams will be dug out to a depth of 2m with a bank being constructed around the dams 1m higher than ground level and maximum dam level. There will be an over flow pipe between dams at the fluid height of 2m (600m³). The top of the bank will be at least 2.5m wide with the sides to slope of from there. This makes the bank accessible to vehicles. The sides of the dam will have a 1:3 decline to allow access to remove waste solids in the dam when dried out.

The dams will be clay lined (clay meeting standards set for clay lining dams) at a minimum thickness of 300mm and compacted to the compaction guide lines set. (Compaction test will be performed before use). The base of the dams will be finished with 100mm of compacted gravel making it easier to remove dried out solids without disturbing the clay lining.

Waste Calculation

As the piggery is based on deep litter housing the only shelter where all solids will flow to the effluent dam is the farrowing shelter. The farrowing shelter will house a maximum number of 40 sows. Using the guide lines formula of 0.5m³ per standard pig unit per 12 months the dam would need the capacity of (40x0.5m³) 20m³. The dam's measurements being 25x12x2 = 600m³ of holding capacity. All drains from grow out shelters flow to the effluent dams. It is estimated approximately 400 litres of water would be used to wash down shelters between pig batchers and no more than 2 shelters per week would need washed down. The farrowing shelter would use approximately 500 litres for a flushing and would require a minimum of 2 flushes per week. Allowing for extra wash down and flushing it is estimated up to 20 000 litres of fluid per week could enter the effluent dam. With the dams surface area and evaporation rate for the area the holding capacity of 600m³ is sufficient for the required volume.

Drains

Open concrete drains will run down the side of all shelters and connect with drains that flow to the effluent dam. The site chosen has a natural fall which will be utilised for all drains to flow to the effluent dam. This eliminates any pumping stations. Drains will be 200mm deep and 300mm wide.

Deep Litter

The spent straw (bedding) will be removed between each batch of pigs. It will be stock piled and composted for 6 – 12 months before being spread on cropping grounds on the farm. The composting area will be located slightly away from the piggery. The area used for composting will have a clay lining and finished with gravel. (Same construction as the effluent dams). A one meter high contour bank will be constructed around the composting site to eliminate run off. Once the deep litter has been composted it will be spread on the paddocks with a muck spreader. Once spread the paddocks will then be ploughed.

Ground Water and Soils

Located on the lot is 2 bores and 1 well. Ground water exists mainly between 40 – 50 meters (120 – 160 feet). Primary tests indicate all are capable of pumping 20,000 litres per day. Giving a total of 60 000 litres per day. Salts being the main constraint to usage within the piggery the tests for salts indicate a variation of 70 grain to 180 grain per gallon between the bores.

The depth of the water is a great benefit as it lowers the risk of contamination. The guide lines set a minimum of 2 meters between effluent dams, spreading spent litter and carcass disposal pits and we have a buffer of at least 35m where ground water is located. The main area the spent litter will be spread in has a clay gravel layer between 2 – 3 meters below the sandy soil surface. This further lowers the risk of contaminating any ground water.

Soil where spent litter will be spread is sandy to sandy loam soil types. This provides ideal soil type for spreading the spent litter. The spent litter will provide stabilisation for the soil and nutrients for growing crops. The growing of crops on the spread spent litter will help remove nutrients from entering the ground water. The soil type also offers good drainage preventing run off into water ways. Soil analysis will be performed every 12 months to monitor any nutrient build up.

Carcass Disposal

Carcass disposal site is marked out as X on plan 1B. This location was chosen as it has no rock so getting depth in the pit will not be an issue. Primary testing shows no ground water within 80 meters of surface which eliminates water contamination. Figure 3 shows how the carcass disposal pit will be constructed and handled.

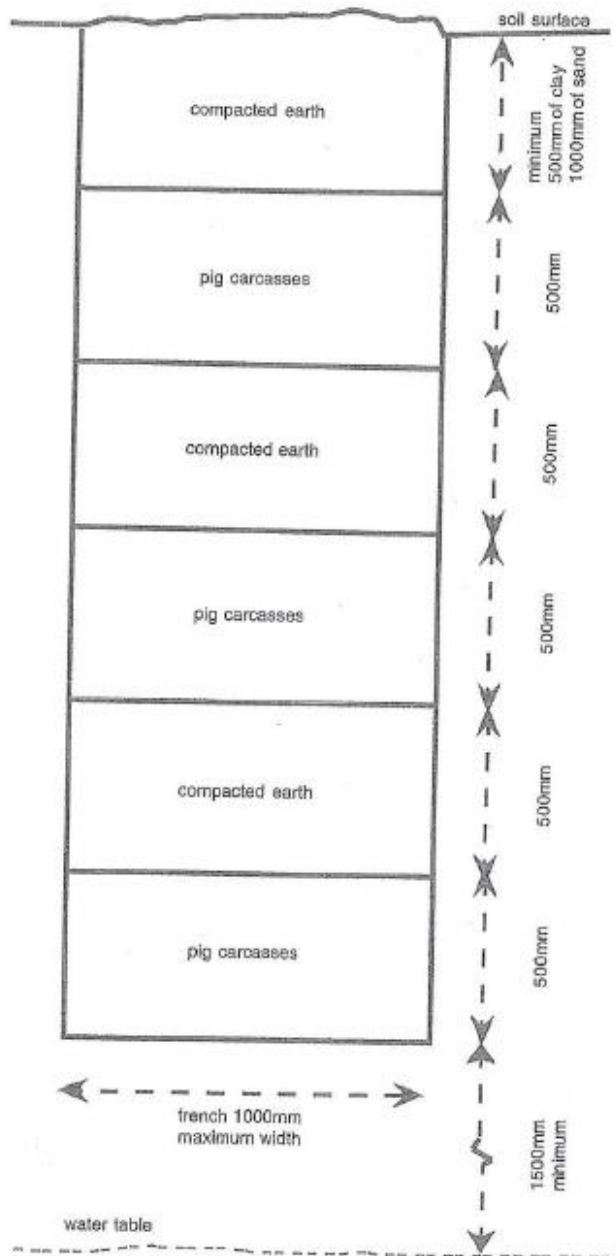
Odour and Noise

With the buffer zones in place from the piggery site odour and noise should not cause any concern from neighbouring properties. The deep litter system also is low odour pig production. With saying this all precautions will be made to lower odour and noise. The deep litter shelters will be monitored to make sure litter hasn't become over spoiled. When spreading the deep litter, weather conditions will be taken into account for neighbouring properties. Self-feeders will eliminate noise from prescribed feeding times.

Pest Control

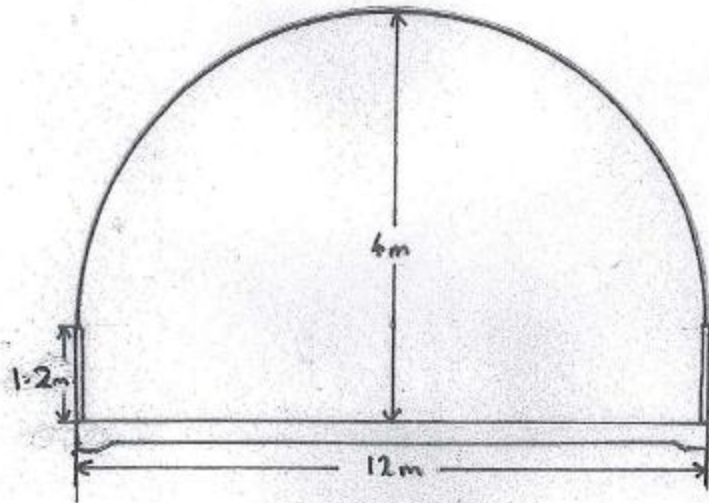
All precautions will be taken to eliminate pest control. Monitoring of the piggery to make sure there are no breeding sites for insects will occur and if needed insecticide will be used. Trapping for rodents will be in use from start of the piggery. There are feral pigs in the area so very tight fencing will surround the piggery site. This will consist of 3 fences. Including barb wire and electric fences. There will also be feral pig traps in use around the perimeter of the property. There are some surrounding hills where rare orchids are found, so any program to help eliminate feral pigs is a plus for the area and a benefit for surrounding farmers.

Figure 3 Disposal pit for pig carcasses



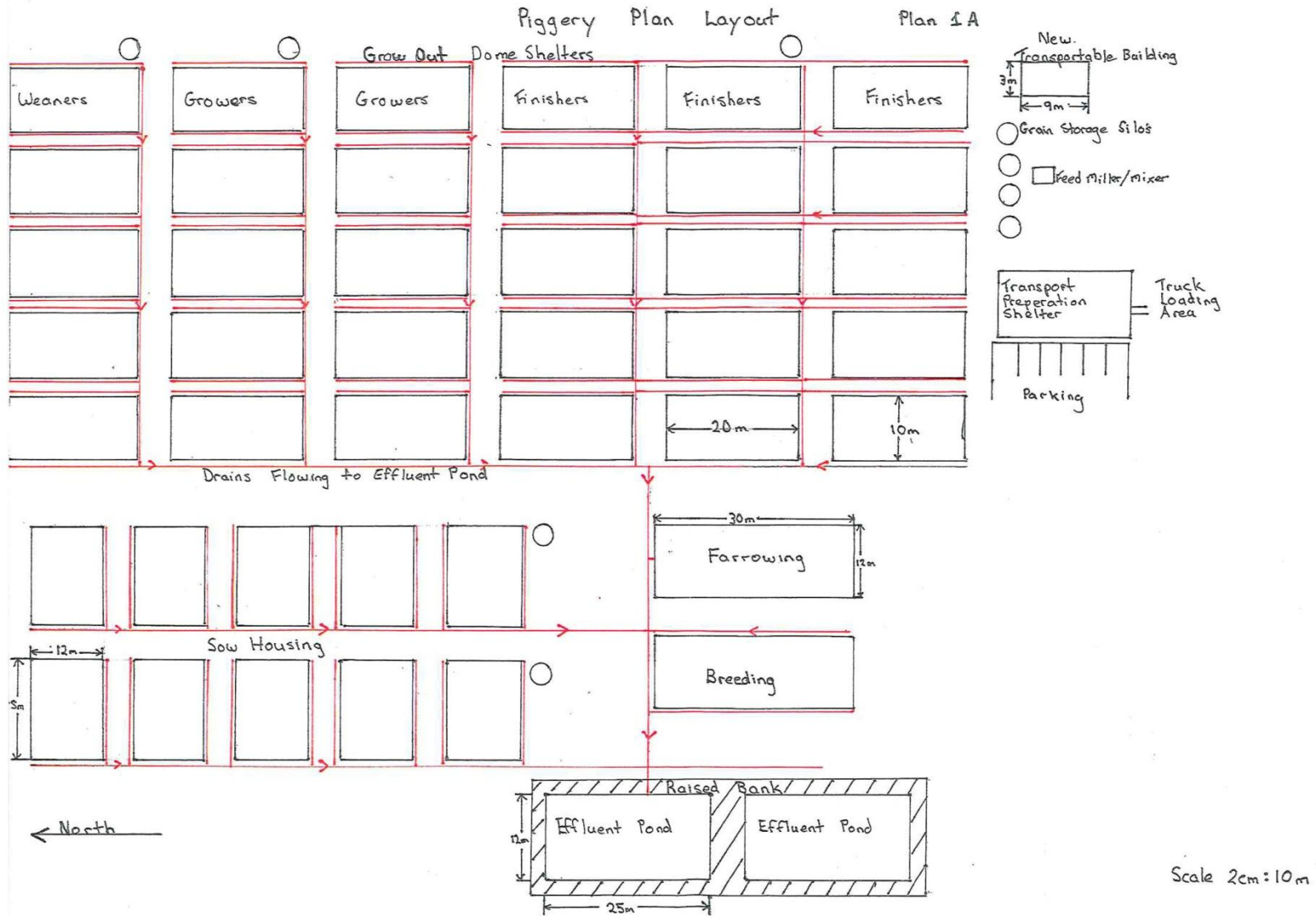
Pig carcasses should be disposed of by burial where composting, incineration or delivery to a processor can not be arranged

Dome Shelter

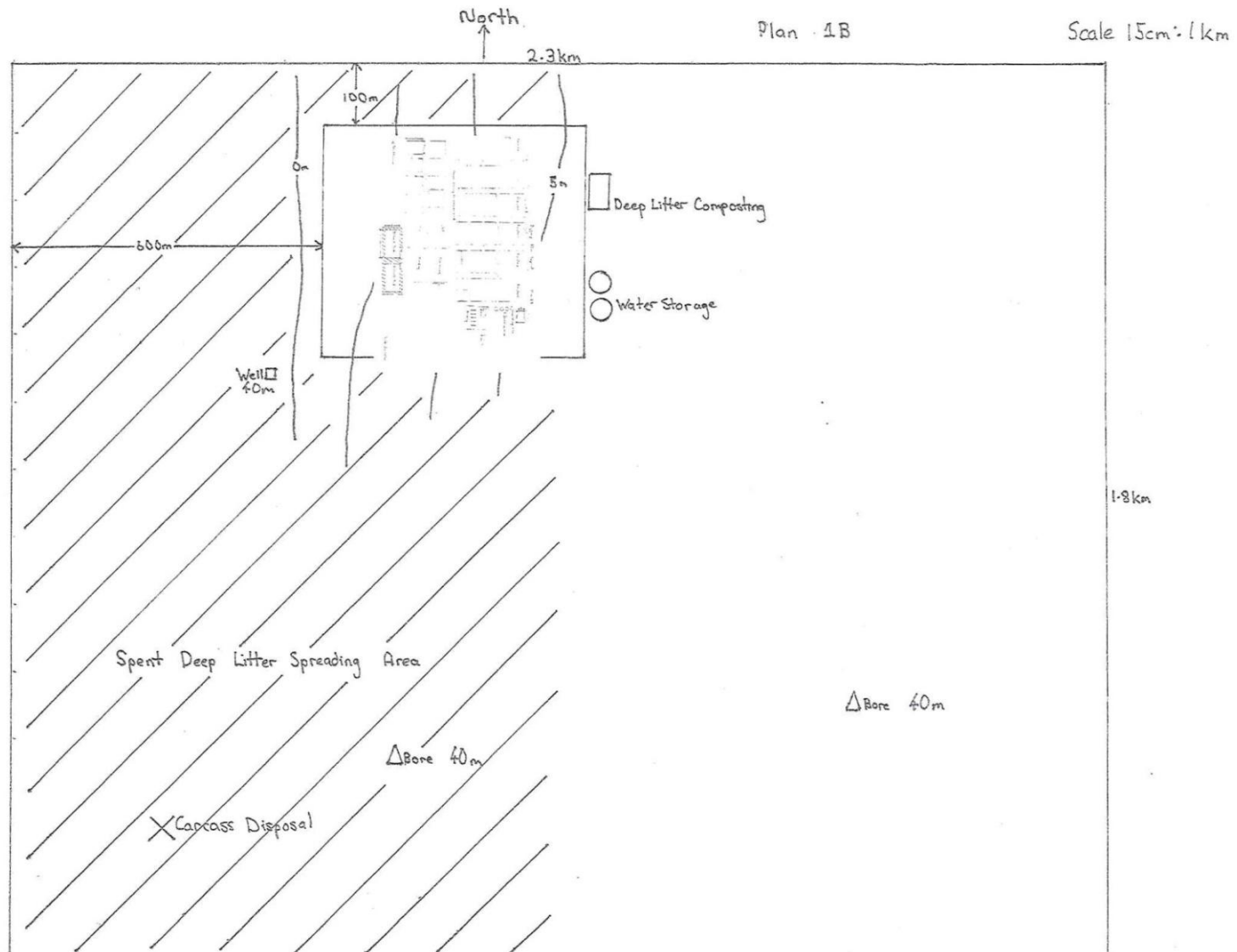


LEGEND	
S	Light Switch
⦿	Double Power Point
⦿	Single Power Point
⊙	LED Down Light
☐	Exterior Light
TV	TV Antenna Connection Point
⦿	Smoke Alarm
AC	Split System Air Conditioner
—	Entry Steps
□	Gutter & Down Pipe

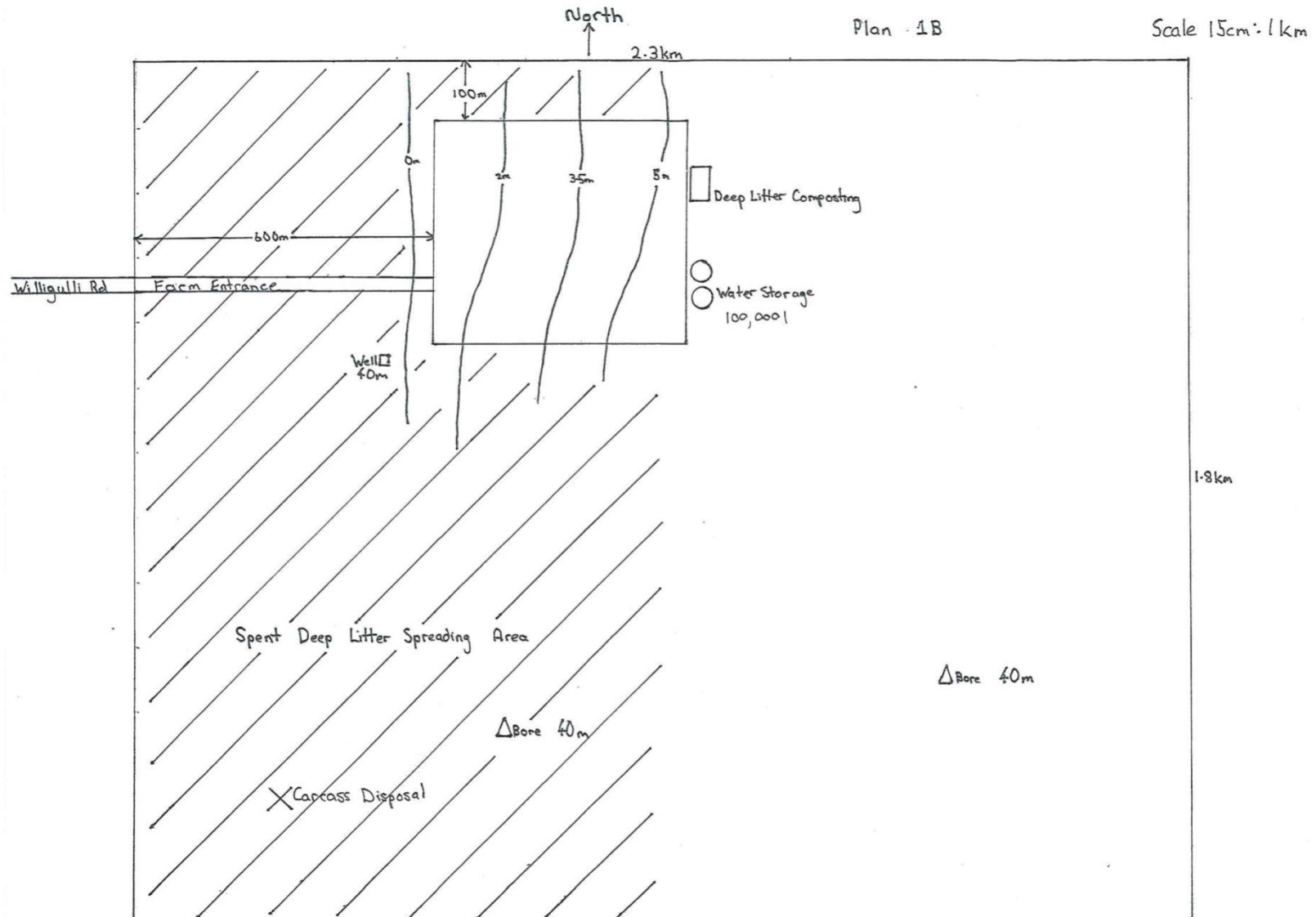
SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

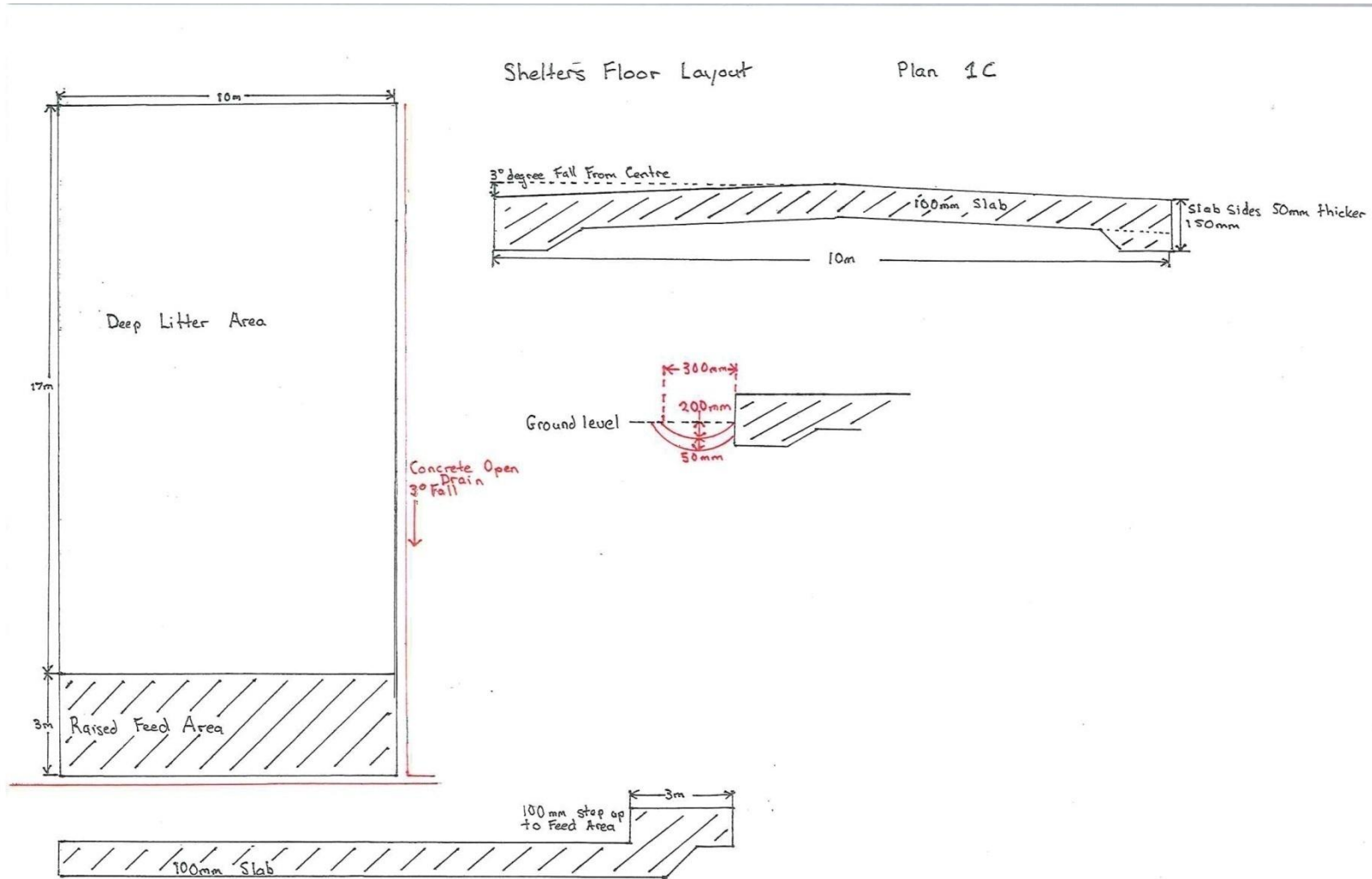


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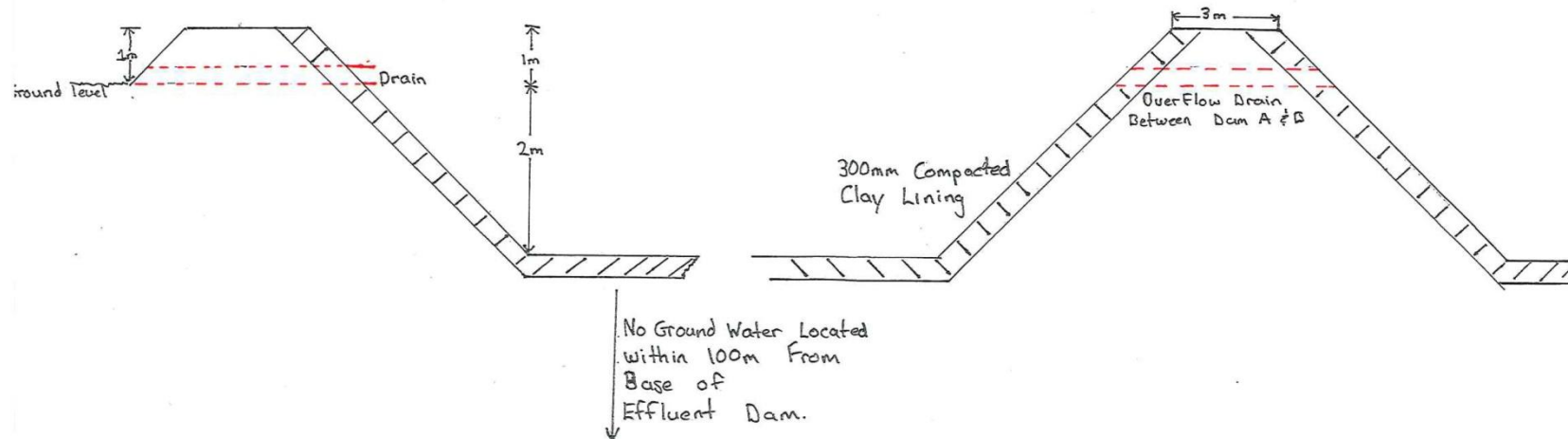
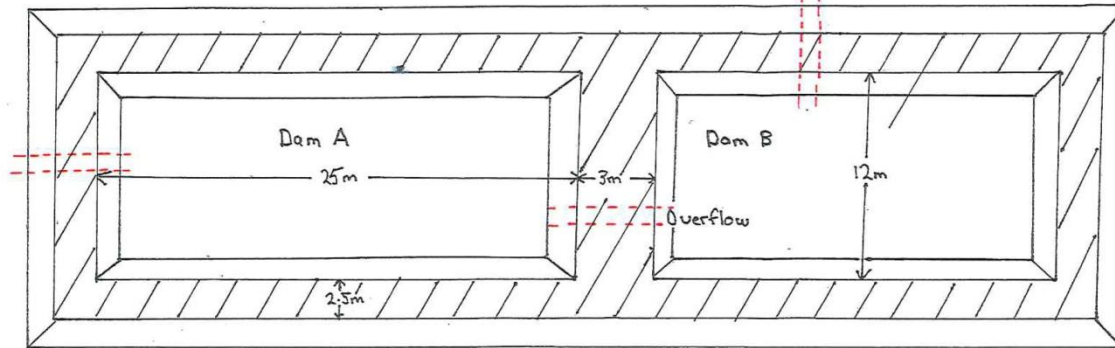


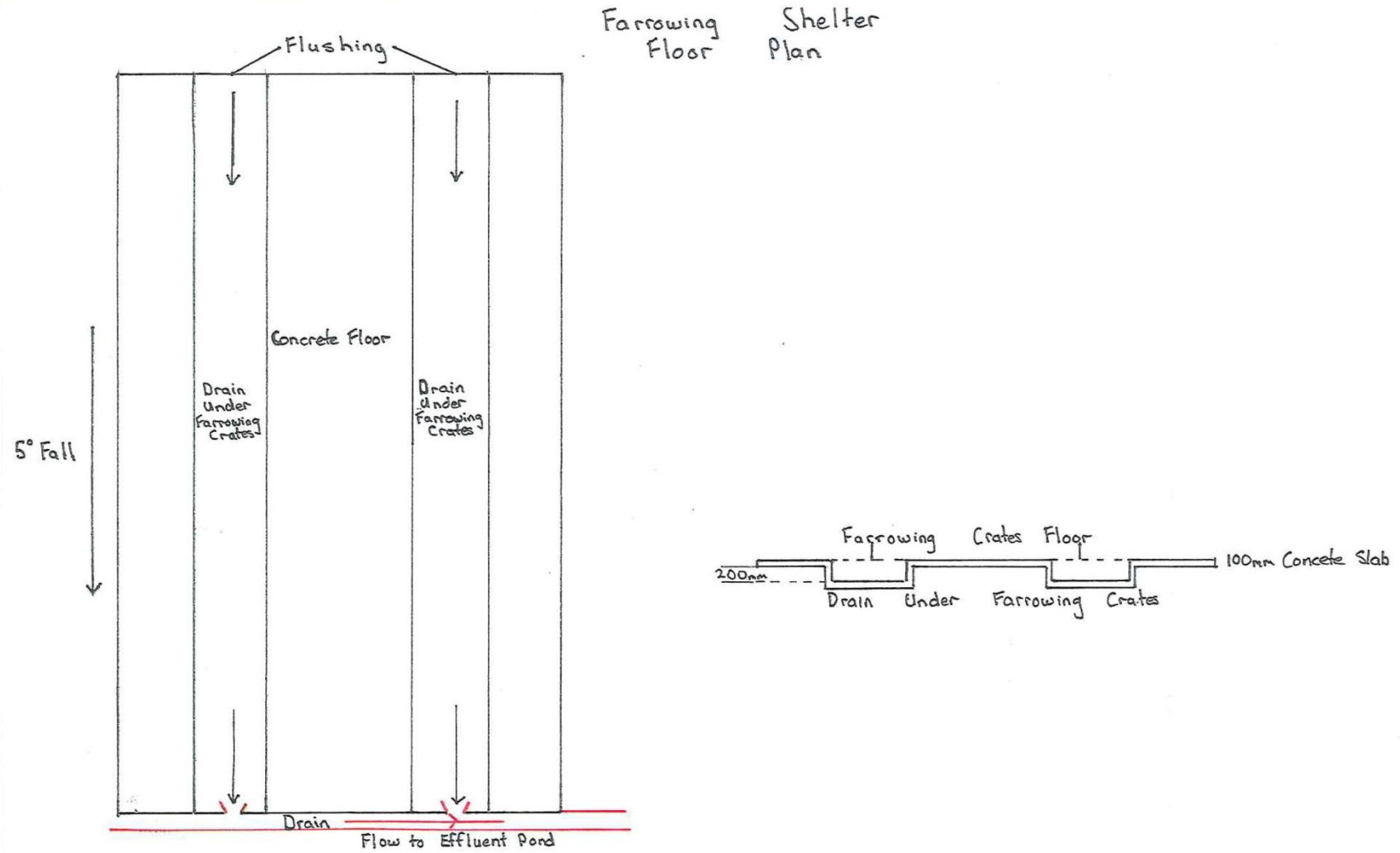
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Effluent Pond Design





APPENDIX 2 - SCHEDULE OF SUBMISSIONS

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
1.	Department of Aboriginal Affairs (now Department of Planning, Lands and Heritage)	None provided.	No Objection - No registered Aboriginal Heritage sites intersect with Lot 25.	- Note submission.
2.	R Jupp	None provided	Support (No comment)	- Note submission.
3.	Main Roads, Western Australia	None provided	No Objection - It is considered that the proposal would have a minimum detrimental impact on the safety, amenity and operation of the Main Roads network or its users.	- Note submission.
4.	Western Power	None provided	No Objection - Advice regarding location of proposed work to energised electrical installations and powerlines.	- Note submission.
5.	Department of Parks and Wildlife	None provided	No Objection/Comment	- Note submission.
6.	Water Corporation	None provided	No Objection - The subject Lot is remote from the Water Corporation's Water and Wastewater servicing and infrastructure and shouldn't impact on infrastructure or operations. - Plan denoting location attached for Applicant.	-Note submission.
7.	A. Teakle	None provided	Support (No comment)	- Note submission.
8.	Department of Mines, Industry & Regulation	None provided	No Objection - The proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy and basic raw materials.	- Note submission.

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
9.	K & M Eastough & Sons	Blue Hills Farm, Sucking Road, Sandy Gully	<p>Objection</p> <ul style="list-style-type: none"> - <u>Odour:</u> - Applicant implies that the buffer zones and deep litter system of pig production should allay concerns regarding offensive odours being emitted from the property. However, having had a small holding of approximately 20 pigs situated just under 3km from the house where we were living, given the right wind conditions there was an odour impact. - The number of pigs, two effluent dams and composting heaps will have a serious impact on odour of adjoining properties and townsite of Horrocks. - Blue Hills residence is 2.8km north east of the proposed site and Horrocks Townsite is 3.5 kilometres to the west. Given that both southerly and easterly winds are experienced throughout the year it is considered there would be a negative impact from odour on both our residence and the Horrocks townsite. - Horrocks Road is indicated as being 2km from the proposed piggery. Given this is tourist route it is also considered the odour would have a negative impact the Shire's tourism asset. 	<p>Dismissed - concerns addressed through additional requirements and conditions of development approval.</p> <p>Odour is assessed by DWER and is generally managed by ensuring there is sufficient separation distance to people nearby (for example residences, town boundaries and schools etc.) relative to the inherent size, local topography and the design of the piggery. Generally, acceptable results (from an environmental perspective) occur when a piggery is located in a remote rural area, well set back from neighbours, on a relatively large land holding and well managed.</p> <p>The Applicant has undertaken a Level 1 Assessment using the S Factor calculation and this calculation has been supported by DWER. This places the separation distances at:</p> <ul style="list-style-type: none"> • 273m – Closest Rural Dwelling; • 356m – Rural Residential (Rural Tourism Enterprise RTE); and • 404m – Horrocks Townsite. <p>Clause 5.8.1 includes Table A.9 which specifies a greater separation distance for rural residential and townsite features than the above calculations, therefore the following separation distances are considered to apply:</p> <ul style="list-style-type: none"> • 273m – Closest Rural Dwelling; • 500m – Rural Residential (RTE); and • 750m – Horrocks Townsite. <p>Separation distance requirements are generally determined on the basis of limiting the potential of nuisance odours to an acceptable level. Separation distances are used to ensure the long-term protection of the receptor and the piggery enterprise. Optimum separation distances between the piggery complex and receptors depend on a number of factors, including the size of the piggery, the topographical features, vegetation and surface roughness between the piggery and receptors, and the operating and management procedures at the piggery.</p> <p>Based upon the separation distances provided by the odour modelling it is unlikely there will be an odour impact on the farm dwelling located 2.8km from the subject site and on the Horrocks Townsite or the Horrocks Road.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
9.	K & M Eastough & Sons (continued)	Blue Hills Farm, Sucking Road, Sandy Gully	<p>Objection</p> <ul style="list-style-type: none"> - <u>Land Values:</u> When purchasing the property, one of its appealing features was its proximity to Horrocks Beach and multiple titles. The opportunity to successfully divide the land into smaller parcels to suit hobby farmers/small acreage will be hindered severely. The existing residence, used as rental accommodation as a source of income is also in jeopardy. - <u>Waste management/ground water:</u> - 20,000 of fluid waste products being moved into one of two effluent dams a week. Apart from water and pig waste, what other waste will be disposed of. Disinfectant, insecticides, growth promotors or antibiotics. - Residues from growth promotors can include metals such as zinc and copper which in turn can slow anaerobic treatment as well as generate very offensive odours. - After the evaporation process has taken place, the waste solids form the bottom of the dams are to be removed and we assume composted before being spread onto surrounding paddocks. This would spread the smell even further, but what assurances do we have that the groundwater supplies will not be at risk of contamination from any of these processes. - The Applicant credits the depth of the groundwater as “lowering the risk of contamination” but does not completely exclude the potential for contamination. 	<p>The subject land is zoned “General Rural” aside from holding multiple titles the zoning does not permit further subdivision. Additional dwelling entitlements may be possible on vacant lots, however, the objective of the “General Rural” zone as prescribed by the Scheme is to provide for the sustainable use of land for the agricultural industry and other uses complimentary to sustainable agricultural practices, which are compatible with the capability of the land and retain the rural character and amenity of the locality. The proposed piggery with appropriate setbacks as defined by DWER, along with visual screening is considered to comply with the objective of the zone. For additional single dwelling entitlements to sterilise the use of land for agricultural purposes is against the objective of the zone.</p> <p>The Applicant has advised that none of these are proposed to be used.</p> <p>The issue of odour has been addressed above.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
9.	K & M Eastough & Sons (continued)	Blue Hills Farm, Sucking Road, Sandy Gully	<p>Objection</p> <ul style="list-style-type: none"> - <u>Waste management/ground water:</u> - Our property contains one of the two bores used for the Horrocks drinking water supply and until recently, it was stipulated that land owners were unable to use the land surrounding it for the likes of a poultry farm or piggery. - Whilst the town supply has since been deemed safe because of its confinement by a layer of rock, it would seem that there is no guarantee that our shallower supply is safe. We rely heavily on our boreholes to provide good quality water to our livestock, house and garden requirements as well as broad acre spraying. - Other: - Do not have an issue with proposed piggeries layout, infrastructure, visual impact or traffic volumes. - Extremely concerned about odour impact on land values, tourism, quality of life and water supplies. 	<p>As part of the Works Approval Licence, conditions are placed on the approval requiring the Applicant/Operator to undertake regular soil and water testing. The submission refers to the Public Drinking Water Source Area which has recently been reviewed and reduced in size.</p> <p>In response to the concerns raised, should Council consider granting approval appropriate conditions will be included such as:</p> <ol style="list-style-type: none"> 1) The Applicant shall prior to commencement of the development, submit (and subsequently adhere to) a Environmental Management Plan, in accordance with the “<i>National Environmental Guidelines for Piggeries – Second Edition</i>” (as amended), to the approval of the Local Government; 2) The Development at all times shall comply with the Works Approval Licence. This is not limited to, but specific mention is made to the management and mitigation strategies applicable to: <ul style="list-style-type: none"> • Wastewater effluent management; • Solid waste management; • Odour management; • Noise management; • Nutriment management; • Groundwater monitoring; • Fire management (internal and external fire risk); and • Environmental monitoring and reporting.
10.	W. Hall	Lot 27 Willigulli Road, Sandy Gully	<p>Support</p> <ul style="list-style-type: none"> - Helps support the town and local farmers by creating business opportunity for the future. - Will assist in the reduction of feral pigs which is an added benefit to adjoining farms. - Waste from facility will provide a fertile mulch for sandy soils to aid in erosion and stability and can be beneficial to crops. 	Note submission.

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
11.	A. Sellers & D Whettingsteel	Lot 26 Willigulli Road, Horrocks	<p>Objection</p> <ul style="list-style-type: none"> - Lot 26 is listed for sale. Impact of proposed piggery on purchasers of our block wanting to build a residence in location at base of table top hill (north east of proposed site). - Spreading of effluent over paddocks is a major odour source as evidenced by other piggery's (eg. Nairns, Binnu) - The plan provides a design detail for Stage 1, but describes a 3 stage development with 4x size. What would this look like from an impact on visual, environment, land resources, odour impact, waste disposal. - No screening proposed to protect the view from our block. We would like to see a substantial tree barrier planted around the perimeter of the proposed site. - Would the approval of this Stage 1 intensive agriculture create a precedent for other additional similar development in the area? - We have run nature based tourism on tabletop hill and have not ruled out continuing that, and that with the property on the market it is attracting people who want to build and invest in nature based tourism. Odour would directly impact this activity in the sea breeze conditions. 	<p>Dismissed - concerns addressed through additional requirements and conditions of development approval.</p> <ul style="list-style-type: none"> - Odour modelling for the proposed piggery has been undertaken by Applicant and confirmed by DWER. A future rural dwelling located near the base of the tabletop hill could achieve an adequate separation distance of 273m given that it is some 700m from the proposed site of the piggery. - All factors are considered in the odour modelling undertaken by DWER, including the spreading of composted effluent. The piggery referred to has not been operational for many years and practices are considered to have changed significantly since that time. - The application submitted to Council and DWER demonstrates the staging of the proposed development. However the application before Council is for Phase 1- Phase 3 and has been assessed accordingly in terms of impact on the environment. - The Applicant has stated they will implement a vegetation screen along the northern and southern boundaries of the proposed piggery. A condition will be applied should Council consider granting approval to the proposed development. - No. Applications for Development Approval are based upon assessment against both the statutory and strategic planning framework for the site and location. Precedent is not a matter for consideration in the determination of development applications, this is established in case law. In <i>Henry v Council of the City of Gold Coast</i> where it was accepted that each planning application must be considered on its own merits and facts and circumstances, rather than where a particular development proposal would create a significant precedent for the locality. - Refer to previous comments and recommendations stated in Submission No. 9 in relation to odour.

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
11.	A. Sellers & D Whettingsteel (continued)	Lot 26 Willigulli Road, Horrocks	<p>Objection</p> <ul style="list-style-type: none"> - <u>Planning Concerns:</u> - The odour mitigation is insufficient for unbuilt dwellings or developments which would presently be supported or have been expected to be supported under the existing rural zone. Eg. If someone wanted to expand their sheep operation into the production of niche dairy products or goat farming would this still be possible? It certainly wouldn't be attractive to someone wanting to be on the land with their operation next to a stinking piggery. This is a disadvantage to ourselves and to any low impact future food industry development which this area is really suited to. - Because Council has not zoned this location for this type of activity, it's effectively making a town planning zone change for one applicant without strong policies in place to manage it or anticipate future consequences. In effect, it becomes a town planning rezoning for one applicant without a long term plan for these kinds of industries. - Future consequences would be expansion, and new high odour undertakings such as poultry or other piggeries, because these applications could be won on appeal once one application has been approved. So in effect, we are not looking at just one application but an eventual rezoning that could clash with the development of Horrocks and Bowes river mouth as tourism and retirement destinations. 	<p>The proposed development is considered to be consistent with the objectives of the General Rural zone. DWER have indicated that the proposed development can meet the separation requirements for odour.</p> <p>A future rural dwelling located near the base of the tabletop hill could achieve an adequate separation distance of 273m given that it is some 700m from the proposed site of the piggery.</p> <p>The zoning of the land has not been altered by consideration of the proposed development, nor would it amount to a zoning change should Council grant approval. Lot 25 is zoned "General Rural" under LPS No. 10. Animal Husbandry (which includes a piggery) is a "D" discretionary use which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval. In considering a 'D' use, the local government will have regard to the matters set out in clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Council is only able to examine the application before it and assess it against the statutory and strategic planning framework. Any future applications for expansion or development of new industries will be subject to a new application and would be considered on its merits. It is further noted Works Approval would also be required for an expansion to a piggery and any other intensive agricultural pursuits to ensure that they comply with Environmental regulation.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
11.	A. Sellers & D Whettingsteel (continued)	Lot 26 Willigulli Road, Horrocks	<ul style="list-style-type: none"> - The wind study and information supplied for comment is only from the developers, a minimal amount of research showed developments with much stronger mitigation that still had odour problems – compare to Nairn’s piggery distance from their house (2km insufficient) or Kalbarri Eggs distance from Kalbarri Housing. A formal rezoning would involve town planning personnel drawing on more rigorous studies and other town’s experiences. - The wind study relies on “prevailing conditions” and assumes that only the southerly is a concern, but it is likely that Horrocks may experience foul air every time the wind is East/North East and impact on air quality both at Horrocks and for people who presently use the Bowes river mouth and sea. Surfers for instance mainly use the beach when there is easterlies or calm conditions and no wind to disperse the smell at all. - It would be easier to support a rezoning with due process than a single application, even though we don’t really want to see a piggery there. But at least all landowners would have the same opportunity and know where they stand, instead of each new investment undermining the last as people come to the region for different reasons. 	<p>DWER has undertaken its own odour modelling as part of the Works Approval, in accordance with the <i>National Environmental Guidelines for Piggeries - Second Edition (2010)</i>, which includes the S Factor calculation for odour modelling. DWER have extensive experience in assessing these types of applications and Shire staff have relied on the input of other Government agencies with specialist expertise in this field.</p> <p>Refer to previous comments and recommendations stated in Submission No. 9 in relation to odour. Prevailing winds are considered by DWER in the odour section of their risk assessment. Prevailing winds alter the dispersion of odours and can either reduce or increase the risk of unacceptable odour impacts occurring. Wind occurring from an easterly direction is generally of greater strength thus creating greater turbidity resulting in dispersion of odour.</p> <p>Rezoning is not required in order for Council to consider an application for the use “Animal Husbandry” within the “General Rural” zone. It is further noted that it is a “D” use which does not require advertising. However, based upon the contentious nature of piggeries advertising was undertaken to provide all landowners/occupiers with the opportunity to make a submission.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
12.	Department of Primary Industries and Regional Development	None provided	<p>No objection</p> <ul style="list-style-type: none"> - Provided that the activities undertaken by the developing enterprise do not result in environmental degradation, animal welfare issues or negative impacts on adjacent agricultural businesses or properties. - DPIRD expects the proponent to adhere to the most current industry standards and guidelines for animal welfare, biosecurity and the environment. - <u>Animal welfare and management</u> - The proposal does not provide any details about systems in place to detect and manage any distress to the pigs from temperature extremes. DPIRD requests more information to show that they are managing this animal welfare issue and what plans are in place to alleviate any potential temperature distress to the animals - <u>Disposal of Carcasses</u> - The design and maintenance of the proposed carcass disposal pit shall meet industry standards, including monitoring and maintenance to prevent odours or environmental pollution through leaching. Management of issues such as scavenging by vermin (such as foxes, cats or birds) must be maintained to prevent disease or biosecurity risk. 	<p>Note submission. As part of the DWER Works Approval the proposed development has been assessed for potential environmental impact and has been addressed through site selection, separation distances as well as being addressed through appropriate management.</p> <p>Recommend that the Applicant liaise with the Department of Primary Industries and Regional Development to address animal welfare and management. Recommend should Council grant approval to the proposed development an Advice Note is included addressing this matter.</p> <p>The management of deceased animals is assessed by DWER and conditioned in a licence to ensure safe management. Composting of deceased animals is preferred, although a number of piggeries are permitted to bury deceased animals. It is recommended should Council grant approval to the proposed development that a condition be placed on the approval requiring the preparation and implementation of a Pigs Death Management Plan in accordance with the <i>National Environmental Guidelines for Piggeries - Second Edition (2010)</i> to the approval of the local government.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
12.	Department of Primary Industries and Regional Development	None provided	<ul style="list-style-type: none"> - <u>Composted deep litter</u> - Timing of the application of waste onto soil is very important to maximise the highest nutrient uptake and to reduce runoff and nutrient leaching and care must be taken not to overload the area with nutrients. - DPIRD supports annual soil testing to indicate if there is any nutrient build up or movement down the soil profile to imply nutrient leaching to greater depths. - DPIRD recommends that the Shire be guided in its consideration of Animal Premises by Section 5.7 of the current SPP 2.5 – Rural Planning 2016. 	<p>Noted.</p> <p>Recommend should Council grant approval to the proposed development that a condition be placed on the approval requiring annual soil testing.</p> <p>This has been considered in the assessment of the proposed development.</p>
13.	B Ayers	None provided	<p>Support</p> <ul style="list-style-type: none"> - After reading the proposal I believe it is an excellent and exciting business venture for the Northampton Shire. The proposal appears very thorough, especially in the areas of environmental impact and protection, meeting and far exceeding standard requirements and accounting for public concerns. - The plan to implement the business over stages is very mature and illustrates that the applicant is committed to getting things working right for all concerned. - Northampton Shire can only benefit with jobs created, extra trade with local business and farmers. 	<ul style="list-style-type: none"> - Submission noted.

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
14.	Department of Health	None provided	<p style="color: red;">No objection, concern raised</p> <ul style="list-style-type: none"> - <u>Compliance with Health (Miscellaneous Provisions) Act 1911</u> - <u>Concern regarding following matters:</u> - Waste material if composted should be in accordance with the Department of Agriculture and Food WA and/or Department of Environment Regulation requirements. The proponents should demonstrate that the product is properly composted particularly in achieving the correct ingredient mix to get the carbon nitrogen ratio correct (AS 4454-2012) - A pig deaths management plan should be developed and approved for in advance of an occurrence to ensure processes are acceptable to relevant authorities. - The piggery is to comply with the National Environmental Guidelines for Piggeries (2004). - Compliance is required with the requirements of the Food Act. - Information provided concerning general conditions of land application of solid by-products (manure). 	<p>The concerns raised by the Department of Health's submission are considered by DWER in their assessment of the Works Approval. However, a condition of approval requiring the preparation and implementation of a Pigs Death Management Plan, including the issue of carcass disposal is recommended.</p> <p>The entire application has been based upon the <i>National Environmental Guidelines for Piggeries - Second Edition (2010)</i>. It has been confirmed by DWER that this is what is used in the assessment of Applications for Works Approval.</p> <p>Noted.</p> <p>Information has been supplied to the Applicant.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
15.	Dymocks Holdings Pty Ltd	Lot 20 Horrocks Road, Horrocks	<p>Objection</p> <p><u>Concerns regarding:</u></p> <ol style="list-style-type: none"> 1. Odour impacts. 2. Water pollution, run off and ground water. 3. Impacts on landholders and residences of Horrocks. 4. Interested in government response to these issues. 	<p>Dismissed - concerns addressed through additional requirements and conditions of development approval.</p> <p>Refer to previous comments and recommendations stated in Submission No. 9.</p> <p>Refer to previous comments in regard to ground and surface water.</p> <p>Refer to previous comments in regard to potential odour impacts.</p> <p>Government agencies responses are included and addressed as part of this submission table.</p>
16.	Mills Oakley for Dymocks Holdings Pty Ltd	Lot 20 Horrocks Road, Horrocks	<p>Objection</p> <ol style="list-style-type: none"> 1. <u>Is the proposed usage as a piggery permissible in the current zoning?</u> <ol style="list-style-type: none"> 1.1 It is Dymocks' preliminary submission that the Development Application is fatally flawed in that an "Agriculture – Intensive" use will not support a piggery operation. 1.2 Lot 25 is currently zoned "General Rural" under the Shire of Northampton Local Planning Scheme No. 10 (Scheme). There is no Use Class for "piggery" in the Zoning Table in clause 4.4.2 of the Scheme. The Development Application is for approval to use Lot 25 as "Agriculture – Intensive", which is a "D" use. This is not permitted in a General Rural zone unless the Shire has exercised its discretion by granting planning approval. 1.3 We submit that a piggery use does not fall within the definition of "Agriculture – Intensive", but rather within the Land Use definition of "Animal Husbandry – Intensive" (being premises used for keeping, rearing or fattening of pigs and other livestock). 	<p>Dismissed - concerns addressed through additional requirements and conditions of development approval.</p> <p>When advertising the application the term "Intensive Agriculture – Piggery" was used by mistake as this is the wording utilised by the Department of Water and Environmental Regulation in their guidelines. It was considered that given the advertising of the proposal included the term "Piggery" this was more self-explanatory to the general public than simply the term "Animal Husbandry". However, the consideration of the proposed development and any approval issued by Council will be based upon the definition "Animal Husbandry".</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p><u>2. Requirements that must be satisfied before the use can be approved</u></p> <p>2.1 The proposed use is not permissible without planning approval. Accordingly, the Applicant must meet certain criteria before the Shire can exercise its discretion in favour of the Development Application.</p> <p>2.2 Clause 4.3.3 of the Scheme states that in considering an application for a “D” use, the Shire must have regard to the matters set out in clause 10.2 of the Scheme.</p> <p>2.3 Clause 10.2 of the Scheme sets out a substantive list of matters which the Shire must have due regard to where the Shire considers that the matters are relevant for the use or development the subject of the Development Application. Relevantly, these matters include:</p> <p>(a) the aims and provisions of the Scheme;</p> <p>(b) the requirements of orderly and proper planning;</p> <p>(c) any approved statement of planning policy from the Western Australian Planning Commission (including State Planning Policy 2.5 (Rural Planning) and State Planning Policy 2.5 (Rural Planning Guidelines))</p>	<p>Clause 10.2. of LPS 10 has been replaced by Part 9, Cl 67 - Matters to be considered by local government, of “Deemed Regulations” within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Cl 67 states “In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application.” The following matters are addressed:</p> <p>(a) The proposed development is considered to comply with the aims and provisions of the Scheme, such as that it meets the objectives of the General Rural zone and development standards.</p> <p>(b) The requirements of orderly and proper planning are considered to be addressed given the proposed development is located within a compatible zone with appropriate separation distances as defined by The National Environmental Guidelines for Piggeries. The principal document used by DWER to undertake a risk based assessment of these types of proposals.</p> <p>(c) The development application has been examined against the State Planning Policy (SPP 2.5) and its relevant guidelines and advice notes. Again it is considered to comply with the intention and objectives of these documents.</p> <p>It is further noted that Cl 67 refers to consideration of any environmental protection policy approved under the Environmental Protection Act 1986. The proposed development is also required to address issues relating to environmental management through the Works Approval process.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p>(d) any Local Planning Policy and any other plan or guideline adopted by the Shire under the Scheme (including the Shire's Local Planning Strategy, Local Planning Policy (Intensive Agriculture) and the Horrocks Beach Local Planning Strategy);</p> <p>(e) the relationship of the proposed development on adjoining land or on other land in the locality including the likely effect of appearance of the proposal; and</p> <p>(f) the potential loss of any community service or benefit resulting from the planning approval.</p> <p>2.4 The Scheme also sets out general development requirements in relation to setbacks (clause 5.13.1) and information to be provided with the Development Application. It appears that the setback requirements have been acknowledged, however the information provided with the Development Application has not been professionally prepared and appears to be lacking in substance.</p> <p>2.5 In any event, the Shire must be satisfied with respect to all of the above requirements before it approves the Development Application.</p>	<p>(d) The Local Planning Policy – Intensive Agriculture has been used to assess the proposed development. A Local Planning Policy shall not bind Council in respect of any Application for Development Approval but Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.</p> <p>The proposed development has been assessed against the recommendations of both the Horrocks and Northampton Local Planning Strategies. A summary of this assessment is provided in the Comment section of the Planning Report.</p> <p>(e) This refers to compatibility of the development with its setting under Cl. 67 and the likely effect of height, bulk, scale, orientation and appearance of the development. The proposed development is considered to be compatible with the General Rural zone and the locality generally. It is also considered to be set back at a distance from Lot 20 so as not to have a negative visual impact by way of height, bulk, scale and orientation. The issue of appearance is more important to address from Horrocks Road and Lot 26 to the north and this will be addressed through vegetation buffers to minimise the impact on sightlines.</p> <p>(f) This clause is now replaced by Cl. 67 (v) which specifically refers to potential loss of community service or benefit as a result of economic competition between new and existing businesses. This is not considered to be a relevant planning matter to the application.</p> <p>2.4 The proposed development has addressed all relevant matters outlined by Part 9, Cl 67 - Matters to be considered by local government, of "Deemed Regulations" within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and has also addressed the requirements outlined by the "<i>National Environmental Guidelines for Piggeries – Second Edition</i>" (2010) which is the principal guiding document used by DWER in their assessment of the Works Approval.</p> <p>2.5 Subject to appropriate conditions being applied it is considered that the proposed development satisfies all necessary planning requirements.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p><u>3. Special reports or studies</u></p> <p>3.1 Clause 9.2(c) of the Scheme provides that, unless the Shire waives any particular requirement, every application for planning approval must be accompanied by any specialist studies that the Shire may require the Applicant to undertake in support of the application, including environmental, traffic, heritage and urban design studies.</p> <p>3.2 The Shire’s Local Planning Policy (Intensive Agriculture), which also addresses applications for “Animal Husbandry – Intensive” uses, states at clause 4.2(c) that the information is to be submitted at the time of the application for development approval demonstrating that the proposed intensive agricultural use will not be detrimental to the surrounding locality or environment by way of land degradation, erosion, noise, dust, odour, spray, drift, effluent disposal or leaching or waste water disposal.</p> <p>3.3 The applicant has referred to “buffer distances set out in guide lines” but has not provided any reports or studies in support of the Development Application.</p> <p>3.4 We submit that due to the number of environmental issues (specifically the risk of potential groundwater contamination) involved in the proposed use that the Applicant must first obtain all necessary environmental reports to demonstrate that the use will not be detrimental to the surrounding locality and environment before the Development Application can be assessed and if they have fulfilled to do so, it should be rejected.</p>	<p>Again this clause has been replaced by Part 8, Cl. 63 - Accompanying Material, of the “Deemed Regulations” within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The application lodged with the Shire of Northampton was based upon the requirements set out by the <i>National Environmental Guidelines for Piggeries (2010)</i> which is the standard used by DWER in its risk based assessment of these types of proposals. DWER has assessed the proposed development against potential issues of land degradation including, erosion, noise, dust, odour, spray drift, effluent disposal or leaching waste water disposal. Should Council grant approval to the proposed development then conditions requiring the implementation, review and reporting on compliance with the management plan is recommended.</p> <p>Local Planning Policy requirements have been addressed and can be appropriately conditioned.</p> <p><i>The National Environmental Guidelines for Piggeries - Second Edition (2010)</i> is the standard used by DWER and other Government Agencies in their assessment of intensive piggeries. These guidelines include the S Factor Calculation for Odour Modelling.</p> <p>In response to the concerns raised, should Council consider granting approval appropriate conditions will be included such as:</p> <ol style="list-style-type: none"> 1) The Applicant shall prior to commencement of the development, submit (and subsequently adhere to) an Environmental Management Plan, in accordance with the “<i>National Environmental Guidelines for Piggeries – Second Edition</i>” (as amended), to the approval of the Local Government; 2) The Development at all times shall comply with the Works Approval Licence. This is not limited to, but specific mention is made to the management and mitigation strategies applicable to: <ul style="list-style-type: none"> • Wastewater effluent management; • Solid waste management; • Odour management; • Noise management; • Nutrient management; • Groundwater monitoring; • Fire management (internal and external fire risk); and • Environmental monitoring and reporting.

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p><u>4. Objections on the basis of future residential development</u></p> <p>4.1 If the Development Application is approved then it is likely that conditions would be imposed on the future subdivision of Dymocks' Land that lots within the vicinity of the piggery would be the subject of a s.70A or s.165 notification or other form of encumbrance which notifies purchasers that the lots are located within proximity to an operating piggery and are subject to noise or odour. This would obviously negatively impact on the value of Dymocks' Land and would add to the costs of subdivision and on this basis Dymocks object to this Development Application.</p> <p>4.2 Further, when considering the Development Application the Shire must have due regard to (amongst other matters) the following:</p> <p>(a) Shire of Northampton Local Planning Strategy</p> <p>(i) Dymocks' Land and a large proportion of Lot 25 are situated within the Coastal Precinct as defined in the Shire's Local Planning Strategy.</p> <p>(ii) Clause 7.2.2 of the Local Planning Strategy states that the Horrocks Townsite strategy is to promote and support frontal urban growth and urban areas and plan for new urban expansion around the existing edge of the townsite.</p> <p>(iii) One of the actions to be undertaken by the Shire under clause 7.2.2 of the Local Planning Strategy is to provide for limited rural residential development adjacent to the periphery of the urban expansion area of the townsite, without compromising diversified agricultural activities in the rural hinterland.</p>	<p>Odour is assessed by DWER and is generally managed by ensuring there is sufficient separation distance to people nearby (for example residences, town boundaries and schools etc.) relative to the inherent size, local topography and the design of the piggery. Generally, acceptable results (from an environmental perspective) occur when a piggery is located in a remote rural area, well set back from neighbours, on a relatively large land holding and well managed.</p> <p>The Applicant has undertaken a Level 1 Assessment using the S Factor calculation and this calculation has been supported by DWER. This places the separation distances at:</p> <ul style="list-style-type: none"> • 273m – Closest Rural Dwelling; • 356m – Rural Residential (Rural Tourism Enterprise RTE); and • 404m – Horrocks Townsite. <p>Clause 5.8.1 includes Table A.9 which specifies a greater separation distance for rural residential and townsite features than the above calculations, therefore the following separation distances are considered to apply:</p> <ul style="list-style-type: none"> • 273m – Closest Rural Dwelling; • 500m – Rural Residential (RTE); and • 750m – Horrocks Townsite. <p>Based upon the separation distances provided by the odour modelling it is unlikely there will be an odour impact on land within Lot 20 which at its closest point is located 2km from the subject site.</p> <p>The aim of planning for the Coastal Precinct within the <i>Shire of Northampton Local Planning Strategy</i> is quite clearly to support frontal urban expansion around the existing edge of townsites, however, <u>without</u> compromising diversified agricultural activities in the rural hinterland. It is for this reason that the <i>Horrocks Beach Local Planning Strategy</i> expands upon this recommendation and incorporates a gradation of lot sizes to the east, including a rural interface with the existing "General Rural" zone to the east of Lot 27.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p>Dymocks therefore objects to the Development Application on the basis that:</p> <p>(iv) an approval of the proposed piggery would not reflect the planning and policy objectives and actions contained in the Local Planning Strategy; and</p> <p>(v) in particular, the proposed piggery does not promote nor support frontal urban growth and urban areas.</p> <p>(b) Horrocks Beach Local Planning Strategy</p> <p>(i) Dymocks' Land falls within the Horrocks Development Area, being Special Control Area 6 referred to in clause 6.7 of the Scheme. It is therefore subject to the Horrocks Beach Local Planning Strategy.</p> <p>(ii) Lot 25 falls outside of the borders of Special Control Area 6.</p> <p>(iii) The purpose and intent of the Horrocks Development Area is to expand the Horrocks Townsite and protect and enhance the environmental, cultural, recreational and/or scenic values of the area. The strategic vision is to facilitate the expansion of Horrocks and offer a unique range of sustainable housing and holiday choices.</p>	<p>Refer to comments above regarding integration of the recommendations from both Strategies.</p> <p>The rural interface provided within the <i>Horrocks Beach Local Planning Strategy</i> is the proposed <i>Rural Tourism Enterprise</i> precinct. The Strategy proposes two Rural Tourism Enterprise (RTE) precincts within Cell 2. The areas identified for RTE are cleared, peripheral to the main Expansion Area, border onto the broadacre farming lands and are visible to the Northampton - Horrocks Road. The visibility of these lots is due to their location at the highest point along the ridge, noting the proposed intensive piggery is setback to the east of the ridge line at a lower level, therefore reducing its visibility.</p> <p>It is considered that the purpose and intent of SCA6 and the recommendations of the <i>Horrocks Beach Local Planning Strategy</i> are addressed given the proposed development is located outside of the expansion area with adequate separation distances to ensure the long term protection of the receptor and the proposed piggery.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p>(iv) Dymocks' Land falls within Cell 3, being "Expansion Area – South" and provides for living opportunities which include conservation living, bushland living, low density cluster living and mixed residential living.</p> <p>(v) It is therefore clear that the Shire intends that Dymocks' Land is to be used for a variety of residential living choices to improve the long term economic base of the Horrocks Townsite. Dymocks therefore objects to the Development Application on the basis that:</p> <p>(vi) an approval of the proposed piggery would not reflect the planning and policy objectives and actions contained in the Horrocks Beach Local Planning Strategy;</p> <p>(vii) in particular, the proposed piggery will have a negative impact on the future subdivision and development of Dymocks' land; and</p> <p>(viii) further, as Dymocks' Land comprises a substantial area of Special Control Area 6, any negative impact on the development of Dymocks' Land is a proper planning consideration which the Shire should take into account when exercising its discretion based on orderly and proper planning principles.</p>	<p>As part of the risk based assessment undertaken by DWER as part of the Works Approval, the future use and subdivision of land outlined within the <i>Horrocks Beach Local Planning Strategy</i> has been closely examined. Separation distances have been based on the future use of land rather than the existing General Rural zone for land contained within SCA No. 6.</p> <p>Separation distance requirements are generally determined on the basis of limiting the potential of nuisance odours to an acceptable level. Separation distances are used to ensure the long-term protection of the receptor and the piggery enterprise. In this instance the receptor of land within the Special Control Area has been examined in light of the uses contained within the Horrocks Beach Planning Strategy and not its current "General Rural" zone.</p> <p>The proposed development is considered to comply with principles of order and proper planning given that it achieves adequate separation distances to not only the current use of land but the potential use of land for purposes outlined in the <i>Horrocks Beach Local Planning Strategy</i>.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p><u>(c) WAPC State Planning Policy 2.5</u></p> <p>(i) One of the key policy objectives of State Planning Policy 2.5 is to avoid and minimise land use conflicts. In particular, clause 5.12.1 of State Planning Policy 2.5 states that where a development is proposed for a land use that may generate off-site impacts, there should be application of the separation distances used in environmental policy and health guidance.</p> <p>(ii) The introduction of a piggery within a close proximity of a proposed residential area creates a land use conflict as the close proximity of the piggery would likely affect the use of Dymocks' Land as a residential development in accordance with the Horrocks Beach Local Planning Strategy.</p> <p>(iii) Further, clause 5.7 of State Planning Policy 2.5 states that animal premises are generally supported provided rural amenity and environmental impacts can be effectively managed.</p> <p>(iv) In addition, State Planning Policy 2.5 (Rural Planning Guidelines) contains information in clause 10 of those guidelines in relation to preventing and managing impacts in land use conflict and amenity. Appendix 2 of the Guidelines outlines various separation distances that should be employed when planning for a rural use near sensitive land uses. Appendix 2 states that piggeries are to be located between 300m and 5km from sensitive land uses, which shows that there is some discretion in determining separation distances. Because of this discretion, the applicant should be required to provide further information to support their...</p>	<p>The policy objectives of SPP 2.5 are considered to be met given that the separation distances for odour can be achieved and environmental impacts can be effectively managed.</p> <p>Odour is assessed by DWER and is generally managed by ensuring there is sufficient separation distance to people nearby (for example residences, town boundaries and schools etc.) relative to the inherent size, local topography and the design of the piggery. Generally, acceptable results (from an environmental perspective) occur when a piggery is located in a remote rural area, well set back from neighbours, on a relatively large land holding and well managed.</p> <p>The Applicant has undertaken a Level 1 Assessment using the S Factor calculation and this calculation has been supported by DWER. This places the separation distances at:</p> <ul style="list-style-type: none"> • 273m – Closest Rural Dwelling; • 356m – Rural Residential (Rural Tourism Enterprise RTE); and • 404m – Horrocks Townsite. <p>Clause 5.8.1 includes Table A.9 which specifies a greater separation distance for rural residential and townsite features than the above calculations, therefore the following separation distances are considered to apply:</p> <ul style="list-style-type: none"> • 273m – Closest Rural Dwelling; • 500m – Rural Residential (RTE); and • 750m – Horrocks Townsite. <p>Separation distance requirements are generally determined on the basis of limiting the potential of nuisance odours to an acceptable level. Separation distances are used to ensure the long-term protection of the receptor and the piggery enterprise.</p> <p>In reference to the separation distances contained within these SPP2.5, it is noted that the <i>National Environmental Guidelines for Piggeries (2010)</i> is the principal document used by DWER to inform decision making in terms of assessing appropriate separate distances. The application is considered to have addressed this matter adequately.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p><u>4(c) WAPC State Planning Policy 2.5 (continued)</u> position that the buffers proposed in the Development Application are sufficient (I note that the Development Application simply refers to “buffer distances set out in guide lines” but doesn’t attach the guidelines nor a reference to what guidelines have been used).</p> <p>Dymocks therefore objects to the Development Application on the basis that: (v) the Applicant has neither demonstrated effective management of the rural amenity and environmental impacts nor provided any submissions or reports on how the proposed piggery will impact on the Horrocks Beach Local Planning Strategy and in particular Dymocks’ Land, including evidence that the proposed buffer is sufficient given the context of the future use of Dymocks’, and the neighbouring, land.</p>	<p>Environmental impacts associated with the proposed intensive piggery have been thoroughly assessed by DWER as part of their Works Approval process. However, should Council consider approving the proposed development then conditions will be included that require the preparation, implementation, review and monitoring of an Environmental Management Plan.</p> <p>Refer to comments above regarding separation distances and effective management of rural amenity and environmental impacts.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
16.	Mills Oakley for Dymocks Holdings Pty Ltd (continued)	Lot 20 Horrocks Road, Horrocks	<p>5. Other factors</p> <p>5.1 In view of the obligations on the Shire to consider:</p> <p>(a) the aims and provisions of the Scheme;</p> <p>(b) the relationship of the proposed development on adjoining land or on other land in the locality including the likely effect of appearance of the proposal; and</p> <p>(c) the potential loss of any community service or benefit resulting from the planning approval.</p> <p>5.2 Dymocks objects to the Development Application on the basis that:</p> <p>(a) the proposed piggery is visible from Horrocks Road, which is the main road leading into Horrocks, and may affect tourism and investment in the townsite and therefore loss of community service or benefit; and</p> <p>(b) the overall detriments in approving the piggery would significantly outweigh the benefits.</p>	<p>The proposed development is considered to meet the aims and provisions of the LPS No. 10.</p> <p>The relationship of the proposed development on adjoining land is considered to be addressed through the application of appropriate separation distances to rural dwellings, future use of land for rural-residential purposes and the townsite of Horrocks.</p> <p>The visibility of the proposed development from Horrocks Road is minimal, however, can be addressed through a condition requiring vegetation screening along the southern boundary of the site.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
17.	Department of Water received 3/8/17	None provided	<p>Objection</p> <ul style="list-style-type: none"> - The Department (Regulatory Services (Water)) is not supportive of the current proposal due to moderate to high risk of nutrient movement into the Bowes River and the westerly wetland sequence. - Nutrient and Waste Management: The proposal is outside of the public water supply catchments and Public Drinking Water Source Area. The proposed site is on the edge of a southerly flowing drainage line. The bedrock is shallow with a thin veneer of residual sand located approximately 10m or less below ground level and will have minimal ability to lock up nutrients. Nutrients would move in a southerly direction with discharge into the Bowes River located approximately 3km south, southeast of the nominated piggery. - Waste Water and Stormwater Management: The use of clay lined ponds for the effluent storage is not considered appropriate as these structures may be prone to cracking and leaking with the variable rainfall / dry conditions. While rainfall is minimal in the area, stormwater management considerations should be included in the proposal. 	<p>Dismissed - concerns addressed through additional requirements and conditions of development approval.</p> <p>Groundwater is considered by DWER in its assessment of applications and is generally managed by ensuring there are physical barriers to ensure that wastes are collected, drained and treated in structures that are impermeable, rather than seeping into the ground. That is, pens, drains and ponds etc, need to have liners or engineered structures to detailed engineering specifications.</p> <p>Surface waters are considered by DWER in its assessment of applications and they are generally protected by ensuring that there is a controlled drainage system that collects all surface waters (including storm water) that may contain animal wastes. The size of ponds are checked against rainfall and evaporation patterns to ensure that there is sufficient storage for winter rainfall and extreme rainfall events.</p> <p>Manure application is assessed by DWER and generally managed to ensure that the application rate of nutrient in manure is equivalent to the uptake rate of crops or pasture on the land to which manure was applied. Manure application is also controlled to ensure that it is only applied to appropriate areas and set back sufficiently from creeks and surface water drainage lines to ensure that manure is not mobilised to nearby waterways.</p> <p>DWER have not raised any concern regarding the use of clay lined ponds for effluent storage given that they need to have liners or be appropriately managed under the Works Approval.</p> <p>All of these abovementioned environmental matters are thoroughly considered by DWER and detailed in a report (a Decision Report) that accompanies the decisions made on the works approval and licence applications. Conditions may be attached to any works approval or licence that is granted dealing with the matters mentioned above.</p>

Shire of Northampton
LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY
PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY
SCHEDULE OF SUBMISSIONS

No	Submitter	Property Address	Submission Detail	Comment/Recommendation
17.	Department of Water received 3/8/17 Continued	None provided	<p>- Groundwater Licencing and Water Use: The proposal estimates approximately 20,000 L of fluid per week to flow to the evaporation dams. The proposal has no assessment of sustainable water yield, use and requirements. There has been no contact with this department regarding enquiries for licencing water use.</p> <p>- Conclusion: Based on the proposal and supporting documents, effective water and waste management will be required to minimise the project’s environmental impact. The Department recommends an environmental management plan should be prepared to assess the risk to and protection of the Bowes River and surrounding environment from proposed works and the proponent contact the Department regarding proposed groundwater availability, use and licencing.</p>	<p>The Applicant has made contact with Water Regulation regarding licencing water use. The relevant officers have subsequently noted this in follow up emails.</p> <p>It is considered the issues raised by the previous Department of Water will be adequately managed through the assessment and issuing of the works approval by DWER. However, in response to the concerns raised, should Council consider granting approval appropriate conditions will be included such as:</p> <ol style="list-style-type: none"> 3) The Applicant shall prior to commencement of the development, submit (and subsequently adhere to) an Environmental Management Plan, in accordance with the “National Environmental Guidelines for Piggeries – Second Edition” (as amended), to the approval of the Local Government; 4) The Development at all times shall comply with the Works Approval Licence. This is not limited to, but specific mention is made to the management and mitigation strategies applicable to: <ul style="list-style-type: none"> • Wastewater effluent management; • Solid waste management; • Odour management; • Noise management; • Nutriment management; • Groundwater monitoring; • Fire management (internal and external fire risk); and • Environmental monitoring and reporting.

6.3.2 SHIRE OF NORTHAMPTON - DRAFT COASTAL MANAGEMENT STRATEGY - CONCLUSION OF PUBLIC ADVERTISING & FINAL ADOPTION

FILE REFERENCE:	10.4.5.1
DATE OF REPORT:	7 September 2017
REPORTING OFFICER:	Debbie Carson/Hayley Williams
RESPONSIBLE OFFICER:	Hayley Williams/Garry Keefe
APPENDICES:	
1.	Study area of the draft Coastal Management Strategy
2.	Schedule of submissions
3.	Submission from YMAC

AUTHORITY / DISCRETION:

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:

The draft Coastal Management Strategy (CMS) was publicly advertised from Friday 23rd June until Friday 4 August, 2017, being a period of six weeks (42 days). At the conclusion of advertising a total of 16 submissions were received.

This report recommends that Council adopt the Coastal Management Strategy including the recommendations made in **Appendix 2 – Schedule of Submissions** and that it be formally adopted as a Local Planning Policy under Local Planning Scheme No. 10.

BACKGROUND:

The Shire of Northampton is committed to the protection and management of the coastal areas and foreshore reserves within its jurisdiction, in recognition of the significant values that coastal foreshores possess for the local and regional community.

The existing Shire of *Northampton Coastal Strategy* was completed in 2006 and much of its contents was outdated and required review so that it could again be a useful guiding document for Council planning.

The new draft Coastal Management Strategy has been finalised to provide guidance for the management of the foreshore areas within the designated study areas between Wagoe (north) and Oakabella Creek (south), and excluding the coastal areas included in the Horrocks Coastal Management Strategy (Little Bay to Bowes River Mouth). This Study Area is shown upon the map attached at **Appendix 1**.

The main objective of this project was to review the existing Coastal Management Strategy and prepare a new Coastal Management Strategy, for adoption by the Northampton Shire Council, to guide Council's planning and management decisions relating to the relevant coastal areas.

The draft Coastal Management Strategy identifies the specific actions needed, and the responsibilities of each action, to ensure the assets and values identified by the community and stakeholders are secured for the long term.

COMMUNITY & GOVERNMENT CONSULTATION:

The draft Coastal Management Strategy was advertised for public comment for six weeks commencing the 23rd June and closing on the 4th August 2017.

A notice was placed in the local newspaper and copies of the draft strategy were placed at the Northampton and Kalbarri Offices. The Strategy was also available on the Shire's website.

Prior to formal advertising, two community workshops were also held in both Horrocks and Port Gregory in November 2016 at the Horrocks Community Centre and the Port Gregory Community Hall. These were attended by a range of community stakeholders. Attendees were invited to these forums by way of public advertising and targeted invitations. The forums aimed to identify community values, issues and objectives associated with the use of the coast.

A community survey and Facebook page were also used as tools to engage the community and identify values and issues, which were then presented and given further considered by a steering group of key coastal stakeholders.

As part of the formal advertising period, Government and service agencies were sent letters, requesting their consideration and comment.

These agencies included:

- Department of Planning;
- The Water Corporation;
- Western Power;
- Department of Fire and Emergency Services;
- Department of Regional Development and Lands;
- Department of Indigenous Affairs;
- Yamatji Marlpa Aboriginal Corporation;
- Department of Aboriginal Affairs;
- Department of Water;
- Department of Parks and Wildlife;
- Telstra;
- Department of Mines and Petroleum;
- Alinta Energy;
- Northern Agricultural Catchments Council;
- Department of Fisheries;
- Department of Sport and Recreation;
- Department of State Development;
- Mid West Development Commission;
- Westnet Energy;
- Department of Health;
- State Heritage Office;
- Main Roads WA;
- Department of Transport;
- Tourism WA; and
- Department of Agriculture and Food.

Letters were also sent to those participants who attended the Community Meetings and Steering Committee, as well as a range of coastal stakeholder groups, regarding the draft Strategy, seeking their further feedback and comments.

The attached Schedule (refer **Appendix 2**) addresses the submissions in the context of issues raised by the respondents, and the Comments section of this report provides a summary of the key issues raised during the public advertising period.

FINANCIAL & BUDGET IMPLICATIONS:

Land Insights are undertaking their work within the approved budget amount of \$60,000 excluding GST.

STATUTORY IMPLICATIONS:

State: Planning and Development Act

State Planning Policy 2.6: State Coastal Planning Policy (2013)

Local: Local Planning Scheme No. 10 – Northampton District

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Strategy 2009

It is proposed that the Coastal Management Strategy be adopted under Local Planning Scheme No. 10 as a Local Planning Policy so that it is afforded a higher level of authority in the decision making processes of Council.

STRATEGIC IMPLICATIONS:

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

The Plan for the Future contains a number of key imperatives that are reflected in the preparation of the draft Coastal Management Strategy. These are:

- Provide environmental leadership throughout the Shire;
- Better protection of coastal Precincts/areas;
- A comprehensive strategy identifying sealed and un-sealed roads, footpaths and improving parking facilities across the Shire;
- Increased recognition of Indigenous and European Heritage; and
- Improved community recreational facilities.

COMMENT:

Included as **Appendix 2** of this report is a detailed Schedule of Submissions, which includes all the submissions received along with a discussion for each point made.

The key issues that came out of the public advertising period were:

- A request to formally include the Hutt Lagoon within the CMS Study Area, and recommendations relating to the protection of migratory birds (request included in CMS)

- Inclusion of a recommendation to prepare risk assessment and management plans for key coastal areas (request included in CMS);
- Request for the restriction of access to coastlines to protect habitat for migratory shorebirds (request dismissed - due to fragmented tenure and management/enforcement issues);
- A request to include the requirement for Aboriginal Heritage Surveys for any ground disturbing works within study area (request modified - inclusion of a requirement to adhere to Aboriginal Heritage Due Diligence Guidelines);
- Extension of a draft recommendation (Halfway/Lucky Bay) to involve traditional landowners through the issue of a formal management order to traditional landowners for management/co-management (request modified - co-management of coastal sites may be appropriate in instances where the management is intended to be of an intensive and multi-dimensional nature).

Please refer to **Appendix 2** for further discussion relating to each of the above.

The draft CMS document will be added to Council's Dropbox for their consideration as soon as final modifications have been made by the consultant. The final draft will also be uploaded to the Shire's website as soon as it becomes available to Council.

VOTING REQUIREMENT:

Absolute Majority Required: No.

CONCLUSION:

It is recommended that Council adopt the draft Coastal Management Strategy together, with the recommended changes discussed within the Schedule of Submissions Table (**Appendix 2**).

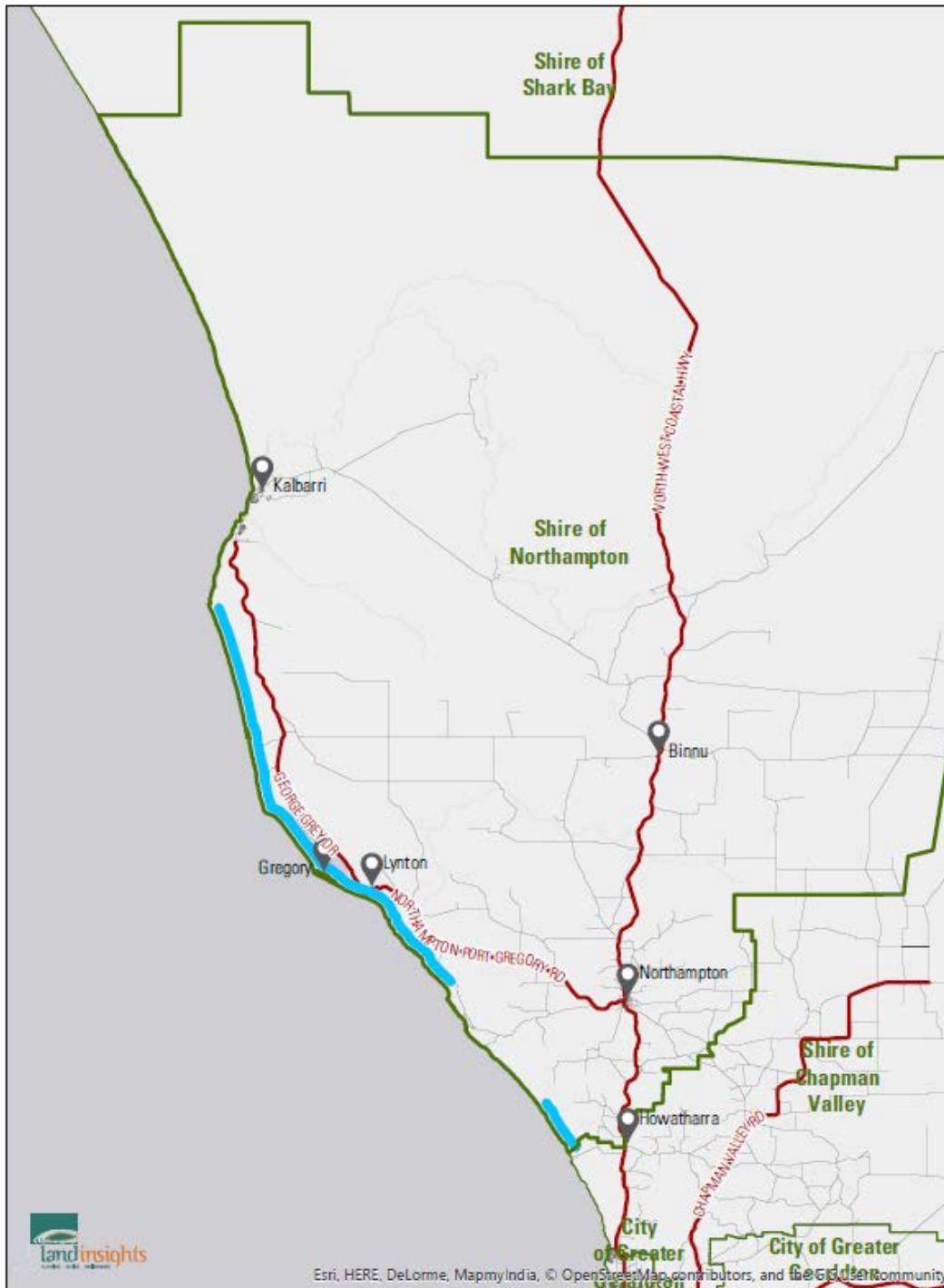
OFFICER RECOMMENDATION – ITEM 6.3.2

FINAL ADOPTION

That Council:

- 1. Endorses the Coastal Management Strategy (Final September 2017) subject to the recommended amendments included within the Schedule of Submissions Table attached as Appendix 2 to the Town Planning Report 15 September 2017; and**
- 2. Adopt the Coastal Management Strategy (Final September 2017) as a Local Planning Policy under Local Planning Scheme No. 10.**

APPENDIX 1. STUDY AREA OF THE COASTAL MANAGEMENT STRATEGY



- ▬ Shire of Northampton Boundary
- ▬ State Road
- ▬ Other Local Governments
- ▬ Local Road
- ▬ Extent of Coastal Management Strategy
- 📍 Coastal Townsite



APPENDIX 2. SCHEDULE OF SUBMISSIONS

No	Submitter	Affected Property Address	Submission Detail	Comment/Recommendation
1.	Dept of Transport	None provided	<p>A site visit conducted by DoT on 25/11/2011 reported community members stating usage of 5-10 vessels during peak season of the facility at Port Gregory.</p> <ul style="list-style-type: none"> - Recommends that the jetty be assessed for usage and demand for the facility. - If demand is ascertained, then a study might be conducted of the feasibility of: <ol style="list-style-type: none"> 1. Extending the jetty; or 2. Placing a pontoon; or 3. Excavating/dredging around the jetty to restore 1980 beach alignment - Action Item 16 for Port Gregory- believes this should be a Shire responsibility 	<p>Noted.</p> <p>Modifications have been to the draft strategy to include a recommendation to investigate feasibility of extending the jetty or placing a pontoon at Port Gregory jetty to facilitate refueling. It is considered, upon advice of consultant coastal engineer, that recommendations for localised excavation/dredging around the jetty have been avoided due to the assumed rate of rapid infill on this type of foreshore.</p> <p>Shire of Northampton has been added as a responsible party for action item PG16.</p>
2.	Department of Planning, Lands and Heritage (Heritage Support Services)	None provided	<ul style="list-style-type: none"> - Requests an expansion of text from 'areas of historic value' to areas of historic value and places of cultural heritage significance'. - Note distinction between 'Aboriginal cultural heritage sites' and 'historic heritage places' - correct references to heritage departments and statutory authorities -incorrect references to state heritage register places <p>Support the recommendation to undertake a heritage and archaeological assessment of Pakington Whaling Station, and recommend that if it is found to have significant local values that</p>	<p>Noted. Relevant sections of the text have been updated to address these required modifications.</p>

SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

			<p>it is adopted in the Shire's Municipal Inventory.</p> <ul style="list-style-type: none"> - support proposals to include historic and interpretive signage information - requests references to the SPP 3.5 and the Burra Charter to guide decision making for historic heritage places - Replace references to 'European' heritage with 'historic' 	
3.	Department of Health	None provided	<ul style="list-style-type: none"> - A Risk Assessment of each of the respective areas should be incorporated into the Strategy including issues such as access, disaster preparedness, emergency shelters and recovery. - Additional signage should also be provided indicating proximity to further facilities. - Provided further resource links relating to environmental health risk assessments and coastal management 	Noted. A further recommendation has been added in relation to risk management, assessment and signage to the Strategy.
4.	Department of Mines, Industry Regulation and Safety	None provided	<ul style="list-style-type: none"> - Proposal raised no significant issues 	Noted.
5.	G&J Poett	3530 Port Gregory Rd, Yallabatharra	<ul style="list-style-type: none"> - Happy to allow beach access through private property - Will close off one entry track but retain others - Will continue to manage reserve where no camping is allowed - Lynton Heritage Site to be maintained as a tourist attraction 	Noted.
6.	Dampier Bunbury Pipeline	None provided	<ul style="list-style-type: none"> - No objection to the Strategy. The DBNGP corridor is outside of the study area. 	Noted.
7.	Department of Planning, Lands and Heritage (Regional Planning	None provided	<ul style="list-style-type: none"> - Require acknowledgement of funding granted (Northern Planning Program) - More discernment between draft CMS study 	Noted. Modifications in line with these recommended changes have been made within the Strategy's contents.

SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

	Division)		<p>area and existing coastal strategy areas for Horrocks and Kalbarri recommended.</p> <ul style="list-style-type: none"> - Full name references to the Local Planning Scheme should be made throughout Strategy contents - some further minor wording changes and inclusions -consider Coastal Hazard Risk Management and Adaptation Plan for all settlement areas - recommendation and actions should be integrated with the review of the Local Planning Strategy - Department name references to be updated 	
8.	Department of Primary Industries and Regional Development	None provided	<ul style="list-style-type: none"> - Where coastal development is proposed, buffer zones are established to protect any dune formations which are significant in contributing sand directly into coastal processes -Department name reference to be updated. 	Noted. Coastal development affecting dune formations is not proposed in this CMS, however, where coastal developments do arise (and a buffer zone might be required), proposals would be referred to the Department for their consideration and comment.
9.	Department of Biodiversity, Conservation and Attractions (Parks and Wildlife Service)	None provided	<ul style="list-style-type: none"> - Department name reference to be updated. - The Strategy does not designate any of the coastline as vehicle free and no discussion is provided on protecting habitat for migratory shorebirds -Suggests the strategy considers ways to better protect migratory shorebirds from human disturbance -Inclusion of Hutt Lagoon in study area as it is important for migratory birds -Addition of specific objective to rehabilitate degraded areas and eroded sand dunes - Allocation of protected areas for safe 	<p>Noted. Applicable changes made within Strategy contents.</p> <p>Restricting access to coastlines is considered to be difficult given the fragmented nature of tenure along the coastline as well as being extremely difficult to manage and enforce. Closing unnecessary duplicate tracks has been addressed within the strategy.</p> <p>Hutt Lagoon, references to migratory birds, and a recommendation for the preparation of a minor day-use plan, has been added to the strategy.</p>

SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

			<p>breeding/feeding of protected species.</p> <ul style="list-style-type: none"> - References to bringing your own firewood for camping sites - Signage to encourage responsible camping - Development of plan to rehabilitate degraded areas 	
10.	Department of Lands	None provided	<ul style="list-style-type: none"> - Clarification that the Department has issued a license (not a lease) to Wagoie Quad Bikes to operate upon Reserve 35206. 	Noted. Strategy amended to correct this error
11.	Main Roads WA	None provided	<ul style="list-style-type: none"> - Supports the future recommendations including action numbers HR3, HR4 and comments on page 34 relating to Hutt River mouth access. 	Noted.
12.	Western Power	None provided	<ul style="list-style-type: none"> - Proposed work is near electrical installations and power lines. Information provided to guide any development in Danger Zones or working near electrical infrastructure. 	Noted.
13.	ATCO Gas Australia	None provided	<ul style="list-style-type: none"> - ATCO do not have or operate any gas assets or gas infrastructure in the study area. 	Noted.
14.	Telstra	None provided	<ul style="list-style-type: none"> - No objection 	Noted.
15.	Megan Healy, Yamatji Marlpa Aboriginal Corporation	None provided	<ul style="list-style-type: none"> - Supports the objectives of the strategy to increase control and management of coastal areas <u>Protection of Aboriginal heritage through heritage surveys</u> - Expects that a physical Aboriginal Heritage Survey will occur over any parts of the study area where ground disturbing works are proposed. Surveys would include claimants, archaeologist and/or anthropologist and attendees from the entity to determine if there are any Aboriginal sites in the vicinity of the 	<p>Noted.</p> <p>Addressed below.</p>

SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

			<p>area</p> <ul style="list-style-type: none"> - Clarification of the difference between a physical survey and a desktop study (with the latter being a review of written material that does not typically involve any physical entering upon the relevant land). -Reliance on a desktop study risks a breach of section 17 of the AHA. -Claimants and YMAC consider that the desktop study of the Lucky Bay camping area was therefore inadequate. <p><u>Protection of Aboriginal heritage through possible Traditional Owner management or co-management</u></p> <ul style="list-style-type: none"> - Claimants have aspirations to be further involved in management of their traditional country, and claimants are considering the establishment of a management order, and sourcing funding options, should they be able to manage this area. <p>Specific recommendations made:</p> <p>1. The CMS should include additional references to Aboriginal heritage sites and include a requirement for heritage surveys (suggested textual changes have been detailed within the YMAC submission, which has been included in full as Appendix 3 of this report for Council information)</p>	<p>Addressed below.</p> <p>1. It is considered that the advice received from the Department of Planning, Land and Heritage - Aboriginal Heritage Directorate (submission 16 of the table below), with regard to giving consideration to the Aboriginal Heritage Due Diligence Guidelines, is more appropriate than applying a blanket requirement for heritage surveys to be undertaken for any ground disturbing works. These Due Diligence Guidelines provide a comprehensive process to follow for various land activities and types of sites (including undertaking</p>
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SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

			<p>- Inclusion of wording relating to the issuance of a formal management order to traditional landowners, as well as exploration of co-management options with native-title claimants for Lucky Bay.</p>	<p>heritage surveys where appropriate), and the strategy has therefore been modified to include references to the Aboriginal Heritage Due Diligence Guidelines. These Guidelines can be accessed online via the webpage www.daa.wa.gov.au/globalassets/pdf-files/ddg</p> <p>With regard to joint management, it is considered that the claimants and YMAC envisage a form of management that goes considerably beyond what is feasible for the Shire. The Shire has established certain very limited facilities, setting out more clearly and formally the camping area footprint on the ground where camping activities are permitted. This has been done in order to protect the environment from further degradation. The limited resources which the Shire has to attend to the ongoing management of the area in question would essentially be directed to keeping camping within those bounds and monitoring and maintaining the limited facilities that are now in situ. In doing this, the Shire would be attempting to meet, with limited resources, a challenge that is typical of the challenges that some country local governments face with coastal areas that have historically been subject to ad hoc camping.</p> <p>In this task, it is the Shire's belief that local governments alone have the skills and resources to deliver these outcomes. Joint management with traditional owners may be appropriate in instances where the management is intended to be of a more intensive and</p>
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SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

			<p>2. Information (page 15) be amended to include further details about procedural obligations under the Native Title Act 1993 (Cth).</p> <p>3. Factual correction regarding Native Title Claim Groups</p>	<p>multi-dimensional nature.</p> <p>Other wording changes have been updated within the strategy, as requested by the submitter.</p> <p>Page 15 (Section 1.6) of the strategy is the Introductory section, which introduces the context of the strategy. Therefore, it is considered that details relating to specific procedural obligations are not applicable within this section of the strategy. However, an additional notation to Native Title procedural requirements has been added to Section 10.7 of the strategy to address this request.</p> <p>Noted and updated in the Strategy.</p>
16.	Department of Planning, Lands and Heritage (Aboriginal Heritage Directorate)	None provided	<ul style="list-style-type: none"> - The study area intersects twelve Aboriginal sites and nine lodged heritage places. Information on a further Aboriginal heritage place has been lodged but is yet to be assessed. - Unreported places may also exist within the study area. -The reported information for some places may not allow accurate mapping on the AHIS, and as such these places are classified as having an unreliable boundary. - Department name reference to be updated. - Supports the liaison with Aboriginal representatives through the Yamatji Marlpa 	Noted.

SHIRE OF NORTHAMPTON
TOWN PLANNING REPORT – 15 SEPTEMBER 2017

			<p>Aboriginal Corporation where management strategies involve Aboriginal heritage.</p> <ul style="list-style-type: none"> - Recommends that developers undertaking activities within the study area take into consideration the DPLH's Aboriginal Heritage Due Diligence Guidelines to assist in the identification of risks to Aboriginal heritage and to mitigate risk where heritage sites may be present. 	<p>Inclusion of references and recommendations referring to these Due Diligence Guidelines has been included within the strategy. These Guidelines aim to guide the assessment of risk to Aboriginal heritage and outlines the appropriate steps to avoid damage to Aboriginal sites.</p>
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APPENDIX 3. YMAC SUBMISSION

Ref: 10.4.51
Attention: Planning Department



SUBMISSION FORM

**SHIRE OF NORTHAMPTON
DRAFT COASTAL MANAGEMENT STRATEGY**

Name: Ms Megan Healy, Yamatji Maripa Aboriginal Corporation

Postal Address: Level 8, 12-14 The Esplanade, PERTH WA 6000

Address of Affected Property (if applicable):

SUBMISSION:

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) –

1. General Comments

The *Draft Coastal Management Strategy (CMS)* identifies a number of issues relating to Aboriginal cultural heritage, native title and the need to increase involvement of native title claimants in coastal management moving forward. We commend Land Insights and the Shire of Northampton (**Shire**) for its identification and coverage of these issues.

Further, it is positive that the objectives of the CMS generally seek to increase control and management of coastal areas, to ensure that land uses are sustainable and to protect the coast into the future. Like other stakeholders, Hutt River claimants (**Claimants**) wish to protect this unique coastal environment.

We proposed amendments to the CMS in this document that seek to add clarity with respect to Aboriginal heritage and native title matters.

2. Aboriginal Cultural Heritage

a. Protection of Aboriginal heritage through heritage surveys

The coastal strip within the study area is particularly culturally significant to Claimants.

Both Claimants and Yamatji Maripa Aboriginal Corporation (**YMAC**) expect that a physical Aboriginal heritage survey will occur over *any* parts of the study area (and within the Shire's

boundary generally) where ground disturbing works are proposed. This is the industry standard with which almost all private companies and government departments meet. Surveys of this nature involve Claimants, an archaeologist and/or anthropologist and attendees from the entity entering onto the proposed works area to determine if there are any Aboriginal sites in the vicinity of the area and if so, how the works could be done to avoid sites. If archaeological sites are identified and can be salvaged prior to the works commencing, this option can also be explored through the heritage survey process.

To be clear, a physical survey is not the same as a desktop study. A desktop study is simply a review of written material which refers to Aboriginal heritage sites known to exist; it does not involve any physical entering upon the relevant land. As a desktop study will often only consider Aboriginal sites registered with the Department of Aboriginal Affairs, it may not capture sites that are unregistered but still covered by the *Aboriginal Heritage Act 1972 (WA) (AHA)*. Reliance on a desktop study risks a breach of section 17 of the AHA. It is for these reasons that Claimants and YMAC consider that the desktop study of the Lucky Bay eco-camping node area was inadequate. We note that this is consistent with other public feedback received; a comment made at a public meeting at the Shire was that the survey was 'not comprehensive enough' (referred to on page 23, CMS).

Further, conducting Aboriginal surveys before allowing works to take place in the study area will improve the relationship between Claimants and other stakeholders. This is because Claimants will be made aware of the nature of proposed activities through the heritage survey process, which includes prior notification. This in turn will likely lead to increased Claimant involvement in coastal management. We note that aspiration is consistent with Objective 7 of the CMS, page 95's reference to considering the aspirations and needs of Indigenous people for managing sea country (page 95) and action item G20 (page 50).

b. Protection of Aboriginal heritage through possible Traditional Owner management or co-management

Claimants have aspirations to be further involved in management of their traditional country. On 21 July 2017, Claimants met with representatives of the Shire. At this meeting, the Shire proposed that Claimants could themselves take management of the Lucky Bay camping nodes area situated on R35206. This was proposed as an alternative to Department of Planning, Lands and Heritage (DPLH) issuing a management order over a portion of R35206 to the Shire (as referred to in the CMS on page 25). We understand that the Shire has concerns with the costs of managing this area of R35206, therefore Claimant management could be a solution amenable to Claimants, the Shire, DPLH and Department of Parks and Wildlife.

Claimants are currently considering establishment of a management order and sourcing funding options, should it be able to manage this area.

Recommendation 1 - The CMS should include additional references to Aboriginal heritage sites and the need for heritage surveys which we suggest could be done as follows:

- Page 15:

Historic Sites

Consideration of heritage assets and values within the area. Coastal management will need to have regard for the ethnographic and archaeological sites identified by the DAA and Heritage WA. Registered Aboriginal Heritage Sites have been identified at Wago, Lucky Bay, Hutt River Mouth, and Woolawar Gully. There may be other non-registered Aboriginal Heritage Sites in the area which could be identified through an Aboriginal heritage survey.

- Page 23:

A search was undertaken of the Aboriginal Heritage Sites database which identified two Registered Sites within Sector 1. The first is Wagoie Farm Burial (ID6750) located near Wagoie and the second is Lucky Bay (ID4647) located inland from Lucky Bay, both are artefacts/scatter, skeletal material/burial. Three Other Heritage Sites are listed in the database. These are Balline 1 (ID29011), Balline 2 (ID29012) and Balline Isolated Artefacts (ID29013) which are artefacts/scatter and all located near Lucky Bay. *There may be other non-registered Aboriginal Heritage Sites in the area which could be identified through an Aboriginal heritage survey.*

...

The following comments were gathered from the community meetings held at the Shire:

- Concerns about how the site will be managed by the new caretaker, especially during peak periods, and especially considering there are a number of access tracks that lead from the road into the site (i.e. there are many ways to get to the site)
- Visitors also camp elsewhere in the dunes
- Aboriginal Heritage *Study of Lucky Bay* – considered to not be comprehensive enough *as it did not involve a physical Aboriginal heritage survey.*
- Ensure that leasees keep their areas tidy and clean.

- Page 25

A caretaker has been appointed to help manage the area. A Management Plan should be prepared for Halfway and Lucky Bay (i.e. areas currently or soon to be under the management of the Shire or *another management body*) to set out the roles and responsibilities of the caretaker, as well as actions required to manage the area including rubbish bins, facilities, signage, access management and revegetation.

...

The Shire has requested vesting of a portion of R35206 for controlling camping nodes, but this only extends to just north of Lucky Bay, and does not extend to National Park boundary. *If the Shire does not itself pursue management of this proposed area, management by the native title claimants, or co-management with them, could be explored.*

- Page 26

The Shire should maintain effective communication with all community and stakeholders including traditional landowners, shack owners and the broader community who use the area. Consultation with traditional landowners *about protection of Aboriginal cultural heritage* is particularly important given the heritage values of the area and the occurrence of UCL which is subject to Native Title claim.

- Page 28

HB8

Liaise and consult with traditional landowners with regards to use and management of the area. Involve traditional landowners in the ongoing use and management of the area, including for instance protection of heritage and ethnographic sites, promoting youth land care programs and active management of the area *through the issue of a formal management order to traditional landowners.*

- Page 42

A number of Aboriginal and European heritage sites are located within the general area. Three Registered Aboriginal sites are located in the area (Lynton Station (4491), Graves (4732) and Hu't River (5672)) which are artefacts and scatter. *There may be other non-registered Aboriginal Heritage Sites in the area which could be identified through an Aboriginal heritage survey.*

- Page 69:

Lucky Bay

Concerns about how the site will be managed by the new caretaker, especially during peak periods, and especially considering a number of access tracks that lead from the road into the site (i.e. there are many ways to get to the site)

- *Visitors also camp elsewhere in the dunes*
- *Aboriginal Heritage Study of Lucky Bay- considered to not be comprehensive enough as it did not involve a physical Aboriginal heritage survey.*

Please note that the text in red is suggested wording only.

3. Native Title

The *Native Title Act 1993* (Cth) affords procedural rights to claimants who have a native title claim registered with the National Native Title Tribunal.

Native title may exist on areas where it has not been previously extinguished. This may include (but is not limited to) unallocated crown land, pastoral leases and reserves that have not been vested. In any instance where the Shire or any other entity seeks to do an act or activity on land where native title may exist, obligations under the NTA are triggered. This means that the entity wanting to do the act must ensure that it follows the correct procedural provisions of the NTA. The applicable procedure depends on the type of act being done, ranging from an obligation to notify the registered native title claimants of the act, to an obligation to negotiate in good faith in relation to the act (referred to as the 'Right to Negotiate'). The Right to Negotiate normally involves meetings between the registered native title claimants and entity doing the act to negotiate an agreement about proposed act.

Given the complexities in this area of law, we consider that the CMS should emphasise the need for the Shire to carry out a native title assessment before it commences any activities in parts of the study area where native title may exist.

Finally, page 95 of the CMS says:

'There have previously been four registered native title claims within the study area including the Hutt River, Naaguja Peoples and Amangu claim (represented by the YMAC) and the Mullewa-Wadjari claim. Recently, these claims have been merged into one, the Hutt River Claim Group'.

This statement is not quite correct; the reason that Hutt River is now the only native title claim within the study area is because other claims' boundaries have changed.

Recommendation 2 - We propose that page 15 be amended as follows to include further details about procedural obligations under the Native Title Act 1993 (Cth):

1.6 IMPLEMENTATION

Tenure along the study area is a mixture of freehold, Unallocated Crown Land (UCL) and reserves. This makes it difficult to achieve cohesive and effective coastal management unless all land managers are in agreement as to how areas are to be managed.

In order to overcome this issue, the preparation of this report has included a comprehensive consultation process with landowners, stakeholders and the community and responsibilities have been noted against each action. The CMS needs to be led by the Shire, however it is recognised that the fragmented ownership can make that difficult. As such, the Shire should focus its attention on the key areas under its control in the immediate term.

In addition to this the Shire can continue dialogue with private landowners and traditional landowners who have some responsibility for coastal management to make sure that their effort is acknowledged and supported by the Shire. To that end, the Shire should ensure that it has capacity to do comprehensive native title assessments with respect to any of its proposed acts or activities on land where native title may exist. This assessment should be done at the beginning of its planning process and may require a specialised officer trained in native title, or seeking professional advice as required.

Implementation of the Strategy is discussed in more detail in Chapter 6.

Recommendation 3 - We propose the following factual correction to page 95 be made:

There were previously other registered native title claims within the study area, however, following changes to native title claim boundaries in the region, the Hutt River Claim Group is now the only native title claim group with a registered claim within the study area.

Signature: _____



Date: _____

2 August 2017

Please return to:

Chief Executive Officer
Shire of Northampton
PO Box 61
NORTHAMPTON WA 6535

Submissions Close: 4:00pm Friday 4th August 2017

6.3.3 SUMMARY OF PLANNING INFORMATION ITEMS

DATE OF REPORT: 6 September 2017
REPORTING OFFICER: Hayley Williams - Principal Planner, Deb Carson - Planning Officer

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
045	Daniel Bowler	LOT 225 (NO. 6) WAITZIA WAY, KALBARRI	PROPOSED PATIO	29 August 2017
046	Whelans Town Planning	LOT 10792 GEORGE GREY DRIVE, KALBARRI	PROPOSED SOLAR THERMAL POWER STATION	2 August 2017 - DEEMED REFUSAL
047	P Tupman	LOT 9 (NO.18) MITCHELL STREET, HORROCKS	PROPOSED RETAINING WALL AND STAIRS	31 August 2017

OFFICER RECOMMENDATION – ITEM 6.3.3

For Council Information

6.4.1	ACCOUNTS FOR PAYMENT	2
6.4.2	MONTHLY FINANCIAL STATEMENTS – AUGUST 2017	13

6.4.1 ACCOUNTS FOR PAYMENT

FILE REFERENCE:	1.1.1
DATE OF REPORT:	7 September 2017
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Leanne Rowe/Grant Middleton
APPENDICES:	1. List of Accounts

SUMMARY

Council to authorise the payments as presented.

BACKGROUND:

A list of payments submitted to Council on 15th September 2017, for confirmation in respect of accounts already paid or for the authority to those unpaid.

FINANCIAL & BUDGET IMPLICATIONS:

A list of payments is required to be presented to Council as per section 13 of the Local Government Act (Financial Management Regulations 1996).

POLICY IMPLICATIONS:

Council Delegation F02 allows the CEO to make payments from the Municipal and Trust accounts. These payments are required to be presented to Council each month in accordance with Financial Management Regulations 13 (1) for recording in the minutes.

VOTING REQUIREMENT:

Absolute Majority Required:

OFFICER RECOMMENDATION – ITEM 6.4.1

That Municipal Fund Cheques 21259 to 21278 inclusive totalling \$68,929.40, Municipal EFT payments numbered EFT16754 to EFT16900 inclusive totalling \$1,125,170.90, Trust Fund Cheques 2223 to 2227, totalling \$2,735, Direct Debit payments numbered GJ0107 to GJ0210 inclusive totalling \$456,439.66 be passed for payment and the items therein be declared authorised expenditure.

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

Chq #	Date	Name	Description	Amount
21259	19-07-2017	SYNERGY	ELECTRICITY CHARGES	4550.20
21260	25-07-2017	SYNERGY	ELECTRICITY CHARGES	8565.10
21261	25-07-2017	TELSTRA	TELEPHONE CHARGES	1349.72
21262	25-07-2017	WATER CORPORATION	WATER USE & SERVICE CHARGES	1059.37
21263	07-08-2017	SYNERGY	ELECTRICITY CHARGES	15094.35
21264	07-08-2017	TELSTRA	TELEPHONE CHARGES	183.02
21265	07-08-2017	WATER CORPORATION	WATER USE & SERVICE CHARGES	11243.00
21266	14-08-2017	PETTY CASH - NORTHAMPTON	PETTY CASH RECOUP	184.70
21267	21-08-2017	SYNERGY	ELECTRICITY CHARGES	288.10
21268	21-08-2017	TELSTRA	TELEPHONE CHARGES	2102.35
21269	21-08-2017	WATER CORPORATION	WATER USE & SERVICE CHARGES	585.85
21270	22-08-2017	SHIRE OF NORTHAMPTON	DOT VEHICLE LICENCE	17.60
21271	29-08-2017	AUSTRALIA POST	POSTAGE	367.58
21272	29-08-2017	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	17978.40
21273	29-08-2017	GERALDTON MOWER & REPAIR SPECIALISTS	CHAPS, HELMET, MUFFS	1576.40
21274	29-08-2017	KALBARRI GAS	GAS	232.50
21275	29-08-2017	KLEENHEAT GAS	GAS FACILITY FEE	75.90
21276	29-08-2017	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE	722.26
21277	29-08-2017	NORTHAMPTON LIONS CLUB	DRUM MUSTER	752.00
21278	29-08-2017	STATEWIDE INSURANCE BROKERS PTY LTD	NCCA CHILD CARE BUSINESS PACKAGE	2001.00
				\$68,929.40

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

ELECTRONIC FUND TRANSFERS – MUNICIPAL ACCOUNT

EFT #	Date	Name	Description	Amount
EFT16754	27-07-2017	LANDWEST	PROPOSED SUBD LOT 1 BINNU ROAD WEST	1375.00
EFT16755	27-07-2017	GLENN BANGAY	REIMB POSTAGE	15.65
EFT16756	27-07-2017	LB & BJ RYAN	REIMB DODO LINE RENTAL	79.80
EFT16757	27-07-2017	GERALDTON PET MEAT SUPPLIES	FERAL ERAD GRANT DOG BAIT	660.00
EFT16758	27-07-2017	JG'S FERAL PEST CONTROL	FERAL ERAD GRANT DOGGING WORK	11000.00
EFT16759	27-07-2017	MIDWEST FERAL SERVICES	FERAL ERAD GRANT WILD DOGS CONTROL	14526.72
EFT16760	03-08-2017	SIMON DRAGE	NTON OVAL REPAIR LOLLY SHOP ROOF	2244.00
EFT16761	03-08-2017	CYNTHIA FLECTHER	RELIEF CLEANING	750.00
EFT16762	03-08-2017	RPS AUSTRALIA WEST PTY LTD	HORROCKS DWMS COMPLETION	30478.80
EFT16763	07-08-2017	MIDWEST TREE SERVICES	TREE TRIMMING	2002.00
EFT16764	08-08-2017	HALAM HOME HANDYMAN SERVICES	KAL AGED UNITS REPAIR RETIC	2149.00
EFT16765	10-08-2017	RED DOT STORES	ROADWISE GRANT STATIONERY	108.00
EFT16766	10-08-2017	2V NET IT SOLUTIONS	COMPTER MTCE	485.00
EFT16767	10-08-2017	HAYLEY BAIKIE	NCCA REIMB IINET	93.90
EFT16768	10-08-2017	GLENN BANGAY	REIMB WESTNET	79.95
EFT16769	14-08-2017	MAJOR MOTORS PTY LTD	2017 ISUZU 6 WHEEL TIP TRUCK	178994.00
EFT16770	15-08-2017	URACAST PTY LTD	EWE TURN, EWES SHEEP DOGS LAMBS	12518.00
EFT16771	15-08-2017	AUSTRALIAN TAXATION OFFICE	JULY 2017 BAS	177564.00
EFT16772	16-08-2017	BATTEN FARMS	NORTHERN BIOSECURITY GP FUNDING APP	275.00
EFT16773	16-08-2017	JCB CONSTRUCTION EQUIPMENT AUST	PARTS	1701.15
EFT16774	16-08-2017	JG'S FERAL PEST CONTROL	FERAL ERAD GRANT DOGGING WORK	7224.80
EFT16775	17-08-2017	MIDWEST CHEMICAL & PAPER	CLEANING PRODUCTS	109.03
EFT16776	17-08-2017	NORTHAMPTON FAMILY STORE	UNIFORMS	8169.44
EFT16777	17-08-2017	SIMPLE LIFE PROJECTS	SHADE PAVILLION SPORT/REC KALB	11685.03

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

EFT #	Date	Name	Description	Amount
EFT16778	11-08-2017	SUN CITY PRINT & DESIGN	CAMPING STICKERS	145.00
EFT16779	24-08-2017	GLENN BANGAY	REIMB EHA CONF ACCOMM/REGISTRATION	1984.77
EFT16780	24-08-2017	BRIAN S HUTCHINSON	REIMB TELSTRA LINE RENTAL	147.85
EFT16781	24-08-2017	ROBERT MCKENZIE	REIMB ANIMAL EUTHANASIA, JACKET	830.00
EFT16782	24-08-2017	NORTHAMPTON FAMILY STORE	UNIFORMS	455.63
EFT16783	24-08-2017	DESMOND PIKE	REIMB TAXI FARE LG WEEK	45.00
EFT16784	24-08-2017	LB & BJ RYAN	REIMB MOBILE CAR CHARGER	30.00
EFT16785	25-08-2017	LUKE DOOLEY	SPORTS SCHOLARSHIP	1000.00
EFT16786	25-08-2017	WESTERN POWER	PIONEER HOMES MULTI METER	2421.05
EFT16787	29-08-2017	ABROLHOS ELECTRICS	BUILDING ELECTRICAL REPAIRS	2432.54
EFT16788	29-08-2017	ACROSSTOWN COURIERS	FREIGHT	22.00
EFT16789	29-08-2017	ADROOK CONTRACTORS	SIGN, COMPACTOR	1100.00
EFT16790	29-08-2017	AERO BOWLS	JACKS	550.55
EFT16791	29-08-2017	ALAN CRAGAN BOBCAT & EXCAVATOR HIRE	BOBCAT HIRE	1270.50
EFT16792	29-08-2017	KALBARRI IGA	REFRESHMENTS	22.61
EFT16793	29-08-2017	ANGIE'S CAFE	REFRESHMENTS	300.00
EFT16794	29-08-2017	ARROW BRONZE	NICHE WALL PLAQUE	687.66
EFT16795	29-08-2017	AUSTRAL MERCANTILE COLLECTIONS	LEGAL EXPENSES	12232.50
EFT16796	29-08-2017	BARKER TRANSPORT ENGINEERING PTY LTD	WELDING REPAIRS TO P211 ALUM BOX	358.25
EFT16797	29-08-2017	BLUESTAR EARTHMOVING	LOADER HIRE, MIX GRAVEL AT STOCKPILE	8382.00
EFT16798	29-08-2017	B P ROADHOUSE NORTHAMPTON	REFRESHMENTS, FUEL	720.00
EFT16799	29-08-2017	BUNNINGS BUILDING SUPPLIES	PAINT, CEMENT, LAWN MOWER KALB BOWL	1891.44
EFT16800	29-08-2017	JUPPS CARPETS & CERAMICS PTY LTD	PIONEER HOMES CARPET	9890.00
EFT16801	29-08-2017	CATWEST PTY LTD	NTON OVAL EMULSION	572.00
EFT16802	29-08-2017	P S CHESTER & SON	PIONEER HOMES PROGRESS CLAIM NO 7	25867.60

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

EFT #	Date	Name	Description	Amount
EFT16803	29-08-2017	CLARKSON FREIGHTLINES	FREIGHT	900.39
EFT16804	29-08-2017	COASTAL PLUMBING & GAS FITTING	PLUMBING, SOAKWELLS	6292.55
EFT16805	29-08-2017	COATES HIRE OPERATIONS PTY LIMITED	ROLLER HIRE, PADFOOT	3081.38
EFT16806	29-08-2017	BS & JA COCKRAM	LIONS PARK FOOT BRIDGE	3410.00
EFT16807	29-08-2017	BOC GASES AUSTRALIA LTD	INDUSTRY GASES	73.51
EFT16808	29-08-2017	COOPERS CONCRETE PRODUCTS & ROOF TILING	LIONS PARK LEECH DRAINS	1622.50
EFT16809	29-08-2017	STAPLES	P/COPIER MTCE	2911.67
EFT16810	29-08-2017	COUNTRYWIDE PUBLICATIONS	KVC ADVERTISING	1000.00
EFT16811	29-08-2017	COURIER AUSTRALIA	FREIGHT	576.45
EFT16812	29-08-2017	COVS PARTS PTY LTD	GOODS, PARTS	1067.75
EFT16813	29-08-2017	D-TRANS	PARTS, PIG TRAILER BRAKE SERVICE	4104.20
EFT16814	29-08-2017	ECO-FLORA CRANE, TRUCK & EXCAVATOR SERVICES	MAINTENANCE GRADE	780.00
EFT16815	29-08-2017	FENN PLUMBING & GAS	PLUMBING, SOAKWELLS	1774.85
EFT16816	29-08-2017	DEPARTMENT OF FIRE AND EMERGENCY	17/18 ESL	246685.69
EFT16817	29-08-2017	FIVE STAR BUSINESS EQUIPMENT	KYOCERA PHOTOCOPIER NR DEPOT	563.37
EFT16818	29-08-2017	ATOM SUPPLY	HOSE FITTINGS	38.97
EFT16819	29-08-2017	GERALDTON TROPHY CENTRE	EMBROIDERY	41.80
EFT16820	29-08-2017	GERALDTON AUTO WHOLESALERS	VEHICLE SERVICE	2216.72
EFT16821	29-08-2017	GERALDTON INDEPENDENT BUILDING SUPPLIES PTY LTD	LIONS PARK - TIMBER EDGING	2132.59
EFT16822	29-08-2017	GREAT NORTHERN RURAL SERVICES	SOIL TEST	447.70
EFT16823	29-08-2017	GPC EARTHMOVING	GRADER HIRE	3850.00
EFT16824	29-08-2017	GREAT SOUTHERN FUEL SUPPLY	FUEL PURCHASES DEPOTS & CARDS	27816.44
EFT16825	29-08-2017	GUARDIAN PRINT & GRAPHICS	RESIDENTS INFORMATION BOOKLETS	2095.00
EFT16826	29-08-2017	HASLEBYS HARDWARE SUPPLIES	HARDIFENCE, CAPPING, PINE POLES	2918.43
EFT16827	29-08-2017	C + J HANSON PLUMBING CONTRACTORS	FIRE YARD STAND PIPE REPAIRS	2446.57
EFT16828	29-08-2017	J R & A HERSEY	RIGGERS GLOVES	395.67

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

EFT #	Date	Name	Description	Amount
EFT16829	29-08-2017	JASON SIGNMAKERS	SIGNS	1774.96
EFT16830	29-08-2017	JG'S FERAL PEST CONTROL	FERAL ERAD GRAND DOG CONTROL	5209.60
EFT16831	29-08-2017	KALBARRI HARDWARE & BUILDING SUPPLIES	HARDWARE	701.00
EFT16832	29-08-2017	KALBARRI EXPRESS FREIGHT	FREIGHT	290.16
EFT16833	29-08-2017	KALBARRI B P SERVICE STATION	FUEL, HARDWARE	197.45
EFT16834	29-08-2017	KALBARRI WAREHOUSE	HARDWARE	282.35
EFT16835	29-08-2017	KALBARRI LAWNMOWING SERVICE	LAWN MOWING	565.00
EFT16836	29-08-2017	KALBARRI NEWSAGENCY	STATIONERY	9.75
EFT16837	29-08-2017	KALBARRI AUTO ELECTRICS	PLANT REPAIRS	694.00
EFT16838	29-08-2017	KALBARRI PEST CONTROL	GENERAL URBAN PEST CONTROL	870.00
EFT16839	29-08-2017	KALBARRI REFRIGERATION AIRCON	KAL DR SURGERY FUJITSU AIRCON	1523.50
EFT16840	29-08-2017	KALBARRI VISITORS CENTRE INC	2017/2018 OPERATING SUBSIDY	35000.00
EFT16841	29-08-2017	KOMATSU AUSTRALIA PTY LTD	PARTS	265.99
EFT16842	29-08-2017	LANDMARK	POST DRIVER	138.60
EFT16843	29-08-2017	STATE LIBRARY OF WA	LOST/DAMAGE BOOKS	440.00
EFT16844	29-08-2017	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	ANALYTICAL SERVICES	797.39
EFT16845	29-08-2017	LG PROF AUSTRALIA WA	17/18 MEMBERSHIP BANGAY	521.00
EFT16846	29-08-2017	MARKETFORCE	ADVERTISING	275.57
EFT16847	29-08-2017	MERCURE HOTEL	WALGA CONFERENCE ACCOMM	3094.00
EFT16848	29-08-2017	LGRCEU	PAYROLL DEDUCTIONS	291.00
EFT16849	29-08-2017	MIDWEST MULCHING MOWING	MULCH ROAD VERGES	29040.00
EFT16850	29-08-2017	MIDWEST TRAFFIC CONTROLLERS	TRAFFIC MANAGEMENT PLAN	495.00
EFT16851	29-08-2017	MIDWEST TREE SERVICES	TREE LOPPING, REMOVE PALM	2145.00
EFT16852	29-08-2017	MIDWEST FERAL SERVICES	FERAL ERAD GRANT WILD DOG CONTROL	2200.00
EFT16853	29-08-2017	MJB INDUSTRIES PTY LTD	PARTS	27.50
EFT16854	29-08-2017	MOORE STEPHENS	PRESENTATION ELECTED MEMBERS/SENIOR	2601.72

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

EFT #	Date	Name	Description	Amount
EFT16855	29-08-2017	FLICK ANTICIMEX PTY LTD	SANITARY SERVICES	7486.38
EFT16856	29-08-2017	NORTHAMPTON IGA & LIQUOR STORE	REFRESHMENTS, GOODS	273.90
EFT16857	29-08-2017	NORTHAMPTON NEWSAGENCY	STATIONERY, NEWSPAPERS	1082.77
EFT16858	29-08-2017	NORTHAMPTON AUTO ELECTRICS	PLANT ELECTRICAL REPAIRS	1070.35
EFT16859	29-08-2017	NORTHAMPTON FAMILY STORE	UNIFORMS	58.85
EFT16860	29-08-2017	NORTHAMPTON COMMUNITY NEWS INC	NCCA/ONE LIFE ADVERTISING	110.00
EFT16861	29-08-2017	NORTHAMPTON DISTRICT AGRICULTURAL SOCIETY	DONATION 2017 PRIZE MONEY	100.00
EFT16862	29-08-2017	NOVUS WINDSCREENS GERALDTON	PLANT REPLACE CAB GLASS	569.25
EFT16863	29-08-2017	CLEANPAK TOTAL SOLUTIONS	TISSUE DISPENSERS	264.37
EFT16864	29-08-2017	PRINTLOGIC (WA) PTY LTD	KALBARRI VISITORS CENTRE ADVERTISING	1890.90
EFT16865	29-08-2017	PURCHER INTERNATIONAL	PARTS	811.04
EFT16866	29-08-2017	HOLCIM AUSTRALIA PTY LTD	CRACKER DUST	641.02
EFT16867	29-08-2017	ROAD RUNNER MECHANICAL SERVICES	PLANT REPAIRS	140.36
EFT16868	29-08-2017	RPS AUSTRALIA WEST PTY LTD	WATER RESOURCES ADVICE	2640.00
EFT16869	29-08-2017	SAFE FIRST TRAINING WA PTY LTD	ASBESTOS TRAINING	200.00
EFT16870	29-08-2017	SANFORD VETERINARY CLINIC	CAT STERILISATION	40.00
EFT16871	29-08-2017	M R SCOTT TRANSPORT P/L	GRAVEL CARTAGE, SEMI HIRE	2502.50
EFT16872	29-08-2017	SUN CITY PRINT & DESIGN	FIRE NOTICES 2017	597.00
EFT16873	29-08-2017	OWEN SIMKIN	WATER CUSTODIAN	79.80
EFT16874	29-08-2017	SLATER GARTRELL SPORTS	GREEN MARKER	968.00
EFT16875	29-08-2017	LARRY SMITH PLANNING	REVIEW OF KALBARRI SCHEME	10172.59
EFT16876	29-08-2017	SPALDING ELECTRICAL SERVICES	BBQ REPAIRS	99.00
EFT16877	29-08-2017	STATE LAW PUBLISHER	ADVERTISING	9553.00
EFT16878	29-08-2017	SUNNY INDUSTRIAL BRUSHWARE	PLANT BRUSHES	327.80
EFT16879	29-08-2017	THE PLANT SUPPLY CO.	PLANTS	1073.60
EFT16880	29-08-2017	THURKLE'S EARTHMOVING & MAINTENANCE PTY LTD	GRAVEL STOCK PILE	33484.00

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

EFT #	Date	Name	Description	Amount
EFT16881	29-08-2017	TOX FREE AUSTRALIA PTY LTD	REFUSE COLLECTION	34253.69
EFT16882	29-08-2017	TRISSET BOSS PTY LTD	RATE NOTICES	1243.00
EFT16883	29-08-2017	TRU-LINE EXCAVATIONS & PLUMBING PTY LTD	TELSTRA LOCATION	291.50
EFT16884	29-08-2017	LANDGATE	VALUATION EXPENSES	264.73
EFT16885	29-08-2017	VERLINDENS ELECTRICAL GERALDTON	PT GREG WATER TANKS WORKS	1423.40
EFT16886	29-08-2017	IT VISION	IT SUPPORT	242.00
EFT16887	29-08-2017	VORTEX PLASTICS	WELD REPAIR MOWER SHUTE	71.50
EFT16888	29-08-2017	WA RANGERS ASSOCIATION	RANGER BADGES	92.00
EFT16889	29-08-2017	WESTRAC EQUIPMENT PTY LTD	40 EDGES	5690.36
EFT16890	29-08-2017	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	2017 WALGA CONVENTION	6871.05
EFT16891	29-08-2017	WEST AUSTRALIAN NEWSPAPERS LTD	ADVERTISING	618.54
EFT16892	29-08-2017	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 148A	13777.98
EFT16893	29-08-2017	WESTERN RESOURCE RECOVERY PTY LTD	PUMP SEPTICS	2000.00
EFT16894	29-08-2017	NORTHAMPTON TYRES	WHEEL ALIGNMENT	150.00
EFT16895	29-08-2017	WILLIAMS & HUGHES	LEASE PREPARATION	2474.56
EFT16896	29-08-2017	WOODLANDS DISTRIBUTORS & AGENCIES	DOG WASTE BAG DISPENSERS, BAGS	1853.50
EFT16897	29-08-2017	WOODCOCK CT & L	SPRAYS, HARDWARE	4592.55
EFT16898	31-08-2017	SIMPLE LIFE PROJECTS	KAL SPORT & REC SHADE PAVILLION REIMB	1602.10
EFT16899	23-08-2017	WA SUPER	ADJUST PAYROLL DEDUCT CLICKSUPER DD	80.00
EFT16900	04-09-2017	NORTHAMPTON TOURIST ASSOCIATION INC.	17/18 OPERATING GRANT	25000.00
				<u>\$1,125,170.90</u>

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

TRUST FUND CHEQUES

Chq #	Date	Name	Description	Amount
2223	06-07-2017	WILSON SIGN SOLUTIONS	INV 71649 PLAQUES	324.50
2224	25-08-2017	KALBARRI NETBALL ASSOC INC	KIDSPORT INV 57	830.00
2225	31-08-2017	ROVER JUNIOR FOOTBALL CLUB INC	KIDSPORT - INV KS012618	80.00
2226	31-08-2017	NORTHAMPTON JUNIOR FOOTBALL CLUB	KIDSPORT - INV KS012503	1330.00
2227	31-08-2017	WILSONS SIGN SOLUTIONS	INVOICE 71869 PLAQUE	170.50
				\$2,735.00

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

DIRECT DEBITS

Jnl #	Date	Name	Description	Amount
	13/07/2017	PAYROLL	FN/E 12/07/2017	91561.00
	14/07/2017	CLICKSUPER	SUPERANNUATION FN/E 12/07/2017	20789.39
	27/07/2017	PAYROLL	FN/E 26/07/2017	90777.00
	28/07/2017	CLICKSUPER	SUPERANNUATION FN/E 26/07/2017	20624.25
GJ0107	31-07-17	NAB BANK FEES	BANK FEES/MERCHANT FEES	260.17
GJ0108	31-07-17	BPOINT	FEES	51.39
GJ0109	31-07-17	BPAY	FEES	17.60
GJ0111	31-07-17	CEO CORPORATE CARD	WESTNET	104.94
			BANK CHARGES	9.00
			NR 1 FUEL	64.01
			LG CONFERENCE	3,083.00
			LG WEEK FLIGHT	261.34
			P176 - PARTS	566.60
			STAFF TRAINING	208.47
				4297.34
GJ0112	31-07-17	DCEO CORPORATE CARD	BANK CHARGES	9.00
			P273 – PARTS	131.65
				140.65
	10/08/2017	PAYROLL	FN/E 9/08/2017	92835.00
	11/08/2017	CLICKSUPER	SUPERANNUATION FN/E 09/08/2017	20833.62
	24/08/2017	PAYROLL	FN/E 23/08/2017	91378.00
	28/08/2017	CLICKSUPER	SUPERANNUATION FN/E 23/08/2017	20480.20
GJ0205	31-08-17	NAB BANK FEES	BANK FEES/MERCHANT FEES	540.81
GJ0206	31-08-17	BPOINT	FEES	67.57
GJ0207	31-08-17	BPAY	FEES	96.80

SHIRE OF NORTHAMPTON
FINANCE REPORT – 18 AUGUST 2017

Jnl #	Date	Name	Description		Amount
GJ0209	31-08-17	CEO CORPORATE CARD	BANK CHARGES	9.00	
			LG WEEK FLIGHT	389.00	
			REFRESHMENTS	70.20	468.20
GJ0210	31-08-17	DCEO CORPORATE CARD	BANK CHARGES	9.00	
			P274 PARTS/FUEL	199.67	
			TELSTRA PHONE	1,012.00	1220.67
					<u>\$456,439.66</u>

6.4.2 MONTHLY FINANCIAL STATEMENTS – AUGUST 2017

FILE REFERENCE:	1.1.1
DATE OF REPORT:	7 September 2017
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton
APPENDICES:	Monthly Financial Report for August 2017

SUMMARY

Council to adopt the draft monthly financial reports as presented.

BACKGROUND:

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

The Draft Monthly Statements of Financial Activity for the period ending 31 August 2017 are attached, and include:

Compilation Report

Monthly Summary Information

Statement of Financial Activity by Program

Statement of Financial Activity By Nature or Type

Statement of Capital Acquisitions and Capital Funding

Statement of Budget Amendments

Note 1 Significant Accounting Policies (presented annually)

Note 2 Explanation of Material Variances

Note 3 Net Current Funding Position

Note 4 Cash and Investments

Note 5 Budget Amendments (as per Budget Review process)

Note 6 Receivables

Note 7 Cash Backed Reserves

Note 8 Capital Disposals

Note 9	Rating Information
Note 10	Information on Borrowings
Note 11	Grants
Note 12	Trust
Note 13	Details of Capital Acquisitions
Appendix B	Detailed Schedules (separate presentation)

FINANCIAL & BUDGET IMPLICATIONS:

Total operating expenditure at 31st August 2017 has a negative variance of \$69,094 and operating revenue has a positive variance of \$260,837 which is largely due to the receipt of the unbudgeted Feral Eradication grant.

Investing and Financing variances will reconcile as the year progresses.

Depreciation expense is under budget by \$75,363 due to depreciation expense being not being charged for buildings pending the revaluation of both expenditure categories. This situation will be resolved once the revaluation process is completed as part of the 2016/2017 annuals process.

STATUTORY IMPLICATIONS:

Local Government (Financial Management) Regulation 34 1996
Local Government Act 1995 section 6.4

POLICY IMPLICATIONS:

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council. The current Council Policy sets the material variance at \$5,000.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.4.2

That Council adopts the Monthly Financial Report for the period ending 31 August 2017.

SHIRE OF NORTHAMPTON
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 August 2017

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Monthly Summary Information	
Statement of Financial Activity by Program	
Statement of Financial Activity By Nature or Type	
Statement of Capital Acquisitions and Capital Funding	
Note 1	Significant Accounting Policies (Refer Budget Adoption)
Note 2	Explanation of Material Variances
Note 3	Net Current Funding Position
Note 4	Cash and Investments
Note 5	Budget Amendments (presented as per Budget Review process)
Note 6	Receivables
Note 7	Cash Backed Reserves
Note 8	Capital Disposals
Note 9	Rating Information
Note 10	Information on Borrowings
Note 11	Grants
Note 12	Trust
Note 13	Details of Capital Acquisitions

SHIRE OF NORTHAMPTON
Information Summary
For the Period Ended 31 August 2017

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 August 2017 of \$7,464,809.

Items of Significance

The material variance adopted by the Shire of Northampton for the 2016/17 year is \$5,000. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Capital Expenditure

Infrastructure Assets - Roads ▲ \$ 222,022 White Cliffs Road construction commenced

Capital Revenue

Non-operating Grants, Subsidies and Contributions ▲ \$229,553 White Cliffs grant funding

	% Collected / Completed	Annual Budget	YTD Budget	YTD Actual
Significant Projects				
DUP - Pathways Kalbarri Foreshore Redevelopment	0%	\$ 255,000	\$ 85,000	\$ -
Car Park Construction Kalbarri Sport & Rec	0%	\$ 182,835	\$ 60,940	\$ -
Road Construction	9%	\$ 2,984,104	\$ 497,334	\$ 275,312
Footpath Construction	0%	\$ 114,465	\$ 19,072	\$ -
Pig Trailer	0%	\$ 85,000	\$ 14,166	\$ -
Kalbarri Leading Hand Utility	0%	\$ 48,000	\$ 16,000	\$ -
Northampton Leading Hand Utility	0%	\$ 48,000	\$ 16,000	\$ -
Kalbarri Foreshore Mower	0%	\$ 53,000	\$ 17,666	\$ -
Grants, Subsidies and Contributions				
Operating Grants, Subsidies and Contributions	63%	\$ 850,521	\$ 268,581	\$ 539,352
Non-operating Grants, Subsidies and Contributions	68%	\$ 2,805,289	\$ 1,673,319	\$ 1,902,872
	67%	\$ 3,655,810	\$ 1,941,900	\$ 2,442,223
Rates Levied	103%	\$ 4,335,996	\$ 4,453,095	\$ 4,477,082

% Compares current ytd actuals to annual budget

Financial Position		Closing Balance 30	Current Year 30 June 2017
Adjusted Net Current Assets	1149%	\$ 649,494	\$ 7,464,809
Cash and Equivalent - Unrestricted	223%	\$ 717,159	\$ 1,596,602
Cash and Equivalent - Restricted	37%	\$ 3,017,835	\$ 1,105,891
Receivables - Rates	1701%	\$ 270,016	\$ 4,593,821
Receivables - Other	67%	\$ 250,076	\$ 167,097
Payables	21%	\$ 695,899	\$ 148,711

% Compares current ytd actuals to prior year actuals at the same time

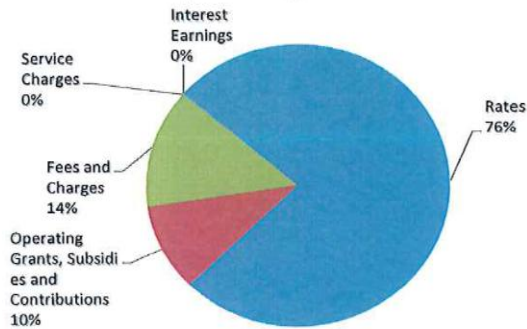
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

Preparation

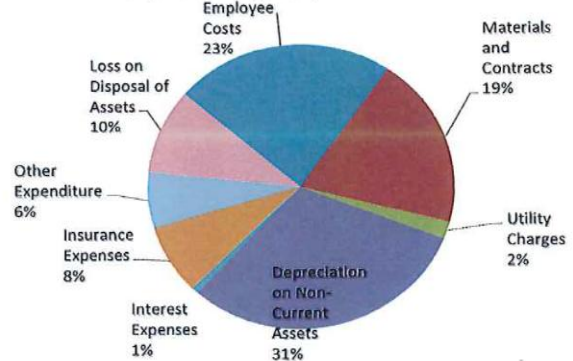
Prepared by: Grant Middleton
Date prepared: 10/08/2017

SHIRE OF NORTHAMPTON
Information Summary
For the Period Ended 31 August 2017

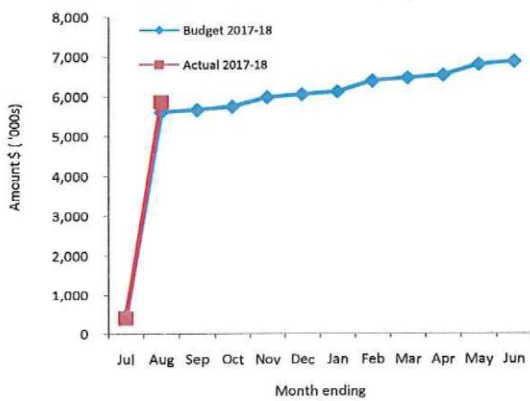
Operating Revenue



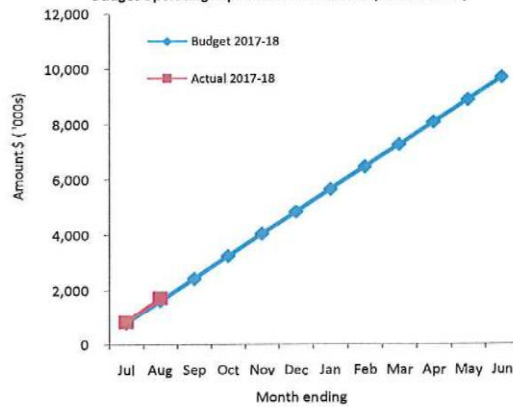
Operating Expenditure



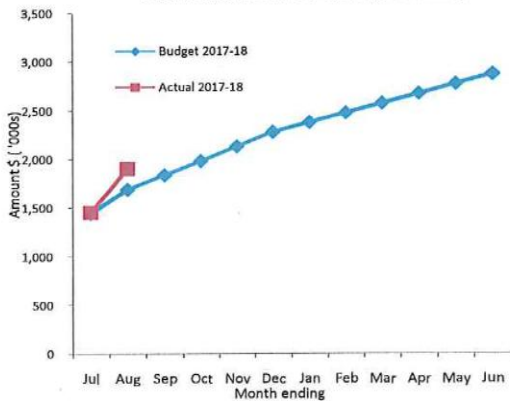
Budget Operating Revenues -v- Actual (Refer Note 2)



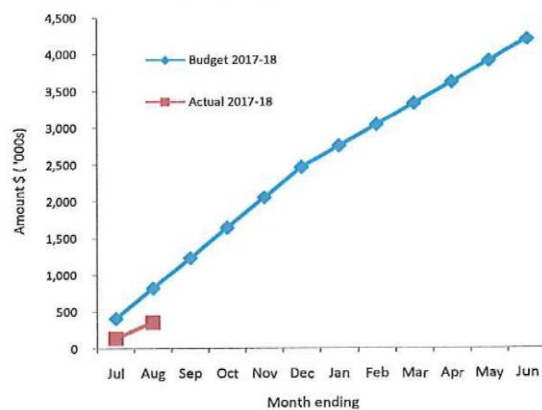
Budget Operating Expenses -v- YTD Actual (Refer Note 2)



Budget Capital Revenue -v- Actual (Refer Note 2)



Budget Capital Expenses -v- Actual (Refer Note 2)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF NORTHAMPTON
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 August 2017

	Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	649,494	649,494	809,879	160,385	25%	
Revenue from operating activities							
Governance		40,370	6,724	13,758	7,034	105%	▲
General Purpose Funding	9	5,133,939	4,634,577	4,623,649	(10,929)	(0%)	▼
Law, Order and Public Safety		86,513	14,410	200,808	186,398	1294%	▲
Health		48,403	8,062	498	(7,564)	(94%)	▼
Education and Welfare		204,322	36,080	38,353	2,273	6%	▲
Housing		39,936	6,654	6,466	(188)	(3%)	▼
Community Amenities		837,697	763,326	752,395	(10,931)	(1%)	▼
Recreation and Culture		32,087	5,336	4,215	(1,121)	(21%)	▼
Transport		88,210	83,032	163,970	80,938	97%	▲
Economic Services		199,128	24,130	52,359	28,229	117%	▲
Other Property and Services		128,760	21,452	8,149	(13,303)	(62%)	▼
		6,839,365	5,603,783	5,864,620			
Expenditure from operating activities							
Governance		(862,407)	(151,163)	(167,343)	(16,180)	(11%)	▼
General Purpose Funding		(237,955)	(39,650)	(44,590)	(4,940)	(12%)	▼
Law, Order and Public Safety		(396,906)	(69,098)	(105,065)	(35,967)	(52%)	▼
Health		(207,173)	(33,848)	(27,230)	6,618	20%	▲
Education and Welfare		(374,010)	(74,982)	(91,083)	(16,101)	(21%)	▼
Housing		(119,310)	(19,846)	(8,613)	11,233	57%	▲
Community Amenities		(1,503,911)	(250,556)	(179,533)	71,023	28%	▲
Recreation and Culture		(1,630,297)	(271,560)	(268,541)	3,019	1%	▲
Transport		(4,042,222)	(674,922)	(630,763)	44,159	7%	▲
Economic Services		(417,270)	(69,518)	(101,262)	(31,744)	(46%)	▼
Other Property and Services		(33,761)	(5,608)	(105,821)	(100,213)	(1787%)	▼
		(9,825,222)	(1,660,751)	(1,729,845)			
Operating activities excluded from budget							
Add back Depreciation		3,631,550	605,252	529,889	(75,363)	(12%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	3,500	1,168	167,239	166,071	14218%	▲
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		649,193	4,549,452	4,831,903			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	2,805,289	1,673,319	1,902,872	229,553	14%	▲
Proceeds from Disposal of Assets	8	40,000	6,332	0	(6,332)	(100%)	▼
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(180,125)	(34,616)	(59,127)	(24,511)	(71%)	▼
Infrastructure Assets - Roads	13	(2,984,104)	(497,334)	(275,312)	222,022	45%	▲
Infrastructure Assets - Parks and Gardens	13	(261,275)	(82,218)	(22,791)	59,427	72%	▲
Infrastructure Assets - Footpaths	13	(552,300)	(165,012)	(571)	164,441	100%	▲
Infrastructure Assets - Drainage	13	0	0	0	0		
Heritage Assets	13	0	0	0	0		
Plant and Equipment	13	(264,000)	(73,832)	0	73,832	100%	▲
Furniture and Equipment	13	(22,200)	(3,700)	0	3,700	100%	▲
Amount attributable to investing activities		(1,418,715)	822,939	1,545,070			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		33,188	5,528	1,635	(3,893)	(70%)	▼
Transfer from Reserves	7	351,443	29,287	351,444	322,157	1100%	▲
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(197,136)	(16,428)	(38,167)	(21,739)	(132%)	▼
Transfer to Reserves	7	(67,467)	(5,622)	(36,954)	(31,331)	(557%)	▼
Amount attributable to financing activities		120,028	12,765	277,958			
Closing Funding Surplus(Deficit)	3	(0)	6,034,650	7,464,809	1,430,160	23.6991%	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF NORTHAMPTON
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 August 2017

	Note	Amended Annual Budget	Amended YTD Budget	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	649,494	649,494	809,879	160,385	25%	▲
Revenue from operating activities							
Rates	9	4,335,996	4,453,095	4,477,082	23,987	1%	▲
Operating Grants, Subsidies and Contributions	11	1,199,004	328,665	582,064	253,399	77%	▲
Fees and Charges		1,191,265	813,176	795,392	(17,784)	(2%)	▼
Interest Earnings		113,100	8,846	10,082	1,236	14%	
Other Revenue		0	0	0	0		
Profit on Disposal of Assets	8	0	0	0			
		6,839,365	5,603,782	5,864,620			
Expenditure from operating activities							
Employee Costs		(2,855,051)	(475,732)	(401,194)	74,538	16%	▲
Materials and Contracts		(2,306,052)	(399,798)	(337,727)	62,071	16%	▲
Utility Charges		(354,175)	(58,986)	(33,577)	25,409	43%	▲
Depreciation on Non-Current Assets		(3,631,550)	(605,252)	(529,889)	75,363	12%	▲
Interest Expenses		(70,683)	(11,776)	(14,043)	(2,267)	(19%)	
Insurance Expenses		(210,845)	(35,066)	(135,041)	(99,975)	(285%)	▼
Other Expenditure		(393,366)	(72,973)	(111,135)	(38,162)	(52%)	▼
Loss on Disposal of Assets	8	(3,500)	(1,168)	(167,239)			
		(9,825,222)	(1,660,751)	(1,729,845)			
Operating activities excluded from budget							
Add back Depreciation		3,631,550	605,252	529,889	(75,363)	(12%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	3,500	1,168	167,239	166,071	14218%	▲
Adjust Provisions and Accruals			0	0	0		
Amount attributable to operating activities		649,193	4,549,451	4,831,903			
Investing activities							
Grants, Subsidies and Contributions	11	2,805,289	1,673,319	1,902,872	229,553	14%	▲
Proceeds from Disposal of Assets	8	40,000	6,332	0	(6,332)	(100%)	▼
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(180,125)	(34,616)	(59,127)	(24,511)	(71%)	▼
Infrastructure Assets - Roads	13	(2,984,104)	(497,334)	(275,312)	222,022	45%	▼
Infrastructure Assets - Parks and Gardens	13	(261,275)	(82,218)	(22,791)	59,427	72%	▲
Infrastructure Assets - Footpaths	13	(552,300)	(165,012)	(571)	164,441	100%	▲
Infrastructure Assets - Drainage	13	0	0	0	0		
Plant and Equipment	13	(264,000)	(73,832)	0	73,832	100%	▲
Furniture and Equipment	13	(22,200)	(3,700)	0	3,700	100%	▲
Amount attributable to investing activities		(1,418,715)	822,939	1,545,070			
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		33,188	5,528	1,635	(3,893)	(70%)	
Transfer from Reserves	7	351,443	29,287	351,444	322,157	1100%	▲
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(197,136)	(16,428)	(38,167)	(21,739)	(132%)	▼
Transfer to Reserves	7	(67,467)	(5,622)	(36,954)	(31,331)	(557%)	▼
Amount attributable to financing activities		120,028	12,765	277,958			
Closing Funding Surplus (Deficit)	3	(0)	6,034,649	7,464,809	1,430,160	24%	▲

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

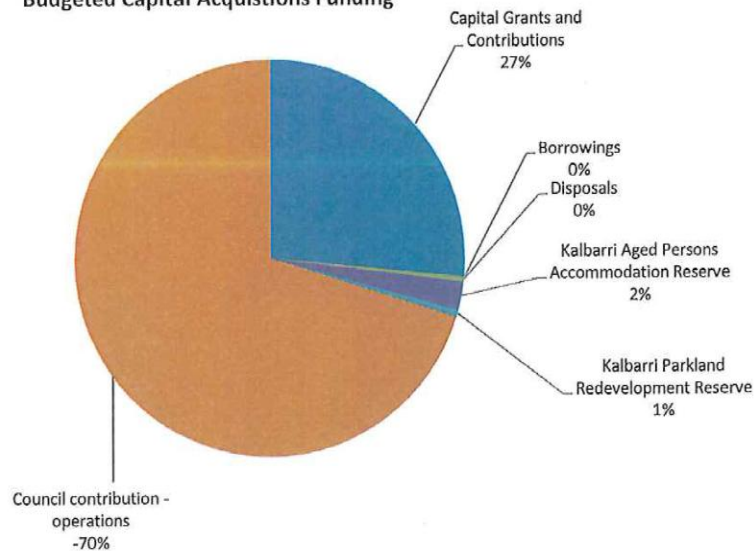
This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF NORTHAMPTON
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 August 2017

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	Amended YTD Budget (d)	Amended Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	(57,877)	0	(34,616)	(180,125)	(57,877)	(23,261)
Infrastructure Assets - Roads	13	(1,250)	(275,312)	(497,334)	(2,984,104)	(276,562)	220,772
Infrastructure Assets - Parks & Ovals	13	(6,131)	(16,660)	(82,218)	(261,275)	(22,791)	59,427
Infrastructure Assets - Footpaths	13	(571)	0	(165,012)	(552,300)	(571)	164,441
Plant and Equipment	13	0	0	(73,832)	(264,000)	0	73,832
Capital Expenditure Totals		(65,829)	(291,972)	(856,712)	(4,264,004)	(357,802)	498,910
Capital acquisitions funded by:							
Capital Grants and Contributions				1,673,319	2,805,289	1,902,872	
Borrowings				0	0	0	
Disposals				6,332	40,000	0	
Council contribution - Cash Backed Reserves							
Kalbarri Aged Persons Accommodation Reserve				20,490	245,882	(245,883)	
Kalbarri Parkland Redevelopment Reserve				4,933	59,196	(59,195)	
Council contribution - operations				(2,561,786)	(7,414,371)	(1,955,596)	
Capital Funding Total				(856,712)	(4,264,004)	(357,802)	

Budgeted Capital Acquisitions Funding



SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2016/17 year is \$5,000.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	7,034	105%	▲	Timing	Actuals and budget will converge as year progresses
General Purpose Funding	(10,929)	(0%)	▼	Timing	Var largely due to discount budget profile
Law, Order and Public Safety	186,398	1294%	▲	Timing	Var includes Feral Eradication Grant \$200k
Health	(7,564)	(94%)	▼	Timing	Health/Building billings to be processed
Community Amenities	(10,931)	(1%)	▼	Timing	Var = refuse site fees budget profile
Transport	80,938	97%	▲	Timing	Actuals and budget will converge as year progresses
Economic Services	28,229	117%	▲	Timing	Actuals and budget will converge as year progresses
Other Property and Services	(13,303)	(62%)	▼	Timing	Actuals and budget will converge as year progresses
Operating Expense					
Governance	(16,180)	(11%)	▼	Timing	Actuals and budget will converge as year progresses
Law, Order and Public Safety	(35,967)	(52%)	▼	Permanent	Actuals and budget will converge as year progresses
Health	6,618	20%	▲	Timing	Actuals and budget will converge as year progresses
Education and Welfare	(16,101)	(21%)	▼	Permanent	Variance due to NCCA expenditure
Housing	11,233	57%	▲	Timing	Actuals and budget will converge as year progresses
Community Amenities	71,023	28%	▲	Timing	Actuals and budget will converge as year progresses
Transport	44,159	7%	▲	Permanent	Actuals and budget will converge as year progresses
Economic Services	(31,744)	(46%)	▼	Timing	Actuals and budget will converge as year progresses
Other Property and Services	(100,213)	(1787%)	▼	Permanent	Actuals and budget will converge as year progresses
Capital Revenues					
Non-operating Grants, Subsidies and Contributions	229,553	14%	▲	Timing	White Cliffs grant funding
Proceeds from Disposal of Assets	(6,332)	(100%)	▼	Timing	No vehicle disposed during July - August
Capital Expenses					
Land and Buildings	(24,511)	(71%)	▼	Timing	Projects ongoing
Infrastructure Assets - Roads	222,022	45%	▲	Timing	White Cliffs Road construction commenced
Infrastructure Assets - Parks and Gardens	59,427	72%	▲	Timing	Projects ongoing
Infrastructure Assets - Footpaths	164,441	100%	▲	Timing	Projects ongoing
Plant and Equipment	73,832	100%	▲	Timing	Plant to be purchase in coming months
Financing					
Repayment of Debentures	(21,739)	(132%)	▼	Timing	Loan payment effected in subsequent month

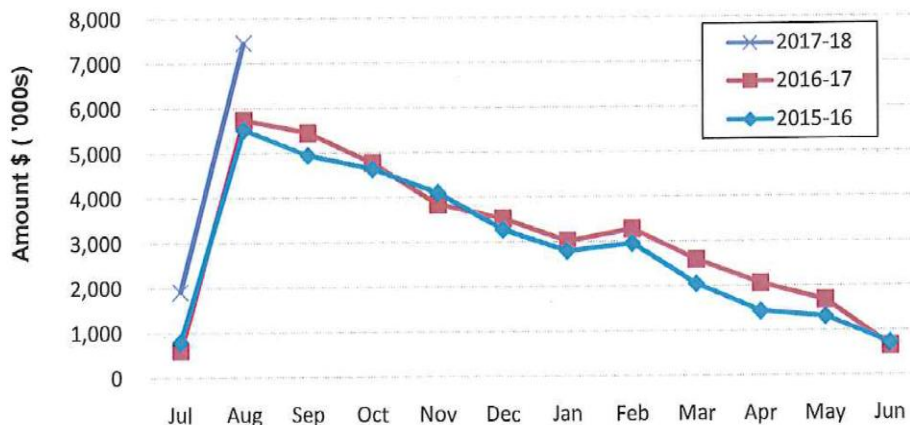
SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

	Note	Last Years (Budgeted) Closing 30 June 2017 \$	Current 31 Aug 2017 \$
Current Assets			
Cash Unrestricted	4	717,159	1,596,602
Cash Restricted	4	3,017,835	1,105,891
Receivables - Rates	6	270,016	4,593,821
Receivables - Other	6	250,076	167,097
Receivables - Rubbish		45,036	702,786
Emergency Services Levy		60,501	281,561
ATO Receivable		0	40,835
Inventories		8,196	30,158
Accruals/Adjustment		43,402	219,676
		4,412,221	8,738,427
Less: Current Liabilities			
Payables		(695,899)	(148,711)
Income Received in Advance		(1,994,045)	(396,590)
Provisions/Accruals		(48,993)	(19,017)
		(2,738,937)	(564,318)
Less: Cash Reserves	7	(1,023,790)	(709,300)
Net Current Funding Position		649,494	7,464,809

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 4: Cash and Investments

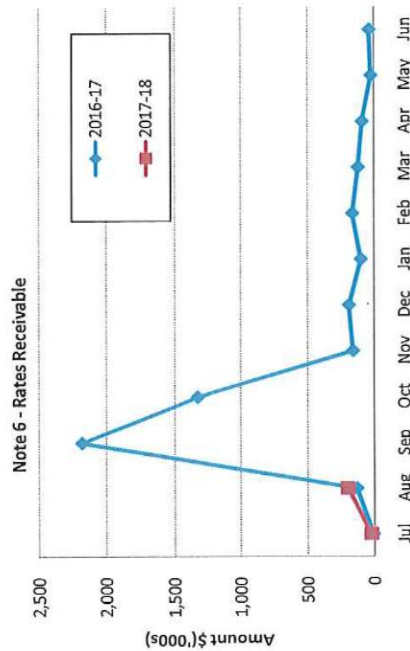
	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	1,595,152			1,595,152	National	-	At Call
Trust Bank Account			168,925	168,925	National	-	At Call
OCDF - Horrocks				0	WATC	1.45%	N/A
OCDF - Binnu/White Cliffs		396,590		396,590	WATC	1.45%	N/A
Cash On Hand	1,450			1,450	N/A	Nil	On Hand
(b) Term Deposits - Municipal							
(c) Term Deposits - Reserves							
TD 16-236-****		673,175		673,175	National	2.60%	11-Oct-17
TD 88-610-****		36,126		36,126	National	2.45%	14-Feb-18
Total	1,596,602	1,105,891	168,925	2,871,418			

Comments/Notes - Investments

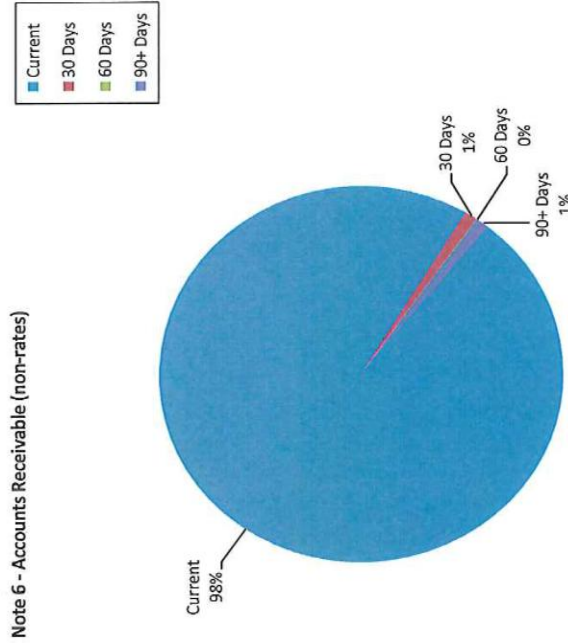
SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

	31 Aug 2017	30 June 2017	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
Note 6: Receivables								
Receivables - Rates Receivable								
Opening Arrears Previous Years	\$ 270,016	\$ 229,706	Receivables - General	\$ 163,455	\$ 1,743	\$ 77	\$ 1,823	\$ 167,097
Levied this year	4,477,082	4,208,328	Balance per Trial Balance					
Less Collections to date	(153,276)	(4,168,019)	Sundry Debtors					167,097
Equals Current Outstanding	4,593,821	270,016	Receivables - Other					0
Net Rates Collectable	4,593,821	270,016	Total Receivables General Outstanding					167,097
% Collected	3.23%	93.92%						

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables Rates



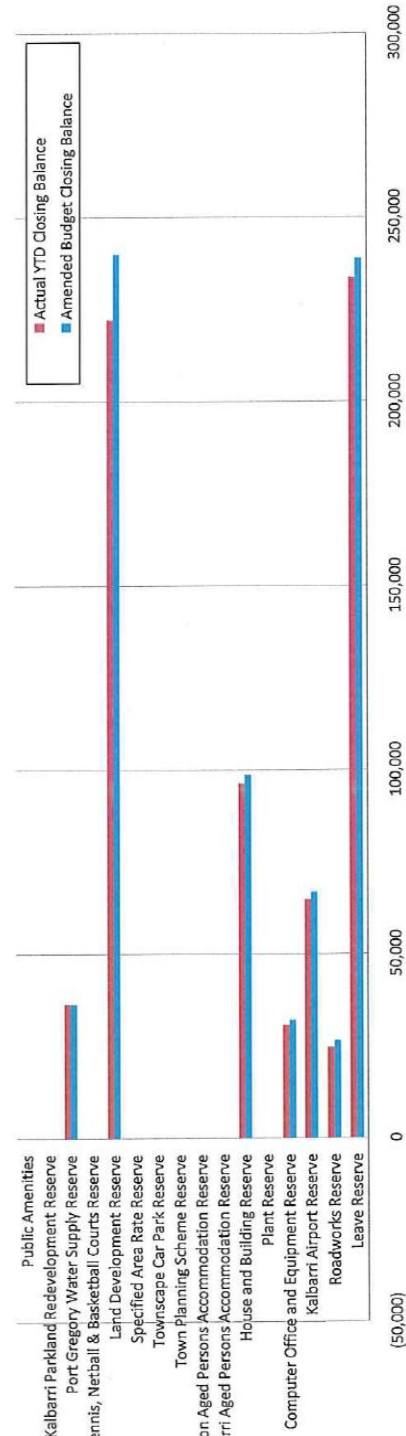
Note 6 - Accounts Receivable (non-rates)

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 7: Cash Backed Reserve

Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
Leave Reserve	\$ 228,314	\$ 5,440	\$ 350	\$ 5,000	\$ 5,000	\$ 0	\$ 0	\$ 238,754	\$ 233,664
Roadworks Reserve	49,940	2,000	135	0	0	(25,310)	(25,310)	26,630	24,765
Kalbarri Airport Reserve	44,822	200	20	21,827	20,000	0	0	66,949	64,942
Computer Office and Equipment Reserve	30,725	1,500	100	0	0	0	0	32,225	30,825
Plant Reserve	7,319	0	0	0	0	(7,319)	(7,319)	0	(0)
House and Building Reserve	86,252	2,500	155	10,000	10,000	0	0	98,752	96,407
Kalbarri Aged Persons Accommodation Reserve	245,882	0	0	0	0	(245,882)	(245,882)	0	(1)
Northampton Aged Persons Accommodation Reserve	5,024	0	0	0	0	(5,024)	(5,024)	0	(0)
Town Planning Scheme Reserve	3,596	0	0	0	0	(3,596)	(3,596)	0	0
Townscape Car Park Reserve	0	0	0	0	0	0	0	0	0
Specified Area Rate Reserve	5,038	0	0	0	0	(5,038)	(5,038)	0	(0)
Land Development Reserve	221,004	19,000	1,194	0	0	0	0	240,004	222,198
Kalbarri Tennis, Netball & Basketball Courts Reserve	78	0	0	0	0	(78)	(78)	0	0
Port Gregory Water Supply Reserve	36,500	0	0	0	0	0	0	36,500	36,500
Kalbarri Parkland Redevelopment Reserve	59,196	0	0	0	0	(59,196)	(59,196)	0	1
Public Amenities	1,023,790	30,640	1,954	36,827	35,000	(351,443)	(351,444)	739,814	709,300

Note 7 - Year To Date Reserve Balance to End of Year Estimate



SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual			Amended Budget		
		Net Book Value	Proceeds	Profit (Loss)	Net Book Value	Proceeds	Profit (Loss)
		\$	\$	\$	\$	\$	\$
	Plant and Equipment						
P257	Toyota Aurion (Health)				11,000	15,000	4,000
P184	Pig Trailer				11,000	10,000	(1,000)
P210	Kalbarri Mover				6,500	9,000	2,500
P211	Kalbarri Leading Hand Utility				6,000	2,000	(4,000)
P222	Northampton Leading Hand Utility				9,000	4,000	(5,000)
P177	Iveco Powerstar 6x4 NR1209 Tip Truck				0	0	
A-80117	Disposal of Old Kalbarri Bowling Green	167,239	0	(167,239)	0	0	
		167,239	0	(167,239)	43,500	40,000	6,500
							(10,000)

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 9: Rating Information	Rate in	Number of Properties	Rateable Value	YTD Actual			Amended Budget		
				Rate	Revenue	Back Rates	Rate	Revenue	Back Rate
RATE TYPE	\$		\$	\$	\$	\$	\$	\$	\$
Differential General Rate									
General GRV	0.080220	1,610	13,687,966	1,616,466	1,615,931	0	0	1,615,931	0
General UV	0.012717	450	177,399,858	2,284,349	2,284,349	0	0	2,284,349	0
Sub-Totals		2,060	191,087,824	3,900,815	3,900,815	0	0	3,900,280	0
Minimum Payment	\$								
General GRV	535.00	968	6,455,747	522,695	522,695	0	0	517,880	0
General UV	535.00	53	655,079	23,005	23,005	0	0	28,355	0
Sub-Totals		1,021	7,110,826	545,700	545,700	0	0	546,235	0
Discounts/Concession		3,081	198,198,650	4,446,515	4,446,515	0	0	4,446,515	0
Amount from General Rates								(150,000)	
Ex-Gratia Rates								4,438,077	
Specified Area Rates								0	
Totals								39,481	
								4,335,996	

Comments - Rating Information

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 10: Information on Borrowings
(a) Debenture Repayments

Particulars	01 Jul 2017	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Recreation and Culture									
Loan 148A - Kalbarri Library Extension	52,405	12,706	25,672	39,699	26,733	1,072	2,180		
Transport									
Loan 149 - Plant Purchases	68,156	0	68,156	68,156	0	0	4,284		
Loan 153 - Plant Purchases	252,322	18,802	37,983	233,520	214,339	5,072	11,336		
Other Property and Services									
Loan 154 - Staff Housing	288,775	0	32,134	288,775	256,641	0	11,043		
Self Supporting Loans									
Loan 147 - Kalbarri Bowling Club	0	0	0	0	0	0	0		
Loan 151 - Kalbarri Bowling Club	10,875	0	3,416	10,875	7,459	0	670		
Loan 152 - Staff Housing	345,268	0	16,327	345,268	328,941	0	22,760		
Loan 155 - Pioneer Lodge	400,000	6,658	13,448	393,342	386,552	7,900	18,410		
	1,417,801	38,167	197,136	1,379,634	1,220,665	14,043	70,683		

All debenture repayments were financed by general purpose revenue except loans 147, 151, 152 & 155 which are self supporting loans.

(b) New Debentures

No new debentures have been received during 2017/2018

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 11: Grants

Grant Provider	Type	Opening Balance (a)	Amended Budget Operating	YTD Budget	Annual Budget (d)	Post Variations (e)	Expected (d)+(e)	YTD Actual Revenue (Expended) (c)	Unspent Grant (a)-(b)+(c)	
General Purpose Funding										
Grants Commission - General	Operating	0	383,734	95,934	383,734		383,734	95,934	0	
Grants Commission - Roads	Operating	0	318,224	79,556	318,224		318,224	79,556	0	
Law, Order and Public Safety										
FESA Grant - Operating Bush Fire Brigade	Operating	0	34,030	5,610	34,030		34,030	0	(7,095)	
Grant FESA - SES	Operating	0	32,533	5,481	32,533		32,533	0	(7,808)	
Grant Feral Eradication	Operating	0	0	0	0		0	200,000	(18,434)	
Education and Welfare										
NCAA Fundraising	Non-operating	0	0	0	0		0	0	0	
Community Amenities										
Recreation and Culture										
Finger Jetty	Non-operating	0	0	0	0		0	0	0	
Kalbarri Tennis, Netball & Basketball	Non-operating	0	30,156	10,052	30,156		30,156	0	(57,877)	
Kalbarri Tennis, Netball & Basketball	Non-operating	0	22,668	7,556	22,668		22,668	0	0	
Kalbarri Bowling Club	Non-operating	0	9,360	3,120	9,360		9,360	0	(3,455)	
Kalbarri Bowling Club	Non-operating	0	15,000	5,000	15,000		15,000	0	0	
Lions Park Re-development	Non-operating	0	4,590	4,590	4,590		4,590	0	0	
Lions Park Re-development	Non-operating	0	96,205	96,205	96,205		96,205	0	0	
Seniors Week	Operating	0	0	0	0		0	0	0	
Transport										
RIG Grants - Capital Projects	Non-operating	0	257,900	42,982	257,900		257,900	105,733	(27,417)	
Grey St/Red Bluff Road Corner	Non-operating	0	265,300	44,216	265,300		265,300	116,732	0	
White Cliffs	Non-operating	0	1,300,000	1,300,000	1,300,000		1,300,000	1,454,273	(220,551)	
RFR - Binmu West	Non-operating	0	650,630	108,438	650,630		650,630	78,249	(23,007)	
DUP - Footpath Grant (Stephen Street)	Non-operating	0	0	0	0		0	0	0	
MIRWA Maintenance Grants	Operating	0	82,000	82,000	82,000		82,000	163,862	0	
WA Road Safety Commission	Non-operating	0	0	0	0		0	0	0	
Economic Services										
Lucky Bay	Non-operating	0	138,480	46,160	138,480		138,480	0	(6,131)	
Lucky Bay	Non-operating	0	15,000	5,000	15,000		15,000	147,885	0	
TOTALS		0	850,521	1,941,900	3,655,810	0	3,655,810	2,442,223	(371,775)	1,564,434
SUMMARY										
Operating		0	850,521	268,581	850,521	0	850,521	539,352	(33,337)	0
Operating - Tied		0	0	1,673,319	2,805,289	0	2,805,289	1,502,872	(338,438)	1,564,434
Non-operating		0	850,521	1,941,900	3,655,810	0	3,655,810	2,442,223	(371,775)	1,564,434
TOTALS		0	850,521	1,941,900	3,655,810	0	3,655,810	2,442,223	(371,775)	1,564,434

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 12: Trust Fund

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2017	Amount Received	Amount Paid	Closing Balance 31 Aug 2017
	\$	\$	\$	\$
Town Planning - Security Bonds	0			0
Galena Donations	0		0	0
Transportable Housing Bond	26,275			26,275
Footpath Deposits	30,820		500	31,320
Horrocks Retention Fee - Parking/Stage 2	0		0	0
Retentions - Subdivisions	30,683		0	30,683
Building Levies (BCITF & BRB)	182	3,122		3,304
Community Bus Bond	6,400	200	0	6,600
Safer WA Funds	0			0
Northampton Cemetery Funds	0			0
Unclaimed Monies - Rates	4,338	0		4,338
Nomination Deposits	0	0		0
DOLA - Parks & Gardens Development	0			0
Aged Unit Bond	0	0		0
Council Housing Bonds	520	0	0	520
BROC - Management Funds	1			1
Kalbarri Youth Space Project Funds	0		0	0
Burning Off Fees	0		0	0
RSL Hall Key Bond	650	0	(230)	420
Peet Park Donations	0			0
Willa Guthurra	0			0
Special Series Plates	1,430	0	0	1,430
Auction	0			0
Kidsport	2,937	0	(2,240)	697
Public Open Space	0			0
ReDone (Kalbarri Park/Beach Shelters)	0		0	0
Northampton Child Care Association	59,305	0	0	59,305
Horrocks Memorial Wall	765	250	(495)	520
One Life	3,513	0	0	3,513
Conservation Incentives	0	0	0	0
Kalbarri Camp School	0	0	0	0
	167,819	3,572	(2,465)	168,926

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Amended Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
<i>Level of completion indicator, please see table at the end of this note for further detail.</i>								
Governance								
Replace N'hampton photo-copier	101340	0	0	0	(9,200)	(4,533)	1,533	
Replace N'hampton phone system	101340	0	0	0	(13,000)	(2,167)	2,167	
Governance Total		0	0	0	(22,200)	(3,700)	3,700	
Education and Welfare								
Pioneer Lodge (Car Park)	130520	(571)	0	(571)	0	0	(571)	
Education and Welfare Total		(571)	0	(571)	0	0	(571)	
Health								
Replace EHO Vehicle	113240	0	0	0	(30,000)	(10,000)	10,000	
Health Total		0	0	0	(30,000)	(10,000)	10,000	
Communities Amenities								
Develop Binnu Refuse site	133050	0	0	0	(30,600)	(5,100)	5,100	
Communities Amenities Total		0	0	0	(30,600)	(5,100)	5,100	
Recreation And Culture								
DUP - Pathways Kalbarri Foreshore Redevelopment	136940	0	0	0	(255,000)	(85,000)	85,000	
Kalbarri Tennis, Netball & Basketball Courts	137140	(57,877)	0	(57,877)	(60,000)	(10,000)	(47,877)	
Car Park Construction Kalbarri Sport & Rec	138840	0	0	0	(182,835)	(60,940)	60,940	
Lions Park - Equipment etc	137160	0	0	0	(50,330)	(16,776)	16,776	
Wannemooka Water Storage Tanks	137160	0	(13,205)	(13,205)	(181,740)	(60,576)	47,372	
Kalbarri Bowling Green Replacement	137540	0	(3,455)	(3,455)	(26,205)	(4,366)	911	
Binnu Tennis Courts - Resurfacing	137440	(57,877)	0	(57,877)	(27,600)	(9,200)	9,200	
Recreation And Culture Total		(57,877)	(16,660)	(74,538)	(783,710)	(246,858)	172,320	
Transport								
Road Construction	Various	0	(275,312)	(275,312)	(2,984,104)	(497,334)	222,022	
Footpath Construction	150900	0	0	0	(114,465)	(19,072)	19,072	
Land Purchase Binnu Road	150900	(1,250)	0	(1,250)	(25,310)	(4,218)	2,968	
Pig Trailer	142240	0	0	0	(85,000)	(14,166)	14,166	
Kalbarri Leading Hand Utility	142240	0	0	0	(48,000)	(16,000)	16,000	
Northampton Leading Hand Utility	142240	0	0	0	(48,000)	(16,000)	16,000	
Kalbarri Foreshore Mower	142540	0	0	0	(53,000)	(17,666)	17,666	
Kalbarri Depot Ramp	151300	0	0	0	(16,615)	(2,767)	2,767	
Bus Shelter - Kalbarri Depot	151300	0	0	0	(20,000)	(3,331)	3,331	
Transport Total		0	(275,312)	(275,312)	(3,394,494)	(590,554)	313,992	

SHIRE OF NORTHAMPTON
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2017

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Amended Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
Economic Services - Other Property and Services								
Lucky Bay Camp Grounds - Signage	150160	(6,131)	0	(6,131)	(3,000)	(500)	(5,631)	
Other Property and Services Total		(6,131)	0	(6,131)	(3,000)	(500)	(5,631)	
Capital Expenditure by Program Total		(64,579)	(291,972)	(357,802)	(4,264,004)	(856,712)	498,910	
Capital Expenditure By Class								
Land Held for Resale	Various	0	0	0	0	0	0	
Land and Buildings	Various	(57,877)	0	(57,877)	(180,125)	(34,616)	(24,511)	
Infrastructure Assets - Roads	Various	(1,250)	(275,312)	(276,562)	(2,984,104)	(497,334)	220,772	
Infrastructure Assets - Footpaths	Various	(571)	0	(571)	(552,300)	(165,012)	164,441	
Infrastructure Assets - Parks and Ovals	Various	(6,131)	(16,660)	(22,791)	(261,275)	(82,218)	59,427	
Plant and Equipment	Various	0	0	0	(264,000)	(73,832)	73,832	
Furniture and Equipment	Various	0	0	0	(22,200)	(3,700)	3,700	
Capital Expenditure Total by Class		(65,828)	(291,972)	(357,802)	(4,264,004)	(856,712)	497,660	



Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

ADMINISTRATION & CORPORATE REPORT

6.5.1	FREE CAMPING AREA – NORTHAMPTON GOLF CLUB	1
6.5.2	REFURBISHMENT OF TABLE AND SEAT SETTINGS EX KALBARRI LIONS PARK	7
6.5.3	KALBARRI AERODROME – CASA INSPECTION RESULTS	10
6.5.4	LUCKY BAY – JOINT MANAGEMENT WITH HUTT RIVER NATIVE TITLE CLAIMANTS	14
6.5.5	NECK TIE & SCARF PURCHASES	26
6.5.6	RESERVE 34550 – SEEK POWER TO LEASE	28
6.5.7	SPECIAL MEETING – SWEARING IN OF NEW COUNCILLORS, ELECTION OF PRESIDENT, DEPUTY PRESIDENT AND MEMBERS OF COMMITTEES	31
6.5.8	RATES EXEMPTION REQUEST – MURCHISON REGION ABORIGINAL CORPORATION	33

6.5.1 FREE CAMPING AREA – NORTHAMPTON GOLF CLUB

LOCATION:	Northampton Golf Club
FILE REFERENCE:	13.2.4
CORRESPONDENT:	Graham Leggett
DATE OF REPORT:	29 August 2017
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Copy of Mr Leggett's correspondence

SUMMARY:

Council to consider concerns raised by Mr Leggett in the provision of free camping at the Northampton Golf Club and consider his request to cease this operation.

BACKGROUND:

Council at their March 2016 meeting considered a request from the Northampton Tourist Association for the establishment of a free camping area for RV's/Caravans as they had received many requests for such a site.

The Council resolved to trial a free camping site for twelve months at the Northampton Golf Club (Lot 469 Harvey Road) and supply appropriate signage (including rules), installation of bollards to define the camping area.

The area has now been in operation for twelve months and although relatively little persons utilised the area when it was first opened, in recent months it has become popular.

The only aspect of the Council decision that has not been implemented is the installation of bollards to define the area. It was considered that bollards are not necessary as the area is well defined by a small creek line.

Apart from the correspondence now received, there have been no other complaints in regards to the free camping site.

The rules for camping at the site are:

1. Only self contained vehicles, caravans and campervans are permitted, and must have
 - minimum 20 litres of fresh water,
 - waste (grey) water holding tank with minimum capacity of 5 litres/person or 15 litres/person if vehicle fitted with shower
 - a portable toilet cassette.
-

All waste must be retained within the confines of the vehicle and nothing released to ground with the exception of dishwashing sink waste.

2. Maximum stay is 24 consecutive hours unless otherwise approved by the Council.
3. Mobile power generators external to the vehicle only to be used for up to 2 hours to top up internal batteries and not be operating after 9.00pm.
4. External strung washing lines not permitted.
5. Dogs to be on leash at all times.
6. No Campfires.
7. Use of offroad vehicles is prohibited.
8. The Shire of Northampton or the Northampton Golf Club accepts no liability for damage or loss to any vehicle, caravan and/or campervan.
9. No parking or vehicle access permitted to golf course playing area.
10. Please place all rubbish in bins provided.
11. Do not use any reticulated water as is non potable.
12. The Council or the Golf Club has the right to close the camping area at any time.

If a caravan and/or campervan is not self sufficient as per the above persons are advised that they you cannot camp at the site. \$100 on the spot fines apply and this has now been increased to \$125 with the adoption of the new Local Laws.

COMMENT:

Within the correspondence Mr Leggett raises a number of issues of which the following comment is provided:

Item 3 – Claims the area has not been policed and witness of campers using the golf club ablution facilities.

The claim of the area never been policed is false. The Shire ranger does patrol the area on an adhoc basis; he cannot do it 24 hours a day, seven days a week. In the past month the ranger has recorded visiting the site on 11 occasions

and each day the times ranged from 5.00pm to 7.00pm. No inspections occurred on weekends and a direction for him to undertake weekend inspections has occurred.

The ranger also advised that on no occasions in August has he had to move on anybody that did not have a portable toilet.

In respect of campers using the club ablutions, this may be the case on a golf club day when at times the campers have been invited to meet up with club members but this is the only time the club house is open, which is each Sunday when there is a local fixture. The club house facilities are not open at any other time.

Mr Leggett's comment that this is in breach of the rules is incorrect. The rules state that each camper van/caravan etc is to have their own portable toilet, there is no ruling about use of the golf club facilities if allowed by the members.

Mr Leggett also states that he has witnessed campers using the facilities. To do this he needs to physically enter the premises to witness this. The CEO is a member of the club and plays regularly and has never witnessed Mr Leggett entering the club premises. He does drive up to the club house area and takes photographs of the campervans on site.

In regards to Mr Leggett's comment on a petition, only one petition sheet has been received and was blank, no signatures were on it.


VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.1
--

For Council consideration.

APPENDICES 1 – Graham Leggett Correspondence



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

Chief Executive Officer,
Shire of Northampton
199 Hampton Road,
Northampton. W.A.

Dear sir,

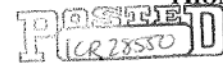
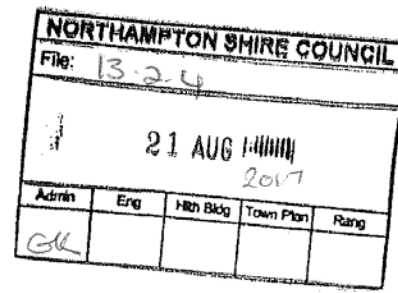
Re . Free camping Golf Club.

This correspondence is to express my total disappointment of the process and approval given by the Northampton Shire for the free camping site at the Northampton Golf Course for the following reasons.

- 1.. No effort in correspondence in any way was given by the Shire of Northampton to Northampton Caravan Park about this free camping site
2. Northampton Caravan Park was originally purchased from the council around 7 years ago and more than a million dollars spent on improvements and infrastructures including the caretaker's residence therefore to open and set up another caravan park in the same street only one kilometre away is both morally and ethically disappointing.
3. Even under this new caravan park the conditions and rules set down by the council have NOT been policed. I have visited this site almost every night in the past 12 months and I have never meet or seen the Ranger there once plus I have many photos of blatant infringements with the rules set down by council. Last Sunday evening when the Golf Club was open I personally witnessed campers using the Golf Club toilet facilities.

I have again been invited again by the A.B.C. media to follow up on my last interview, again to express my views on this matter. As you are probably aware I have a petition around town about this matter where I already have more than a hundred signatures' from caravaners, campers and many locals also concerned and bewildered on the actions of the Northampton Shire.

The Northampton Shire have now given options for campers to choose between taking a camp site for free or for paying for one with two caravans parks almost next to each other. I cannot compete with that and it is unacceptable, there was no thought

by council to support my small business. This now is reflected more often by more campers at the free camp site than at my caravan park.

With consideration with the above information, with the likelihood of my business forced to close down my legal advice given I would expect that this free caravan park be closed down immediately. Northampton Caravan Park will be also seeking compensation for Loss of Income hardship and mental stress put on myself and my family from the Northampton Shire Council.

Yours faithfully

Graham Leggett

17th August 2017

cc. Shane Love.M.L.A
Paul Papalia M.L.A.
Caravan Industry Association of W.A.



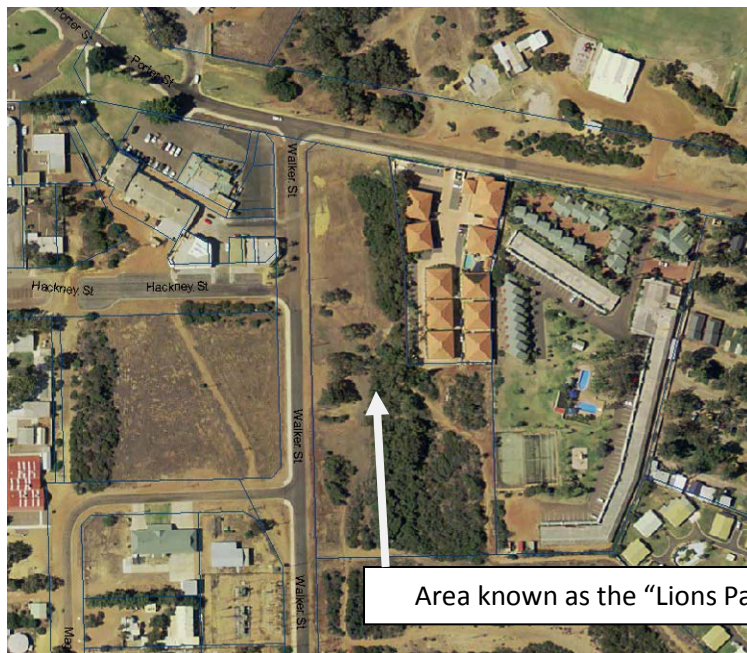
6.5.2 REFURBISHMENT OF TABLE AND SEAT SETTINGS – EX KALBARRI LIONS PARK

LOCATION: Walker Street, Kalbarri
FILE REFERENCE: 11.1.7
CORRESPONDENT: Kalbarri Men’s Shed
DATE OF REPORT: 29 August 2017
REPORTING OFFICER: Garry Keeffe

SUMMARY:

Council to consider a revised proposal from the Kalbarri Men’s Shed to upgrade two existing table and seat settings at the area known as the “Kalbarri Lions Park”

LOCALITY PLANS:



BACKGROUND:

Council at the 2017/18 Budget meeting considered a request from the Kalbarri Development Association for the replacement of two table/bench settings at the above park. The cost to replace each setting is approximately \$900 plus installation.

Following are photographs of the current settings:



Council resolved not to include the expenditure in the budget and resolved to correspond to the Kalbarri Men's Shed to see if they would undertake an upgrade to the existing settings as a community project.

COMMENT:

As directed the Kalbarri Men's Shed was approached and their first response is that they would be willing to undertake the upgrade of the existing settings at a cost of \$850. The Shed was subsequently responded to advising that it was the intention of the Council if they would do it as a community project at no cost to the Council as this was believed to be the intent of the Council's original decision.

The Shed has responded advising that they rely on donations and contributions to operate and if the Council can find persons to donate timber and paint then they would undertake the refurbishment free of charge.

The land area in question is land not under the control of the Council, it is unallocated crown land and apart from some mowing and reduction of fire hazard the Council does not undertake any other upgrades.

In considering this request the Council needs to be mindful that as the land is not under control or ownership of Council it is restricted to the use of its funds on land not under its control, this is as per the Local Government Act 1995, unless the Council determines it is for the better governance of the area.

FINANCIAL & BUDGET IMPLICATIONS:

There is no provision for the above expenditure within the 2017/18 budget however the \$850 quote could be covered by the Councils general parks and gardens operating budget.

STATUTORY IMPLICATIONS:

Local Government Act 1995 – Section 6.8, authorising unbudgeted expenditure.

VOTING REQUIREMENT:

Absolute Majority Required: - As there is no provision for this expenditure within the 2017/2018 Budget, Council needs to approve the expenditure by an absolute majority as per Section 6.8 of the Local Government Act 1995.

OFFICER RECOMMENDATION – ITEM 6.5.2

For Council determination.

6.5.3 KALBARRI AERODROME – CASA INSPECTION RESULTS

LOCATION:	Kalbarri Aerodrome
FILE REFERENCE:	12.2.3
CORRESPONDENT:	Kirsten Sanford - CASA
DATE OF REPORT:	30 August 2017
REPORTING OFFICER:	Garry Keefe

SUMMARY:

Council to approve the use of Kalbarri Aerodrome Reserve allocation to attend to matters raised in a recent Civil Aviation Safety Authority (CASA) inspection.

BACKGROUND:

With the Kalbarri aerodrome still a registered aerodrome (not a security controlled aerodrome) it is still subject to an inspection by CASA which is undertaken randomly to ensure the aerodrome complies with current CASA regulations.

An inspection by CASA was undertaken on 17th to 19th July 2017 and the following “non-compliance” and “observations” were reported that require approval for use of funds to attend to the matters raised.

Other matters were also raised however these are being attended to by management.

1 Non Compliance

1.1 Colour of Signal Circle and Wind Indicator Circle requires re-paint

The two circle areas are now a light grey, not black in colour; and each white border was significantly faded. The colour needs to be very black/dark to ensure pilots can view a runway closure signal (if applied) and the windsock.

Staff Action – a quote has been obtained to re-paint the two circles areas. The cost is significant due to the size of the circles, the wind indicator circle is 17m in diameter and the signal circle is 11m in diameter. A long lasting road marking paint is to be used.

The use of bitumen was considered however as there is no stone on the bitumen, in hot days the area will become sticky and possibly run which is not suitable when servicing the areas.

2 Observations

2.1 Runway Inspection

A visual inspection of a sample of the runway pavement surface (RWY 18/36) identified the following irregularities, that were not reported during serviceability inspections and that may result in foreign object damage to aircraft or loss of frictional characteristics:

- cracking (minor); and
- the presence of small loose stones and sand in touchdown areas.

The runway surface was not being swept, and there was no evidence of a pavement maintenance program.

Staff Action

The runway has been swept and the cost of this is part of the aerodrome operating maintenance.

To undertake a pavement maintenance program will require a qualified person to inspect the runway and provide some guidance to the Council on when the runway should be next sealed, what action for cracking should be undertaken now, etc. Cost of this is incorporated in the quote from Aerodrome Management Services in the financial section of this report

This has been mentioned several times by the CEO which resulted in Council establishing the Kalbarri Aerodrome Reserve fund to assist with a runway seal.

2.2 Refresher Training for Airport Reporting Officers (ARO's)

Council has three (3) appointed AROs and neither has undertaken a refresher course to maintaining their qualification which is a requirement. This has basically been an oversight as when the aerodrome ceased to be security controlled, it was not known that the ARO refresher courses had to be undertaken, which is every four years.

The cost of the courses are within the financial section of the report and must be undertaken by an approved trainer. Courses are held in Perth

2.3 Obstacle Limitation Surfaces

The approach and take-off surfaces of the Obstacle Limitation Surface (OLS) are not being surveyed on a regular basis, considering the vegetation growth that was noted within the approach and take-off areas. The last OLS survey was conducted in March 2012.

Staff Action

With the aerodrome having little use it was deemed not necessary to undertake an OLS on a regular basis which was the case when the aerodrome had RPT services.

A quote to undertake the survey is in the finance section of this report.

COMMENT:

The “non-compliance” matter raised will need to be attended to immediately and the “observation” matters can be dealt with less urgency, however it is recommended that all the above be attended to in 2017/18.

It would have been beneficial to have the results of such inspections occurring prior to the budget adoption however Council has no control in such arrangements.

FINANCIAL & BUDGET IMPLICATIONS:

As per the information in the above, all the matters raised will come at a cost and are summarised as follows:

- Colour of Signal Circle and Wind Indicator Circle requires re-paint

Quote provided by a Geraldton based line marking contractor \$11,500

- Runway Inspection & Obstacle Limitation Surfaces

Quote supplied by Aerodrome Management services \$4,070, which includes a check of the aerodrome manual and supporting documentation (including daily checklists and maintenance logs), takeoff surveys (to update Runway Distance Supplement), inspection of the Obstacle limitation surface, Physical inspection of the aerodrome.

AMS indicated that the inspection will also provide advice on the runway pavement condition and recommended future action.

- Refresher Training for Airport Reporting Officers (ARO's)

Quote supplied by Aerodrome Management Services \$2,400 per ARO, total \$7,200 plus travel and accommodation.

From the above the total cost to Council is \$22,770 plus travel and accommodation costs for staff to attend the ARO training course.

No provision for the above costs are within the adopted 2017/18 Budget however it is recommended that the \$20,000 provision for transfer from Municipal account to the Aerodrome Reserve Fund be used and Council approve the additional costs over and above the \$20,000 provision as authorised expenditure to ensure that Council is in compliance with the CASA regulations for the continued operation of the Kalbarri Aerodrome.

STATUTORY IMPLICATIONS:

Local Government Act 1995 – Section 6.8, authorising unbudgeted expenditure.

VOTING REQUIREMENT:

Absolute Majority Required: - As there is no provision for this expenditure within the 2017/2018 Budget, and a change in the adopted budget is to occur (if approved by Council) Council needs to approve the expenditure by an absolute majority as per Section 6.8 of the Local Government Act 1995.

OFFICER RECOMMENDATION – ITEM 6.5.3

That Council approves the use of the provision of \$20,000 that was to be transferred to the Kalbarri Aerodrome Reserve Fund, and authorise additional expenditure over and above the \$20,000 provision to be used to fund:

- 1. Re-painting of the wind direction circle and signal circle at a cost of \$11,500;**
- 2. Undertaking of a Runway Inspection and Obstacle Limitations Surfaces survey at a cost of \$4,070;**
- 3. Provision or refresher training to three Airport Reporting Officers (current staff members) at a cost of \$7,200 plus travel and accommodation;**

to ensure the Kalbarri Aerodrome is in compliance with Civil Aviation Safety Authority regulations.

6.5.4	LUCKY BAY – JOINT MANAGEMENT WITH HUTT RIVER NATIVE TITLE CLAIMANTS	
	LOCATION:	Crown Reserve 35206 – Luck Bay
	FILE REFERENCE:	10.9.5
	CORRESPONDENT:	Yamatji Matlpa Aboriginal Corporation
	DATE OF REPORT:	1 September 2017
	REPORTING OFFICER:	Garry Keeffe
	APPENDICES:	<ol style="list-style-type: none"> 1. Two items of correspondence from Yamatji Marlpa Aboriginal Corporation 2. CEO email seeking clarification 3. Policy on Aboriginal Customary Activities

SUMMARY:

Council to determine matters raised by the Hutt River Native Title Claimants in regards to the ongoing management of Crown Reserve 35206 and camping nodes within this reserve currently managed by Council.

BACKGROUND:

Following the informal meeting held 21 July 2017 between Council and members of the Hutt River Native Title Claimants regarding the recent camping nodes developments at Lucky Bay, attached is correspondence received.

A number of issues have been raised within the correspondence and some clarification has been sought (also attached) which is the reason for the provision of their letter dated 29 August 2017.

COMMENT:

From a management perspective the following comments are made on the matters raised.

YMAC Correspondence dated 27/8/2017

Item 1.2 – Process to Improve Relationships

YMAC are requesting that Council consider the adopting of a policy that promotes Claimants to go camping on Council controlled lands and the Lucky Bay area, to carry out their traditional laws and customs and that they either be exempt or have a reduction in the camping fees currently levied, which would only apply to the Little Bay and Lucky Bay camping areas.

Such a policy is supported however needs to be respected and not a mechanism just to camp for free whenever a group wishes to.

YMAC provided a draft policy used by the Department of Parks and Wildlife and is at Appendices 3.

This policy does not really provide the detail for Council use and is a relatively broad policy. A Council policy will need to be specific. The following draft is provided for Council consideration. Note the draft policy refers to an exemption to camping fees.

POLICY

It is the policy of Council that where the use of a reserve/land that is under the control/management and or ownership of the Shire of Northampton, by Aboriginal people for customary/cultural purposes, being:

“preparing or consuming food customarily eaten by Aboriginal people, preparing or using medicine customarily used by Aboriginal people, engaging in artistic ceremonial or other cultural activities undertaken by Aboriginal people or other activities incidental to those purposes”

and that use requires overnight camping then that use is approved subject to:

- 1. 24 hours notice of that activity being provided to the CEO and/or the Lucky Bay Camping area caretaker;*
- 2. All rules and regulations relating to the area are adhered to;*
- 3. Use is to be in accordance with all current Council Local Laws; and*
- 4. That the payment of the current camping fee applying to such areas is exempt.*

The inclusion of Council Local Laws is important to ensure that the Council retains control of certain activities that may occur outside this policy, ie dog control, litter control etc.

Item 2.1 – Clarifying Tenure Status

The points raised within YMAC’s correspondence is not disputed, however there is some differences of opinion in regards to Aboriginal rights through the native title claim which has been raised by YMAC.

A legal opinion has been requested on this issue to ensure that Council is provided with correct information to assist in determining this matter. The specific question that the opinion was requested is if the current reserve status was

exempt from native title claims and what other rights to Aboriginal people have on the reserve.

The advice is that:

First it is an assumption of this advice, that there was no prior tenure or reservation history prior to the reserving of the land in 1978. If there was prior history, then native title may have been extinguished by virtue of that prior history. If there was ever a reserve prior to 1978 and that reserve was vested, then it is likely that there was total and permanent extinguishment. It is assumed that the land was never freehold – if it was then likewise there would have been extinguishment.

Reserve 35206 was declared on 7 April 1978. The Government Gazette of that date records that His Excellency the Governor in Executive Council has been pleased to set apart pursuant to the Land Act 1933 as a Reserve, certain land for the purpose of 'Recreation'.

That act of reserving land for the purpose of Recreation occurred prior to 1994 and it was done pursuant to a Western Australian Act. It was therefore a 'past act' and was valid.

In short, the 1978 reservation for 'Recreation' suspended, but did not extinguish, any underlying native title right on the part of native title holders, to make decisions about access to or use of, the reserved land. As long as that reservation is in place, native title holders' rights to make decisions about access to or use of the reserved land, are unexercisable, although they are technically not extinguished. Any native title rights of exclusive possession and any right to exclude others from the land is necessarily also suspended. If the reserve were to be cancelled and not replaced immediately with another reserve, native title holders' rights to make decisions about access to and use of the land would spring back.

All native title rights other than the rights underlined above, continue unextinguished, eg. rights to enter the reserved land, rights to hunt, undertake ceremonies, etc.

In addition to the above, the question of YMAC's concerns around the aboriginal heritage survey was also requested. The advice provided is:

“Where a proponent has obtained an Aboriginal heritage survey from a professional anthropologist, and the anthropologist has, after due investigation concluded that the proponents proposal will not impact upon

a “Aboriginal site” then in practical terms it is rare that any further issue arises with regard to Aboriginal heritage under the Aboriginal Heritage Act 1972.”

A complete copy of the legal advice will be provided to Councillors under separate cover.

Item 2.2 – Reserve tenure & management options

From the advice, the CEO requested clarification on exactly what area of management of the reserve they were seeking (see Appendices 3). YMAC have responded again somewhat not what is considered definitive and this matter is in need of further discussion and negotiation.

The only suggestion that can be recommended to Council is that Council representatives meet with claimant’s representatives to further discuss joint management options.

Item 3 – Reconciliation Action Plan

Further research is required for such a plan and this will be presented to Council for determination at a later date.

Based on some research though, it is considered that external assistance will possibly be required. Councillors are encouraged to visit the Reconciliation Australia web site to view the detail of a RAP.

Item 4 – Invitation to Hutt River Working Group Meeting

Advice has been forwarded to YMAC advising that such a meeting will need to involve the new Council following the October 2017 Local Government Elections as their next working group meeting will not be held until after the election.

It is considered that this meeting should focus on first the proposal of the land management options at Lucky Bay.

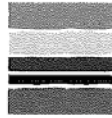
VOTING REQUIREMENT:

Simple Majority Required:

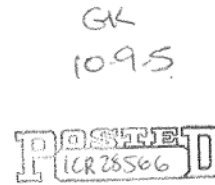
OFFICER RECOMMENDATION – ITEM 6.5.4

For Council consideration.

APPENDICES 1 – Correspondence received from Yamatji Marlpa Aboriginal Corporation



Yamatji Marlpa
ABORIGINAL CORPORATION



Our Ref: HUT017
Office: Perth

27/08/2017

Mr Garry Keeffe
Chief Executive Officer
Shire of Northampton

By email: ceo@northampton.wa.gov.au

Dear Garry

HUTT RIVER NATIVE TITLE CLAIM GROUP AND SHIRE OF NORTHAMPTON - MOVING FORWARD AND WORKING TOGETHER

We write in relation to issues discussed at the meeting (**Meeting**) between Shire of Northampton (**Shire**) and Hutt River native title claimant (**Claimant**) representatives on Friday, 21 July 2017.

1. Shared Use of Camping Areas

1.1. Past interactions between Traditional Owners and Shire staff

We are aware of negative interactions in the past between Shire staff and Claimants at camp sites in the Shire. Neither Claimants nor YMAC endorse abusive or threatening behaviour. We think that the Shire would agree that most people do the right thing, and that the actions of a small minority should not be attributed to an entire group.

Further, both Claimants and Shire staff seek mutual respect. Claimants seek recognition as custodians of their land and expect that they will not be unreasonably restricted from carrying out their laws and customs. In turn, the Shire seeks recognition for its efforts in keeping public areas, including camping areas, clean for members of the public to enjoy.

If you receive reports of inappropriate Claimant behaviour at camping areas, we ask you to please immediately contact Carrum Mourambine, YMAC Project Officer (Ph: 9965 6222, E: cmourambine@ymac.org.au). This will allow us to identify which person(s) involved, speak to them about the matter and provide an informed response.

With respect to the incident that occurred at Lucky Bay earlier this month, which the onsite caretaker reported to the Shire, we confirm that senior Claimant, Raymond Drage, and his family visited at that time. Raymond advised that he did not abuse or otherwise act inappropriately towards the caretaker, noting that he and the caretaker have some personal differences. Raymond also advised that he visited the area to teach traditional knowledge to his family members.

1.2. Processes to improve relationships

At the Meeting, we discussed whether there could be a policy that promotes Claimants to go camping in the Shire to carry out their traditional laws and customs, e.g. to pass on traditional knowledge to younger generations, fish, collecting bushfoods or light fires (**Cultural Camping**).

Geraldton 171 Marine Tce Geraldton WA 6530 PO Box 2119 Geraldton WA 6531 T (08) 9965 6222 F (08) 9964 5646	Hedland 2/29 Steel Loop Wedgfield WA 6721 PO Box 2252 South Hedland WA 6722 T (08) 9160 3800 F (08) 9140 1277	Perth Level 8, 12-14 The Esplanade Perth WA 6000 PO Box 3072 249 Hay St Perth WA 6892 T (08) 9268 7000 F (08) 9225 4633
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Claimants requested to be exempt from normal camping fees, or alternatively pay subsidised fees, when going Cultural Camping, which is consistent with Department of Parks and Wildlife policy.

The Shire was receptive to this suggestion, on the condition that Claimants give you, as the Shire CEO, at least 24 hours' notice before arriving to allow time to notify the responsible caretaker.

This proposed policy, involving waived/subsidised fees for Claimants going Cultural Camping and Claimants giving prior notice to the Shire, may be a satisfactory way forward for both parties. Such a policy, based on mutual respect, would improve communication and thereby improve the relationship between Claimants and the Shire more generally. Regular meetings, a practice which has now commenced, also serve this function.

Could you please confirm if and when the Shire will consider adopting such a policy? In the interim, we will do our best to circulate this expectation of prior notice to Claimants, though we note that the Hutt River claim group is made up of four very large family groups.

2. Crown Reserve 35206

2.1. Clarifying the tenure status

We acknowledge that there is some disagreement on the tenure status of Crown reserve 35206 (Reserve) on which the Lucky Bay eco-camping facilities (Camping Facilities) are located. Our view is that native title continues to exist on the Reserve, as no act has extinguished it. In holding this view, we note the following:

- The Reserve is unvested. Tenure information received from the State of Western Australia indicates that there is no historical or current vesting.
- The Reserve is also unmanaged. Department of Planning, Lands and Heritage (DPLH) is currently legally responsible for the Reserve, in the absence of any formal management order or licensing arrangement to any other party;
- As it has legal responsibility for Crown reserves, DPLH is sometimes referred to as a "vesting body" but this does not mean that the land has in fact been vested;
- Following the introduction of the *Land Administration Act 1997 (WA) (LAA)*, reserves in Western Australia are no longer "vested". Instead, the concept of the "management order" was introduced; under s46 LAA, the Minister may issue a management order over a reserve. The granting of a management order does not extinguish native title rights and interests; and
- The Shire's Coastal Management Strategy of 2006 stated the following on page 22:

"CALM has advised that it is not interested in pursuing the Management Order on behalf of the Conservation Council of Western Australia for the unvested Crown Reserve 35206, situated between the Kalbarri National Park and Halfway Bay..."

2.2. A way forward: Reserve tenure and management options

We summarise our understanding of the current circumstances as follows:

- The Shire has requested DPLH to excise a portion of the Reserve that would include the Camping Facilities, then grant a management order over this new reserve to the Shire;
- DPLH has advised that:
 - this act would require the Shire to reach agreement with Claimants, either through an Indigenous Land Use Agreement or acquisition of native title rights and interests; and
 - DPLH would only agree to create the new reserve, if the Shire provides DPLH with an indemnity for costs and compensation to address the act's effect on native title rights and interests within the new reserve.



- The Shire has advised that it is not in a position to incur significant costs, and has not and will not provide the undertaking to DPLH.
- At the Meeting, the Shire suggested that an alternative management option would be for Claimants to manage the area.

Claimants are seriously considering their options for managing the Reserve, as they consider that Traditional Owner management could be a real long term management solution. Claimants have aspirations to run land management and land use programs that would be well suited to the Reserve. YMAC has been speaking with DPLH about possible tenure arrangements.

In my email dated 21 July, I noted that the Shire and Claimants could reach an agreement whereby they share management responsibilities over the Reserve. Examples of how a joint management relationship could be done include through a management order in favour of two management bodies, or shared interests in a lease under the LAA.

3. Reconciliation Action Plan

At the Meeting, we provided the Shire with some examples of Reconciliation Action Plans (RAP) from which the Shire could develop its own RAP. As mentioned previously, we would be willing to assist the Shire to draft a RAP should it request such assistance.

4. Invitation to Hutt River Working Group meeting

The Hutt River Working Group will next meet on Wednesday, 13 September 2017. We would like to invite Shire representatives to this meeting for one hour to discuss:

1. As a priority, the Shire's views on Traditional Owner management of the Reserve and/or joint management between Claimants and the Shire, including options for resolving the tenure issue; and
2. Time permitting, the Shire's progress in developing the proposed Cultural Camping policy and a RAP.

The Working Group generally meets in Geraldton, however it may be possible to meet in Northampton if this be more convenient for Shire representatives. We will defer to yourself regarding which and how many Shire representatives would be required at the Working Group meeting.

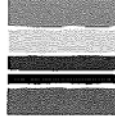
Kind regards



MEGAN HEALY
LAWYER

Cc to:

Craig Simkin, cr.simkin@northampton.wa.gov.au
Malcom Scott, cr.scott@northampton.wa.gov.au
Des Pike, cr.pike@northampton.wa.gov.au
Roslyn Suckling, cr.suckling@northampton.wa.gov.au
Sandra Stock-Standen, cr.stockstanden@northampton.wa.gov.au
Shane Krakouer, cr.krakouer@northampton.wa.gov.au
Terry Carson, cr.carson@northampton.wa.gov.au



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ICR 28571

GK
10-9-5

Yamatji Marlpa
ABORIGINAL CORPORATION

Our Ref: HUT017
Office: Perth

29/08/2017

Mr Garry Keeffe
Chief Executive Officer
Shire of Northampton

By email: ceo@northampton.wa.gov.au

Dear Garry

FURTHER DETAILS OF PROPOSED JOINT MANAGEMENT BETWEEN SHIRE OF NORTHAMPTON AND HUTT RIVER NATIVE TITLE CLAIMANTS – CROWN RESERVE 35206

This letter provides answers to questions asked in your email dated 29 August 2017, which we provide ahead of the Shire of Northampton (Shire) Council meeting on 15 September 2017.

1. What area do Hutt River claimants want to manage?

Hutt River claimants (**Claimants**) are interested in being involved in more than just managing the camp site area within Crown reserve 35206 (**Lucky Bay Reserve**).

I am not in a position to define the precise components of the land management/use program (**Program**) that Claimants would like to develop and run. As you know, Traditional Owner management of the Lucky Bay Reserve is an idea that was only proposed recently. I can confirm that the Program would likely include youth Indigenous Rangers (whose role is explained below), cultural education e.g. teaching law and culture to school groups, and possibly a cultural tourism component.

YMAC employs a land and sea management specialist who is able to assist Claimants to develop a Program.

2. Rangers: their role and how may be funded

Rangers would carry out activities including coastal protection and dune rehabilitation, weed eradication, cultural protection, as and where required within the Lucky Bay Reserve.

Claimants would not expect the Shire to pay for Rangers or any other staff whom they may employ. There may be around 3 - 4 Rangers employed, noting that the number of Rangers required would depend on the scope of Claimants' Program.

There are various streams of funding available to Indigenous Rangers. Further, a cultural tourism business component within the Program would also provide financial sustainability.

3. Dividing management responsibilities

I understand that the Shire is mainly concerned with managing the camping area, and is not interested in using the remainder of the Lucky Bay Reserve.

Geraldton
171 Marine Tce
Geraldton WA 6530
PO Box 2119
Geraldton WA 6531
T (08) 9965 6222
F (08) 9984 5646

Hedland
2/29 Steel Loop
Wedgefield WA 6721
PO Box 2252
South Hedland WA 6722
T (08) 9160 3800
F (08) 9140 1277

Perth
Level 8, 12-14 The Esplanade
Perth WA 6000
PO Box 3072 249 Hay St
Perth WA 6892
T (08) 9268 7000
F (08) 9225 4633



Could you please confirm if this is correct?

Noting that we have **not** yet got instructions from our clients on the below, we set out different relationship options that we have identified, which may assist Council:

1. The Shire and Claimants share responsibility for operating the camping area, and Claimants run their Program in the remainder of the Lucky Bay Reserve (or parts thereof);
2. The Shire has principal responsibility for the camping area, e.g. continues to collect fees and monitor the camp sites, with Claimants assisting to keep the area clean e.g. Rangers could perform weed eradication and dune protection functions; or
3. There is a complete separation of responsibilities for different areas:
 - The Shire is responsible for the camping area and a new reserve is created over this area, which becomes the subject of a management order in favour of the Shire;
 - Claimants obtain a management order over the remaining part of the Lucky Bay Reserve or a part thereof, where they run their Program; and
 - There would need to be an access arrangement between the Shire and Claimants.

In options 1 and 2, the Shire and Claimants would need to discuss how much they each contribute towards expenses associated with managing the Lucky Bay Reserve, and how profits are divided.

Whichever option is pursued, some kind of formal agreement between the Shire and Claimants would be needed. This may be a Memorandum of Understanding, Indigenous Land Use Agreement or Management Order Deed with a Management Plan.

We have proposed joint management as an option because the Shire and Claimants both wish to maintain their presence in this area. If the parties attempt to cooperate, rather than compete in this space, they are both likely to have more success in their respective endeavours. Claimants could alternatively pursue a management order, or lease interest under the *Land Administration Act 1997* (WA), in their own right.

Please let me know if you require any further details.

Kind regards



MEGAN HEALY
LAWYER

APPENDICES 2 – Email from Council CEO seeking clarification

Garry Keeffe



OK
1095

From: Garry Keeffe
Sent: Tuesday, 29 August 2017 9:05 AM
To: 'Megan Healy'
Subject: Lucky Bay

Further to your email and correspondence 21/8/2017 in regards to joint management, what exactly are the claimants requesting. Do they want to operate the camping areas as the Council currently is or are they seeking as per your email coastal rehabilitation and employ of a youth ranger. If this is the case then are the claimants expecting the Council to employ the youth ranger, is it one person or more persons and what are they going to do on the site noting that the claimants have not undertaken any management to protect the area in previous years. The Council needs specifics.

Also I clarify point 2.1 of your letter. You are not taking into consideration that it was the Department of Lands that gave us the approval to progress with the development of the camping nodes, further the Council is seeking its legal opinion on the land tenure versus the claimants rights and once that advice has been received we will advise.

If advice on the above two matters are received for the 15 September meeting then the Council will consider the matter otherwise it will need to be deferred until the October meeting.

Garry L. Keeffe
Chief Executive Officer
P: 99341202 M: 0427 341202
ceo@northampton.wa.gov.au
www.northampton.wa.gov.au



Disclaimer by the Shire of Northampton. This email is private and confidential, if you are not the intended recipient, please advise us by return email immediately, and delete the email and any attachments without using or disclosing the contents in any way. The views expressed in this email are those of the author, and do not represent those of the Shire unless this is clearly indicated. You should scan this email and any attachments for viruses. The Shire accepts no liability for any direct or indirect damage or loss resulting from the use of any attachments to this email.

APPENDICES 3 - DPAW Policy



Department of
Parks and Wildlife

*Liaise with
Megan*



CORPORATE POLICY STATEMENT NO. 86

ABORIGINAL CUSTOMARY ACTIVITIES

September 2015

1. OBJECTIVE

To establish the framework for decision making in relation to recognising activities undertaken by Aboriginal people for customary purposes, and in the application of relevant regulations.

2. SCOPE

This policy guides staff of the Department of Parks and Wildlife (the department) who deal with Aboriginal customary activities on land to which the *Conservation and Land Management Act 1984* (CALM Act) applies. The policy will also guide staff required to apply the provisions of the *Wildlife Conservation Act 1950* (Wildlife Act) and the *Wildlife Conservation Regulations 1970* (Wildlife Regulations) on other lands.

3. CONTEXT

Aboriginal people have expressed long standing aspirations to be able to carry out customary activities 'on country' which is largely within reserved estate. The CALM Act and Wildlife Act now provides rights for Aboriginal people to undertake certain activities for customary purposes by providing them with a defence against certain offences under those Acts. It recognises the special connection Aboriginal people have to the land and sea, and the existence or otherwise of native title rights of Aboriginal people. The department has the ability to restrict or exclude Aboriginal people from undertaking these activities where required through regulation.

4. LEGISLATION

Section 103A of the CALM Act and section 23 of the Wildlife Act provide a defence for Aboriginal people to do 'relevant acts' or take flora and fauna for an Aboriginal customary purpose in accordance with regulations. Aboriginal customary purposes means preparing or consuming food customarily eaten by Aboriginal people, preparing or using medicine customarily used by Aboriginal people, engaging in artistic ceremonial or other cultural activities undertaken by Aboriginal people or other activities incidental to those purposes. Part 10 of the *Conservation and Land Management Regulations 2002* (CALM Regulations), regulation 131 of the *Forest Management Regulations 1993* (Forest Regulations) and regulation 63 of the Wildlife Regulations restrict and exclude the operation of these defences.

5. POLICY

5.1 The department will enter into collaborative discussions with Aboriginal people in relation to activities undertaken for customary purposes, and will respect the values and rights of Aboriginal people when culturally sensitive information or activities is disclosed.

3

- 7.2 This policy will be implemented through the establishment of local area arrangements, and in accordance with Corporate Guideline No. 22 - Guidelines regarding Aboriginal customary activities.
- 7.3 Guidance to assist in determining real and significant risks associated with customary activities and the issue of written permissions is contained in Appendix 4 of Corporate Guideline No. 22.
- 7.4 Each region and district of the department shall endeavour to establish and maintain local area arrangements with the Aboriginal people of their area in order to implement this policy and to foster positive relationships with local Aboriginal communities.
- 7.5 The department will provide staff involved in administering Aboriginal customary activities with the appropriate skills, knowledge and resources necessary to meet the objectives of this policy.

8. CUSTODIAN

Director Parks and Visitor Services.

9. PUBLICATION

This policy will be made available on the department's internet and intranet.

10. KEY WORDS

Aboriginal customary activities; native title; Aboriginal heritage; Aboriginal customary purpose.

11. REVIEW

This policy will be reviewed no later than 1 September 2018.

12. DIRECTOR GENERAL APPROVAL

Approved by



Jim Sharp
DIRECTOR GENERAL

Effective date: 1 September 2015

6.5.5 NECK TIE & SCARF PURCHASES

FILE REFERENCE:	4.1.1
DATE OF REPORT:	31 August 2017
REPORTING OFFICER:	Garry Keeffe

SUMMARY:

Council to further consider the purchase of neck ties and scarf's that depict the colours and design of the Councils emblem.

BACKGROUND:

Cr Simkin requested at the August 2017 meeting that consideration be given to the purchase of Council designed neck ties and scarf's which can be used by Councillors, staff and also be used as gifts to dignitaries and can be used as a mechanism to further promote the Shire.

A draft design was presented at the August meeting which has been further refined in accordance with the Councils instructions, being the wording "Shire of Northampton" to be on an angle within the yellow section of the tie.

COMMENT:

As instructed management has now obtained revised quotes on the revised design as below.



The quote for the purchase of 20 ties is \$35.00 each, and for 20 scarves \$50.00 each, total \$1,700. The original quote obtained when investigating this matter was for 40 ties which came at a cost of \$25 each. The more ties ordered the less the cost becomes.

FINANCIAL & BUDGET IMPLICATIONS:

There is no provision for the above expenditure within the 2017/18.

STATUTORY IMPLICATIONS:

Local Government Act 1995 – Section 6.8, authorising unbudgeted expenditure.

VOTING REQUIREMENT:

If the Council is to progress with the above purchases then an Absolute Majority is required due to there being no provision for this expenditure within the 2017/2018 Budget.

OFFICER RECOMMENDATION – ITEM 6.5.5

For Council determination.

6.5.6

RESERVE 34550 – SEEK POWER TO LEASE

LOCATION:	Reserve 34550, Red Bluff Road
FILE REFERENCE:	9.1.4
DATE OF REPORT:	1 September 2017
REPORTING OFFICER:	Garry Keeffe
APPENDICES 1:	1. Plan of Reserve

SUMMARY:

Council to seek change in Management Order to have power to lease Reserve 34550.

LOCALITY PLANS:

Refer Appendices 1

BACKGROUND:

Council at their 21 July 2017 Ordinary Meeting granted formal development approval for the use of an Itinerant Food Van upon two reserves, with one of those being Reserve 34550 (Jacques Point car park). The Applicant was required to enter into a renewed license agreement with the Department of Planning, Lands and Heritage for the use of the Reserve 34550, as the Shire does not currently have the power to license or lease the Reserve despite having the management vesting for the Reserve.

Upon enquiry, the applicant was advised by the Department of Planning, Lands and Heritage that their preferred option is for the Shire of Northampton to seek to amend the management order of Reserve 34550 to include the power to lease/licence. This would then allow the Shire to enter into a license agreement with the applicant for the use of the Reserve.

Council therefore needs to consider whether they wish to seek to amend the management order to include the power to lease/ license the use of Reserve 34550.

COMMENT:

To resolve the above licence matter it is recommended that Council requests the Department of Land for “power for lease” for terms not exceeding 21 years which will not only resolve the above but also allow for other operations that may occur in the future on the reserve considering the reserve extends from Blue Holes to Red Bluff.

If any other uses are sought then they will require not only the approval of Council but also the Department of Lands.

FINANCIAL & BUDGET IMPLICATIONS:

No financial implications.

STATUTORY IMPLICATIONS:

State: Land Administration Act

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.6

That Council requests the Department of Lands to amend the Management Order drawn on favour of the Shire of Northampton for Reserve 34450 to provide “power to lease” for a period not exceeding 21 years.

APPENDICES 1 – Plan of Reserve 34550



6.5.7 SPECIAL MEETING – SWEARING IN OF NEW COUNCILLORS, ELECTION OF PRESIDENT, DEPUTY PRESIDENT AND MEMBERS OF COMMITTEES

FILE REFERENCE:	4.1.2
DATE OF REPORT:	4 September 2017
REPORTING OFFICER:	Garry Keeffe

SUMMARY:

Requirement for swearing in of new Councillors and election of President and Deputy President and Committee members

STATUTORY IMPLICATIONS:

State: Local Government Act 1995, Schedule 2.3 and Section 5.10

COMMENT:

The Local Government Act 1995 requires all new Councillors either elected or re-elected, to take an oath or affirmation of allegiance and make a declaration before acting in the office to which the person was elected. In addition the positions of Shire President and Deputy Shire President need to be filled. This process must be undertaken immediately following the Annual Election Day.

It is the responsibility of the current Council to set a date to allow for the above to occur and this must be as soon as possible after the Election Day, being Saturday 21 October 2017. It is therefore recommended that a special meeting of Council be held on Tuesday 24 October 2017, commencing 9.30am at the Northampton Council Chambers.

Councillors are advised that the CEO prior to the election of the President and Deputy President being conducted must receive written nominations for the individual positions. Written nominations can be delivered to the CEO on the day of the meeting.

Advertising of the Special Meeting is also to be undertaken as per the requirements of the Local Government Act 1995.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.7

That a Special meeting of Council be held Tuesday 24 October 2017 commencing at 9.30am to be held at the Northampton Council Chamber, Hampton Road Northampton, with the order of Business to be:

- 1. Swearing in of Councillors**
- 2. Election of President**
- 3. Election of Deputy President**
- 4. Election of Committees**
- 5. Election/Appointment of Delegates**

6.5.8	RATES EXEMPTION REQUEST – MURCHISON REGION ABORIGINAL CORPORATION	
	FILE REFERENCE:	3.1.3
	CORRESPONDENT:	Murchison Region Aboriginal Corporation
	DATE OF REPORT:	5 September 2017
	REPORTING OFFICER:	Garry Keeffe

SUMMARY:

Council to consider the provision of rates exemption for 2017/18 for properties owned by the Murchison Region Aboriginal Corporation (MRAC).

BACKGROUND:

The above request is the same as the request made to Council for the 2016/17 Rates. Based on legal advice received at the time (May 2017) MRAC were not eligible for a rate exemption for the 2016/17 rates as their application was not submitted within the required time frame as required by provisions of S6.76(4), an objection is normally required to be made to the local government in writing within 42 days of the service of a rate notice S6.76(2)(a)).

MRAC's 2016/17 request this was denied by the Council which resulted in a submission being lodged to the State Administrative Tribunal but was subsequently withdrawn by MRAC.

However in regards to future rate exemptions the legal advice confirmed that MRAC is entitled to rates exemption on the properties located within the Shire of Northampton, specifically the Northampton townsite; however the advice states that it is not an automatic exemption entitlement, and therefore MRAC are to apply each financial year unless the Council determines otherwise.

The reason that MRAC can apply for rates exemption is due to them being recognised as a charitable organisation as their properties are leased to Aboriginal persons (or persons within the other related categories described) satisfying certain MRAC "eligibility criteria" and are additionally leased at a below-market rate.

The exemption is only on land rates, not refuse removal or other service charges and ESL.

COMMENT:

As per the previous legal advice received on this matter MRAC are entitled to the rate exemption.

In future budgets this exemption will need to be accounted for when adopting the annual budgets.

FINANCIAL & BUDGET IMPLICATIONS:

The properties the exemption relates to are:

	Rates Levied
A4671 30 Gwalla Street	\$ 600.69
A3209 62A & 62B Mary Street	\$1,268.12
A1310 44 West Street	\$ 692.46
A1349 77 West Street	\$ 717.49

Total exemption is \$3,278.76 which will now have an effect on the 2017/18 Budget with reduced rate income.

STATUTORY IMPLICATIONS:

State: Local Government Act 1995 – Section 6.47

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.8

That Council:

- 1. Pursuant to Section 6.47 of the Local Government Act 1995 grant rates exemption for properties 30 Gwalla Street, 62A and 62B Mary Street, 44 West Street and 77 West Street Northampton, owned by the Murchison Region Aboriginal Corporation totaling \$3,278.76.**
- 2. Determine if the rate exemption is to apply on an annual basis unless determined otherwise by Council and only if the individual properties exemption status is retained as per Section 6.26 of the *Local Government Act 1995*.**

SHIRE OF NORTHAMPTON

Late Items

15th September 2017

ADMINISTRATION & CORPORATE REPORT

ADDENDUM – ITEM 6.5.8

6.5.8	RATES EXEMPTION REQUEST – MURCHISON REGION ABORIGINAL CORPORATION	2
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LATE ITEMS

6.5.9	SPORTS SCHOLARSHIP APPLICATION	5
6.5.10	BEACH VOLLEY BALL AREA – KALBARRI FORESHORE	17
6.5.11	OFFER TO LEASE LOT 80 KITSON CIRCUIT, NORTHAMPTON	20

6.5.8 RATES EXEMPTION REQUEST – MURCHISON REGION ABORIGINAL CORPORATION

FILE REFERENCE:	3.1.3
CORRESPONDENT:	Murchison Region Aboriginal Corporation
DATE OF REPORT:	5 September 2017
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. MRAC ex-gratia offer

SUMMARY:

Further advice from MRAC offering an ex-gratia payment of 20% for each of their rateable properties in Northampton.

BACKGROUND:

Further to the agenda item 6.5.8, MRAC have forwarded an offer that they are willing to pay an ex-gratia rate of 20% on each of their properties. See advice at Appendices 1.

COMMENT:

The offer of an ex-gratia payment appears to have been the result of a similar situation they have encountered at another local authority. It is a decision of the Council if an ex-gratia rate payment is to be accepted.

FINANCIAL & BUDGET IMPLICATIONS:

If a 20% ex-gratia payment is accepted the change is reduced revenue from the original 100% rate exemption request of \$3,278.76, will be \$2623.11 as per below, being \$3,278.76 less payment of \$655.65.

	Rates Levied	20% Payment
A4671 30 Gwalla Street	\$ 600.69	\$120.14
A3209 62A & 62B Mary Street	\$1,268.12	\$253.62
A1310 44 West Street	\$ 692.46	\$138.49
A1349 77 West Street	<u>\$ 717.49</u>	<u>\$143.40</u>
	\$3,278.76	\$655.65

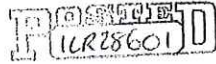
VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.8

For Council consideration.

APPENDICES 1 – MRAC Advice Email offering 20% Ex-gratia Payment



GK
3.1.3

Garry Keeffe

From: Mary Marshall [mmarshall@mrac.net.au]
Sent: Thursday, 7 September 2017 12:12 PM
To: Garry Keeffe
Subject: Murchison Region Aboriginal Corporation (MRAC) - rates exemption applications

Good morning
Garry

Without prejudice

I understand you are out of the office until next Tuesday. I would like to have a conversation about MRAC's rates exemption application going to Shire Council next Friday 15 September.

I refer to your letter dated 29 March 2017 and note your legal advice indicated that MRAC is entitled to apply for a rates concession with two qualifications.

- The first qualification relates to eligibility criteria – which is included in the application documents provided. This year's eligibility criteria have been updated to explicitly exclude any applicant who already owns or is purchasing a property. The second component relates to market rent. MRAC's properties are rented 'below market' rent or where a market rent is not available on a cost recovery basis. Northampton properties are rented on a cost recovery basis.
- The second qualification at that time related to a property undergoing maintenance. I advise all MRAC properties are leased to people that meet MRAC's eligibility criteria and that all properties in Northampton were previously used and will continue to be used exclusively for charitable purposes.

I note that one Local Government Area (LGA) MRAC operates in has provided a rates exemption for the 2017-2018 financial year. I also note that MRAC is negotiating with another LGA through MRAC's lawyers. On the basis of MRAC's original proposal with the latter, MRAC has made an ex gratia rates payment to the first LGA based on a percentage figure of what the 2017-2018 rates payment would have been had MRAC needed to pay rates in that LGA.

MRAC's position is that the organisation believes it is entitled to a full 100% rates exemption however is prepared to offer a 20% ex gratia rates payment based on the same circumstances as described for the first LGA area.

Happy to discuss if need be prior to Shire Council's meeting.

Kind regards

Mary Marshall
Chief Executive Officer
Murchison Region Aboriginal Corporation
25 Crawford Street
GERALDTON WA 6530

Tel: (08) 9923 0055
Mobile: 0408 973 946
Email: mmarshall@mrac.net.au

6.5.9 SPORTS SCHOLARSHIP APPLICATION

FILE REFERENCE:	11.1.1
APPLICANT:	Samantha Freeman
DATE OF REPORT:	12 September 2017
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Application details

SUMMARY

Request for funding under Councils Sporting and non Sporting Achievement Scholarship Program to attend the 25th Prime Gymnastics International Invitational Competition in Singapore, November 2017.

BACKGROUND:

Samantha Freeman has been selected to represent Western Australia at the 25th Prime Gymnastics International Invitational Competition in Singapore, November 2017.

Samantha is requesting a \$1,000 scholarship to assist with costs for the event. The estimated cost for Samantha to participate in the event is \$2,075. Samantha's family is assisting with the additional costs.

COMMENT:

This is another young resident of the Shire who is excelling in her chosen sport and the scholarship application is supported.

COUNCIL POLICY COMPLIANCE

From the information provided the application is in compliance of Councils policy for this scholarship and is supported.

FINANCIAL & BUDGET IMPLICATIONS:

A provision of \$2,000 is made within annual budgets, of which \$1,000 has been awarded for 2017/18.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.9

That Council contributes \$1,000 to Samantha Freeman to assist with costs for her attendance to compete in the 25th Prime Gymnastics International Invitational Competition in Singapore, 9th to 12th November 2017.

APPENDICES 1 – Scholarship Application

Application Form

APPLICATION FORM

PART 1

To be completed by an office bearer from the applicant organisation

1. Applicant

Name of Applicant Amada Dow - Centre Manager
 Name of Applicant Organisation Kensington PCYC
 Postal Address 51 Anketell Street
KENSINGTON VIC 6151
 Telephone (Home/Mob) _____ (Work) 9367 1282
 (Fax) _____ (Email) kensingtonpcyc@
wapcyc.com.au

Please make a brief statement of what the applicant is participating in a state or national competition:

25th Pine Gymnastics International
Competition.

2. Other Support Being Sought or Already Agreed for this Program

Please provide other funding sources to be received by the applicant as per the following:

Source	Type of Support	\$ Value	Sought (S) or Agreed (A)
WAIS Scholarship	-		
State Team Scholarship	-		
State Association	-		
Private Sponsorship			
Personal/Family Contributions	<u>Family Contributions</u>	<u>T.B.A.</u>	<u>T.B.A.</u>
Other (please specify)			

3. Declaration by Applicant Organisation

I hereby certify that to the best of my knowledge, the information given above and in the attached documentation is correct.

I also certify that the financial support being sought is for a program that commences after the submission of this application.

I acknowledge that the sponsorship support places obligations on the applicant and on the applicant organisation and I agree on their behalf to meet all such obligations, acknowledging that failure to meet these obligations might place further funding in jeopardy.

Signature  Date 1/9/17

Position Centre Manager

4. Attachments

Please ensure that the following documentation is attached.

- A letter of endorsement from your State Sporting or non Sporting Association for the level of activities the applicant will be participating in.
- Any other documentation that will support the application.

PART 2

TO BE COMPLETED BY THE APPLICANT

5. Sportsperson Details

Name of Applicant: **Samantha Freeman** _____

Name of Parent/Guardian: **Natasha Freeman** _____

Postal Address **PO Box 484** _____

KALBARRI WA 6536 _____

Telephone (Home/Mob): **0439196323** _____ (Work) **08993664800** _____

(Fax) _____ (Email) **jonahs1@bigpond.com** _____

Date of Birth: **14/07/2000** _____ Gender **Male / Female**

6. The Development Program

Please tell us what you are seeking assistance for

Name of Sport/Event/Program: **25th Prime Gymnastics International Invitational Competition** _____

Description of proposed program: **Competing in Gymnastics Competition in Singapore** _____

Where will activities be held?: **Singapore** _____

What travel is involved? **Fly to Singapore** _____

Details of higher-level competitions? _____

Level of competition. **National / State / State Country / Other (specify)** _____

Have you been selected in a State team or are you in a training squad? Yes / No

Have you been selected in a National team or are you in a training squad? Yes / No

If 'Yes', please provide details on the last two questions _____

Program Period Dates (Begins) Thursday 9 November 2017 (Ends): Sunday 12 November 2017

Competitive must be accompanied by an adult to Singapore _____

Scholarship requested \$ 1000.00 _____

Please attach any relevant documentation for activities you will attend e.g. training schedules, development programs and courses.

7. Achievements to Date

Please list some of your most significant achievements to date in the above events.

Please see attached.

8. Your Future

Please outline your short term objectives (1 year) and how you plan to achieve them.

Please see attached.

Please outline your longer term goals (beyond the next 12 months).

7. ACHIEVEMENTS TO DATE

Samantha has been involved with our local Gym for 10 years and in the last 2 years she has been volunteering her time coaching lower levels. Samantha is currently Level 6 in Gymnastics. Samantha has competed in the PCYC state competition in Perth for the last 5 years.

1st Year Gold on Vault, Silver on Floor

2nd Year Gold on Vault and Floor

3rd Year Gold on Vault, Floor and 2nd All round

4th Year Gold on Vault, Floor, Silver on Beam and 2nd All round

5th Year Gold on Vault, Floor, Beam and 1st All round

Samantha has also competed in Regionals for the last 5 years with similar results as States.

8. YOUR FUTURE

1 Year Objective

Samantha is currently studying in Perth on a GATE Dance program. This program not only lets her study dance, it also helps her with her gymnastic floor routines. She is studying ATAR and is completing a CERT 2 in Sports Coaching. Samantha wishes to finish Year 12 in Perth. Through the generous opportunity of your scholarship will give Samantha an excellent chance to project herself and give her more in-depth experience/knowledge to take her to the next level.

2 Long Term Objective

Samantha would like to be involved with WAIS in years to come. Samantha wishes to study Sports Teaching at University. Samantha's ambition is to become a Gymnastics Coach at a high level in the future. Samantha also wishes to compete in gymnastics at higher levels from now and in the future.

9. Budget

What are the anticipated costs for the Scholarship period?

This may include coaching fees, travel, accommodation, necessary training manuals, specific equipment, safety gear, specific team uniforms, etc.

Item: Flights	\$580.00
Item: Accommodation	\$975.00
Item: Competitors Pack	\$250.00
Item: Competition Leotard	\$270.00
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
Item _____	\$ _____
TOTAL	\$2075.00

Singapore 2017

As most of you would be aware from earlier discussions, Fremantle PCYC attend the Prime Gymnastics Club International Invitational every 2 years. This year is the 25th Anniversary of the event and because of this, combined with our affiliation with GymWA. This has been endorsed by the PCYC EMT.

Your child has been selected for the 2017 Team.

- Minimum 1 Parent/Guardian MUST accompany the gymnast
- Travel together AS A TEAM on the same flight to Singapore – Fremantle PCYC fly Scoot.
- The Fremantle team ALL stay at the same hotel – YMCA, 1 Orchard RD however we can choose to stay wherever we choose.
- Attendance at a Team Dinner – venue and cost as yet unknown.
- Parents are responsible for booking flights and accommodation
- All costs to be met by the family – some sponsorship may be organised.
- Costs include, but are not limited to:
 - Flights and accommodation (approx \$1000 per person - \$2000 for a child and parent),
 - Passport (up to \$500)
 - Competition entry fee (\$100)
 - Coaching levy - paid as a deposit to accept place in the team - \$100
 - Travel Insurance – Approx \$80 – gymnast only
 - Uniform – training and competition – this may be WAPCYC uniform rather than Kensington but is yet to be confirmed.
 - Additional training – as required
 - Outings / excursions in Singapore
- Regular attendance at 3 training sessions per week, plus any extra team training that is organised.
- Holiday training in July and September school holidays will be **COMPULSORY**.

The team will be selected from those gymnasts currently training in PCYC Level 6 and above.

Selection criteria will include – but will not be limited to –

- 2016 competition results
- Skill level
- Attitude
- Attendance
- Sportsmanship
- Teamwork

Extra Information

The focus at this event is the experience of travelling as a team, and the cultural experiences in another country. While podium placings are always exciting, this is not the focus. Obviously we expect a certain standard from our gymnasts, but our aim is to provide a fun rewarding experience for the girls.

The levels the girls compete in Singapore are different to the levels that they compete in PCYC competitions but the girls will be put in the equivalent National Level.

To be competitive in Singapore we need to spend more time on "being tight" than new skills, so the girls may feel they are not learning as much, but this will help them move forward more quickly once they are tighter 😊

Those in the Singapore team would not normally compete at PCYC competitions this year, but we are still having discussions about this. The main reason being that the girls need to learn different routines / skills and we don't want them getting confused, they are also expected to be having more hours in the gym than PCYC gymnasts – although this is not really the case at Kensington so we have asked that our gymnasts have the option to compete at both.

Gymnasts in the Singapore team may need a separate leotard and tracksuit as the intention is to compete as WAPCYC rather than individual centres (as above this is still being discussed)

If a gymnast is injured and unable to continue training they may forfeit their place in the team. They must still pay for any uniform that has been ordered. Gymnasts must be physically capable of full training at 3 sessions per week.

If you have a business that may like to sponsor our team, even if your daughter is not selected, please let me know. Minimum \$500



PCYC Kensington | 51 Anketell Street
Kensington WA 6151
Ph: 9367 1282 | Fax: 9367 2766
E: kensingtonpcyc@wapcyc.com.au |

RE: YOUTH SPORT GRANT

To Whom It May Concern,

I am writing to you to support Samantha's application for a Youth Sport Grant as available on application from your council.

Samantha will be travelling to Singapore as part of the Western Australian Police and Community Youth Centres (WAPCYC) team to compete at the Prime Gymnastics International Invitational Gymnastics Competition. The event is being held from 9-12th November 2017 at Bishan Sports Stadium in Singapore. 2017 is the 25th Anniversary of this competition, and WAPCYC is excited to be sending a combined team from Fremantle, Bunbury and Kensington to this event.

This is a fantastic opportunity for Samantha as not only will it help in her recreational development but as part of the training squad for 2017 it will also help in her personal development. The life skills and memories that the gymnasts obtain from this experience is invaluable.

Should you have any further questions relating to my support of Samantha's application or regarding the Prime Gymnastics International Invitational Gymnastics Competition, please do not hesitate to contact me on 0421 585 711 or via email to janeroberts@outlook.com.au

Kind Regards,

Jane Roberts
Kensington PCYC Head Coach (Gymnastics)

FREEMAN Natasha [Kalbarri District High School]

From: Natasha Freeman <jonahs1@bigpond.com>
Sent: Tuesday, 22 August 2017 8:28 PM
To: FREEMAN Natasha [Kalbarri District High School]
Subject: Fwd: Singapore full payment for 1 Family

Begin forwarded message:

From: Belinda Willis <Belinda.Willis@metrowest.com.au>
Date: 10 August 2017 at 7:44:35 am AWST
To: "jonahs1@bigpond.com" <jonahs1@bigpond.com>
Subject: FW: Singapore full payment for 1 Family

Hi Tash,

Below is reply from Luke – Travel Agent in regards to making final payment.

Please let me know if any confusion.

Cheers,

Belinda x

From: Luke Mule [mailto:luke.morley@helloworld.com.au]
Sent: Wednesday, 9 August 2017 5:32 PM
To: Belinda Willis
Subject: RE: Singapore full payment for 1 Family

Hi Belinda,

Direct credit card is no worries at all.

Natasha & Samantha's airfare is \$680 per adult including taxes.
Accommodation is SGD\$1050.00 = AUD\$975.00

Total AUD\$2135.00 less \$400.00 paid already.

Balance owing is AUD\$1735.00
(If paid on credit card there is a 1.5% merchant fee \$26.00)

Payments can also be made direct to our trust account via internet banking or through your local branch.

Bank: Westpac Morley
Account name: helloworld Morley
BSB: 036011
Account No: 162645

Please use your SURNAME as reference and advise your consultant when payment has been made.

Thanks

6.5.10 BEACH VOLLEY BALL AREA – KALBARRI FORESHORE

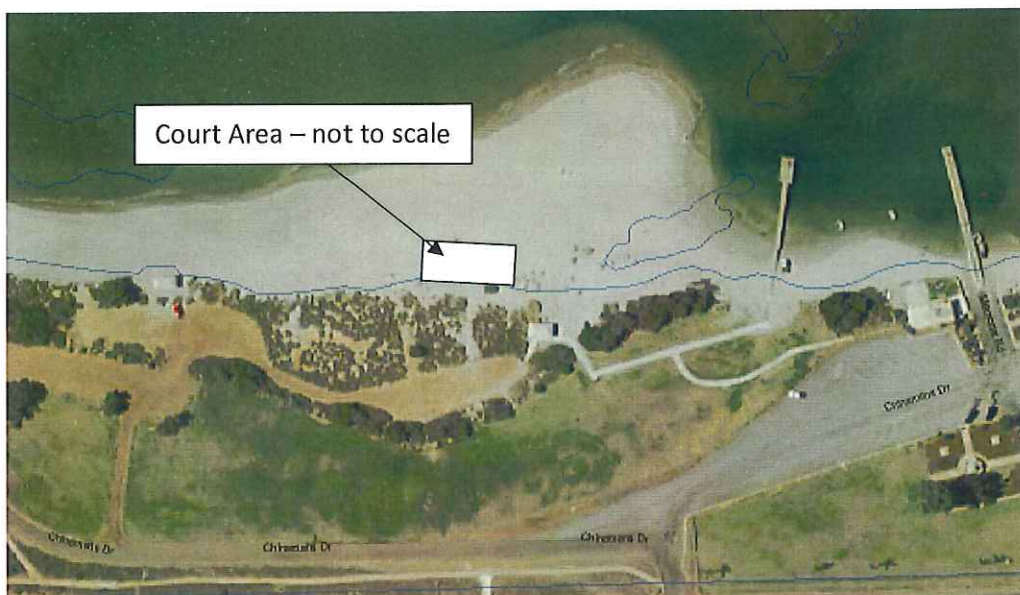
LOCATION:	Kalbarri Foreshore – Chinaman's Beach
FILE REFERENCE:	11.1.4
CORRESPONDENT:	Kalbarri Development Association
DATE OF REPORT:	13 September 2107
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Applicants Correspondence

SUMMARY:

Council to determine an application for the placement of a Beach Volley Ball court area and infrastructure (two large poles).

LOCALITY PLANS:

The area shown below is the area inspected on site with the applicants with the Shire CEO.



BACKGROUND:

The above request has been made through the Kalbarri Development Association on behalf of interested persons in Kalbarri who are wishing to commence beach volleyball.

The request only requires Council to approve the location plus the installation of two large pine poles for the securing of a net. Either the group or the KDA will be responsible for the control of the facility, which will only be the net.

COMMENT:

The application is supported however conditions will need to be applied and are suggested as per the following:

- Poles to be kept in good condition at all times by the Kalbarri Development Association.
- All maintenance repairs and/or replacement to poles and any other associated equipment to be the responsibility of Kalbarri Development Association.
- Should poles become in a state of disrepair the Council has the right to remove the poles from site.
- Northampton Shire accepts no liability for any injury caused by the sport of beach volley ball or injury caused by the poles or any associated equipment.
- Area to be kept in a neat and tidy condition following use of the volley ball court area.

FINANCIAL & BUDGET IMPLICATIONS:

The KDA have requested Council assistance to install the poles which can be undertaken as part of our general maintenance works on the foreshore. Installation will only be undertaken when staff and equipment are available.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.10

That Council approves the use of beach area and installation of two large pine poles at Chinaman's Beach, as shown on the plan within Agenda Item 6.5.10, subject to the following conditions:

- 1. Poles to be kept in good condition at all times by the Kalbarri Development Association.**
- 2. All maintenance repairs and/or replacement to poles and any other associated equipment to be the responsibility of the Kalbarri Development Association.**
- 3. Should poles become in a state of disrepair the Council has the right to remove the poles from site.**

- 4. Northampton Shire accepts no liability for any injury caused by the sport of beach volley ball or injury caused by the poles or any associated equipment.**
- 5. Area to be kept in a neat and tidy condition following use of the volley ball court area.**

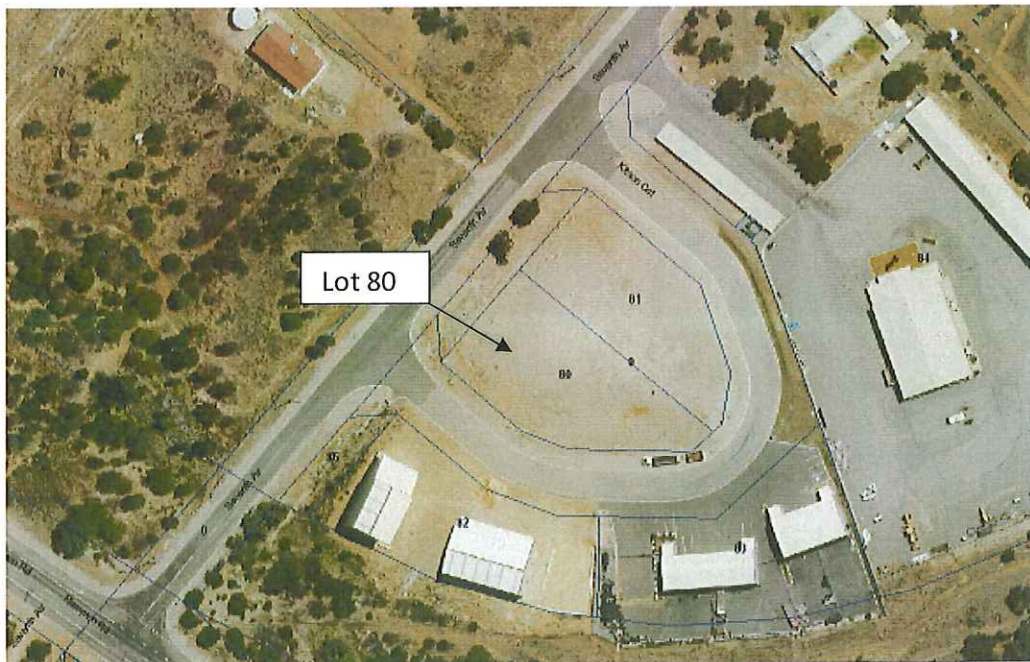
6.5.11 OFFER TO LEASE LOT 80 KITSON CIRCUIT, NORTHAMPTON

LOCATION:	Lot 80 Kitson Circuit, Northampton
FILE REFERENCE:	10.8.2.3
CORRESPONDENT:	Landmark
DATE OF REPORT:	13 September 2017
REPORTING OFFICER:	Garry Keeffe

SUMMARY:

Council to consider a request to lease Lot 80 Kitson Circuit for the purpose of liquid fertilizer storage tanks.

LOCALITY PLANS:



BACKGROUND:

An offer has been received from Landmark to lease the above lot for the placement of three 50,000 litre liquid fertilizer tanks to store and supply UAN, Urea Ammonium Nitrate. UAN is non toxic.

Tanks are to be placed on the lot and are to be fenced and the area is to be fully bunded.

COMMENT:

The request differs from the Councils current position on the leasing of vacant light industrial lots. The current position is that persons wishing to lease a lot must construct upon it an industrial shed similar to design and colours of existing sheds at the LIA.

This request does not involve the construction of a shed but the installation of three 50,000 litre bulk fertilizer tanks,.

The industrial area has now been in operation as from December 2014 and since then only one other person has showed interest in leasing the two vacant lots still available however that interest was not pursued.

Although the request is not within the current Council position, from a management perspective, the application is supported as provides another service to the Shire, particularly the rural sector.

TOWN PLANNING IMPLICATIONS:

The land is zoned 'Industry' under the **Shire of Northampton's Local Planning Scheme No. 10**, with the Scheme stating the following objective for the zone:

"To provide for the development of well-designed industrial activity serving the full range of general, light and service industrial needs throughout the Shire, whilst protecting the amenity of adjacent land uses, where necessary, from the effects of industrial development."

Whilst the proposed use meets the definition for the use class 'Trade Supplies' under the model provisions of the **Planning and Development (Local Planning Schemes) Regulations 2015**, this use class is not listed within the Zoning Table of the **Shire of Northampton's Local Planning Scheme No. 10**, and the proposed use is therefore considered to be a 'Use Not Listed' under the Scheme.

In the first instance it must, therefore, be determined by Council as to whether they consider that the proposal is, or may be, consistent with the objectives of the 'Industry' zone. Given the nature of the proposed use, it is suggested that the proposed use may be consistent with the objectives of that zone, and therefore that notice of the application should be given by means of advertising, should Council determine to support the lease of the land in principle.

Should Council support the proposal in principle, the development application and proposed use would then be required to be advertised, as per the requirements of the deemed provisions of the **Planning and Development (Local Planning Schemes) Regulations 2015** and set out within Section 64, as per below:

64. Advertising applications

(1) An application for development approval must be advertised under this clause if the proposed development —

- (a) relates to the extension of a non-conforming use; or
- (b) relates to a use if —
 - (i) the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and
 - (ii) the local government determines that the use may be consistent with the objective of that zone and that notice of the application should be given;

or

- (c) does not comply with a requirement of this Scheme; or
- (d) is a development for which the local government requires a heritage assessment to be carried out under clause 11(1); or
- (e) is of a type that this Scheme requires to be advertised.

(2) The local government may waive a requirement for an application to be advertised in the circumstances set out in subclause (1)(c) if the local government is satisfied that the departure from the requirements of this Scheme is of a minor nature.

(3) The local government may advertise, or require the applicant to advertise, an application for development approval in one or more of the following ways —

- (a) by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, in the opinion of the local government, are likely to be affected by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person;
- (b) by publishing a notice of the proposed use or development in a newspaper circulating in the Scheme area including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published;

- (c) by publishing a notice of the proposed use or development by electronic means in a form approved by the local government CEO including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published;
 - (d) by erecting a sign or signs in a conspicuous place on the land the subject of the application giving notice of the proposed use or development for a period of not less than 14 days from the day on which the sign is erected including on each sign a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the sign is erected.
- (4) Notice referred to in subclause (3) must be in the form of the “Notice of public advertisement of planning proposal” set out in clause 86(3) unless the local government specifies otherwise.
- (5) If an application for development approval is advertised under this clause, the local government –
- (a) must make the application and the material accompanying it available for public inspection during business hours at the offices of the local government; and
 - (b) may publish the application and the material accompanying it on the website of the local government.

Following the advertising period, the proposal would then return to Council for further consideration, with a Schedule of Submissions to be provided.

FINANCIAL & BUDGET IMPLICATIONS:

The current conditions to lease a vacant lot within the LIA is at no lease fee for the first year and then \$2,000 for each year after the first and increased by CPI annually.

In addition to the lease fee, land rates will also apply.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.11

That Council leases Lot 80 Kitson Circuit, Northampton, to Landmark Operations Ltd for the purpose of storage of Urea Ammonium Nitrate in three 50,000litre tanks subject to:

- 1. That planning approval is obtained as per the requirements of the local planning scheme.**
- 2. The lot (or part thereof) to be fenced using industrial security fencing similar to that currently at the industrial area.**
- 3. Bunding to be installed on the lot to contain any spills that may occur in accordance with licencing requirements for the storage of liquid fertilizer.**
- 4. All other relevant licences/approvals are obtained from other relevant licencing bodies for the storage of liquid fertilizer.**