



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 16th October 2020 at the Council Chambers, Northampton commencing at 1.00pm.

A handwritten signature in blue ink, appearing to be "G. Keeffe", is placed above the printed name.

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER
9th October 2020



~ Agenda ~

16th October 2020

NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Northampton Shire

Council will be held on Friday 16th October 2020, at

The Council Chambers, Northampton commencing at 1.00pm.

GARRY KEEFFE
CHIEF EXECUTIVE OFFICER

9th October 2020

SHIRE OF NORTHAMPTON

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Signed  _____

Date 9th October 2020

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

AGENDA
ORDINARY MEETING OF COUNCIL
16th October 2020

1. OPENING

2. PRESENT

- 2.1 Leave of Absence
- 2.2 Apologies

3. QUESTION TIME

4. DISCLOSURE OF INTEREST

Councillors are to advise the Presiding Member or Chief Executive Officer prior to the meeting commencing of items they have a financial interest in or alternatively declare their interest immediately before the item that is to be discussed.

5. CONFIRMATION OF MINUTES

- 5.1 Ordinary Meeting of Council – 18th September 2020

6. RECEIVAL OF MINUTES

7. REPORTS

- 7.1 Works & Technical Services
- 7.2 Health & Building
- 7.3 Town Planning
- 7.4 Finance
- 7.5 Administration & Corporate

8. COUNCILLORS & DELEGATES REPORTS

- 8.1 Presidents Report
- 8.2 Deputy Presidents Report
- 8.3 Councillors' Reports

9. NEW ITEMS OF BUSINESS FOR DECISION

10. NEXT MEETING

11. CLOSURE

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Friday 18th September 2020**

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9.1 OPENING

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

9.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr S Krakover	Deputy President	Kalbarri Ward
Cr R Suckling		Northampton Ward
Cr S Smith		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Cr T Hay		Northampton Ward
Cr L Sudlow		Northampton Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mrs Michelle Allen	Planning Officer	
Mr Neil Broadhurst	Works and Technical Services Manager	

9.2.1 LEAVE OF ABSENCE

Nil

9.2.2 APOLOGIES

Cr S Stock-Standen

Northampton Ward

9.3 QUESTION TIME

Nil

9.4 DISCLOSURE OF INTEREST

Nil

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9.5 CONFIRMATION OF MINUTES

9.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING
FRIDAY 21st AUGUST 2020

Moved Cr SUCKLING seconded Cr SMITH

That the minutes of the Ordinary Meeting of Council held on the 21st August 2020 be confirmed as a true and correct record.

CARRIED 8/0

9.5.2 BUSINESS ARISING FROM MINUTES

Nil

9.6 RECEIVAL OF MINUTES

9.6.1 RECEIVAL OF MINUTES – AUDIT COMMITTEE MEETING FRIDAY 18TH
SEPTEMBER 2020

Moved Cr KRAKOUER, seconded Cr SMITH

That the minutes of the Audit Committee Meeting held on the 18th September 2020 be received.

CARRIED 8/0

9.6.2 INTERIM AUDIT REPORT AND RISK MANAGEMENT COMPLIANCE
CALENDAR

Moved Cr SUDLOW, seconded Cr SUCKLING

That the Interim Audit Report as presented be received and the Risk Management Compliance Calendar be adopted.

CARRIED 8/0

9.7 WORKS & ENGINEERING REPORT

9.7.1 INFORMATION ITEMS - MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)

Noted

9.7.2 KALBARRI – GILGAI TAVERN CARPARK - TWO WAY TRAFFIC TO ONE WAY ACCESS (ITEM 7.1.2)

Moved Cr STEWART, Seconded Cr SUDLOW

That Council supports the existing traffic movement arrangements in the Gilgai Tavern/Central shopping area carpark area and not introduce a one way traffic flow at this stage.

CARRIED 8/0

9.7.3 KALBARRI – HACKNEY STREET – PROPOSED DUAL USE PATHWAY - BUDGET 2020/2021 – DUAL USE PATHWAY ALIGNMENT (ITEM 7.1.3)

Moved Cr KRAKOUER, seconded Cr SUCKLING

That Council progress with the construction of a dual use pathway on the south side of Hackney Street to Walker Street with the pedestrian crossing to be installed on the western existing nib on the north side of Hackney Street and the additional costs to be incurred in construction of the pathway at the revised location be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

9.7.4 KALBARRI – JAKES POINT TOILET – CARPARK DESIGN OPTIONS FOR CONSIDERATION (ITEM 7.1.4)

Moved Cr STEWART, seconded Cr PIKE

That Council approve the construction of the car park as per the Option 3 plan with modifications to include provision for seven (7) car parking bays and the whole car park to be located further west than the submitted plan so as it is in close proximity to the new ablutions and the entryway to the new car park be located further west on the Jakes Point Bach access road to the low point of the road.

CARRIED 8/0

9.8 HEALTH & BUILDING REPORT

9.8.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted.

Neil Broadhurst left the meeting at 1-30pm.

9.9 TOWN PLANNING REPORT

9.9.1 HORROCKS COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN FINAL ADOPTION (ITEM 7.3.1)

Moved Cr HAY, seconded Cr SUDLOW

That Council:

1. Notes the submissions received on the draft Horrocks Coastal Risk Hazard and Management Adaptation Plan (CHRMAP) with no further modifications.
2. Adopts the final Horrocks CHRMAP included as Appendix 3; and
3. Acknowledges that funding implementation of the Horrocks CHRMAP will require sourcing external funds and will require separate Council approval to fund individual substantial projects.

CARRIED 8/0

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9.9.2 TEMPORARY ACCOMMODATION WITHIN A CARAVAN – LOT 120
(NO. 7) LAWRENCIA LOOP, KALBARRI (ITEM 7.3.2)

Moved Cr SUDLOW, seconded Cr HAY

That Council provide the following advice to the Department of Local Government, Sport and Cultural Industries:

1. That the Applicant is entitled to apply to stay in a caravan on a temporary basis once a building permit is issued, without the need for an exemption. However, this request pertains to a lot situated in the 'Residential' area and to do this Council will need to exercise discretion given that the Local Planning Policy is specific in stating that this type of use should not occur on "Residential" zoned lots. Council would also support the provisions outlined in the Local Planning Policy that requires the issuance of a building permit in the first instance as a means to manage and regulate instances of 'squatting' that have occurred historically and impacted on the amenity of residential areas;
2. That approval to reside temporarily on this residential lot should not be granted to the Applicant due to the location (facing main arterial road of George Grey Drive), the size of the lot, the potential impacts on the amenity of the neighbourhood and the associated compliance complexities that may arise from granting such approval;
3. Should Ministerial approval be granted, Council requests the following conditions be imposed to address health, safety and compliance risks as follows:
 - a) A building permit to have been issued for the construction of a residence on the property with written evidence of a signed building contract with a registered builder for the construction and a commitment date that is within six (6) months by the builder for the commencement of the construction of the residence.
 - b) In the case of an owner builder, a building permit for a residence to have been issued by the Shire and the applicant to lodge a bond of \$10,000 with the Shire together with a Statutory Declaration providing a commitment to construct the residence with a commencement date to be within six (6) months.
 - c) A Statutory Declaration acknowledging that the use of the caravan on site is for temporary purposes only in accordance with regulation 11(2)(c) of the Caravan Parks and Camping Grounds Regulations 1997.

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- d) Provision of adequate ablution and washing facilities connected to an approved water supply and effluent disposal system to the satisfaction of the local government: and
- e) No further exemptions will be granted in relation to this matter.

CARRIED 8/0

<p>9.9.3 PROPOSED EXTENSION OF NON-CONFORMING USE – MOOCHER CONTRACTING, LOT 188 (NO. 93) JOHN STREET, NORTHAMPTON (ITEM 7.3.3)</p>

Moved Cr SUCKLING seconded Cr KRAKOUER

That Council:

1. Grant development approval for the non-conforming use on Lot 188 (No. 93) John Street, Northampton subject to the following conditions:
 - (a) Development/use shall be in accordance with the attached approved plan(s) dated 18 September 2020 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government.
 - (b) This approval (relating to the non-conforming use) is issued only to Trevor John Mocher (the landowner) for Lot 188 (No 93) John Street, Northampton (the parcel of land) and is NOT transferrable to any other person or any other land parcel. Should there be a change of the occupier of the land in respect of which this development approval is issued this approval shall no longer be valid.
 - (c) Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition.
 - (d) On-site vegetation, including new plantings, shall be maintained so as to minimise the visual, dust and noise impacts of the outbuilding and truck movements upon adjoining landholdings, to the approval of the local government.

- (e) Operational hours relating to the movement of the vehicles (two Trucks and two side tipper trailers) subject to this approval shall be limited to Monday – Friday 7am-8pm and Saturday – Sunday 8am-6pm.
- (f) This Approval applies to the parking of two (2) trucks and two (2) trailers only. The parking of additional commercial/industrial vehicles on-site shall require the further application for, and development approval of, those vehicles.

Advice Notes:

Note 1: If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: 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 3: 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.

CARRIED 8/0

9.9.4 PROPOSED OUTBUILDING – R-CODES VARIATION – LOT 101 (NO. 76) MITCHELL STREET, HORROCKS (ITEM 7.3.4)
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Council amended the recommendation presented to allow for a nil setback and not 1.7m setback as proposed by the Planning Officer due to the adjoining landowner raising no objections to the development.

Moved Cr HAY, seconded Cr SUDLOW

That Council grant the following amendment/(s) to Development Approval 2019-052 to the proposed Outbuilding upon Lot 204 (No. 73) Glance Street, Horrocks subject to the following conditions:

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1. Development shall be in accordance with the attached approved plan(s) dated 18 September 2020 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. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition.
3. A building permit shall be issued by the local government prior to the commencement of any work on site.
4. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government.
5. The Applicant shall provide a colour schedule for the outbuilding prior to construction of the dwelling, which shall be to the approval of the local government. The colours chosen shall be non-reflective and in keeping with the natural coastal environment.
6. The approved outbuilding component (i.e. named 'shed') is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the Local government and shall NOT be used for habitation, commercial or industrial purposes; and
7. The construction of the outbuilding (but not including the laying of a cement pad) shall NOT be commenced prior to the construction of the dwelling unless the following can be satisfied:
 - (a) A building permit for the dwelling and outbuilding has been issued.
 - (b) The Applicant has lodged a Statutory Declaration providing a commitment to commence construction of the dwelling within 6 months of the outbuilding.

AND

- (c) The Applicant has paid a bond of \$10,000 to the Shire of Northampton, that would be repaid to the Applicant upon satisfactory completion and final inspection of the dwelling.

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Advice Notes:

Note 1: If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2. 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 3. 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.

CARRIED 8/0

9.9.5 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.5)

Noted.

9.10 FINANCE REPORT

9.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr SMITH, seconded Cr SIMKIN

That Municipal Fund Cheques 21953 to 21966 inclusive totalling \$78,989.12, Municipal EFT payments numbered EFT21079 to EFT21163 inclusive totalling \$507,758.23, Trust Fund Cheques 2541 to 2548, totalling \$2,814.79, Direct Debit payments numbered GJ0205 to GJ0211 inclusive totalling \$214,316.36 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

9.10.2 MONTHLY FINANCIAL STATEMENTS – AUGUST 2020 (ITEM 7.4.2)

Moved Cr SMITH, seconded Cr SUDLOW

That Council adopts the Monthly Financial Report for the period ending 31st August 2020.

CARRIED 8/0

9.11 ADMINISTRATION & CORPORATE REPORT

9.11.1 ELECTED MEMBER TRAINING & PROFESSIONAL DEVELOPMENT
POLICY (ITEM 7.5.1)

Moved Cr PIKE, seconded Cr STEWART

That Council adopt the Elected Member Training & Professional Development policy as per below:

ELECTED MEMBER TRAINING & PROFESSIONAL DEVELOPMENT POLICY

OBJECTIVES

Outline the process and conditions associated with Elected Members attending training or professional development.

This Management Procedure does not cover mandatory Elected Member Training stipulated under legislation. Such Training will be budgeted for accordingly and the Elected Members required to undertake such training must attend the required course.

MANAGEMENT PROCEDURE STATEMENT

Nominations

Notices inviting Councillors to nominate delegates to undertake training or professional development and similar occasions are to be brought Councillors attention.

Any Councillor who wishes to undertake training or professional development shall request endorsement from the CEO for consideration.

EXPENSES

The CEO is to approve Councillors training and professional development applications where:

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- The application complies.
- An application is forwarded to the CEO for approval in a reasonable time to meet the registration deadline.
- Training and/or development is to be held within Western Australia.
- There are sufficient funds available in the Councillor allocation to meet the costs of attendance; and
- Approval of attendance at an event does not impede a quorum at any scheduled Council or Committee meetings.

Formal Council approval is required for a Councillor to attend training or professional development where:

- The application does not comply.
- Sufficient funds are not available in the Shire's budget for this purpose; and
- The training and/or development is outside of Western Australia.

Any Councillor who has been approved by the CEO or Council to attend training or professional development courses will have the following expenses paid, unless any variation is otherwise determined by Council resolution:

Travel

- Private Vehicle Use – (at the rate determined by the State Administrative Tribunal) Claim form showing km's and purpose to be submitted.
- All costs associated with any other form of travel (i.e. air, bus, etc.)

Accommodation

- Room and meals as per Council Policy 4.3.
- Alcoholic beverage as per Council Policy 4.3.

Other

- Course registration expenses.
- Taxi fares as approved by Chief Executive Officer.

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- All Councillor partner expenses must be paid for by the relevant Councillor member (Either at the time expense is incurred or by reimbursing Council at a later date)

CARRIED BY AN ABSOLUTE MAJORITY 8/0

9.11.2 LOCAL GOVERNMENT ACT REVIEW (ITEM 7.5.2)

Moved Cr KRAKOUER, seconded Cr STEWART

That Council adopt the CEO's recommended position as presented for each legislative proposal as stated within the Local Government Act Review Panel Report and the City of Perth Report subject to the following:

1. Within the Local Government Act Review Panel Report, Council oppose recommendation 13, in relation to establishment of a "Regional Authority" as it is unclear how such a regional authority would operate and what role individual local governments would have with such an Authority

and

That Council forward its position on the above reports and proposed changes previously considered by Council that have not been raised in the Review Panels Report to the Northern Zone of the WA Local Government Association.

CARRIED 8/0

Moved Cr SUDLOW seconded Cr SUCKLING

That Council requests WALGA approach the State Government to insist the local government sector-wide recommendations from the Inquiry Panel Report into the City of Perth be presented to all local government authorities for responses and submissions in accordance with the State/Local Government Partnership Agreement. This consultation should occur before the State Government undertakes any further consideration of these recommendations. Consultation with the local government industry on these recommendations must be over a period which ensures appropriate and adequate time is given to the industry to respond.

CARRIED 8/0

NOTE – Council position on each recommendation for each report are shown at end of minutes.

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Council adjourned the meeting at 2.55pm.

Meeting reconvened at 3.06pm with the following in attendance:

Cr Simkin, Cr Krakouer, Cr Sudlow, Cr Pike, Cr Stewart, Cr Hay, Cr Smith, Cr Suckling, Garry Keefe, Grant Middleton and Michelle Allen.

9.11.3 BOUNDARY FENCE LOCATION – LOT 364 PENN STREET, KALBARRI (ITEM 7.5.3)
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Moved Cr SUCKLING, seconded Cr STEWART

That Council support the excision of a portion of Reserve 30946 to be amalgamated into Lot 364 Penn Street, Kalbarri to resolve encroachments that have occurred into Reserve 30946.

CARRIED 8/0

9.11.4 STREET KERB HOUSE NUMBERING (ITEM 7.5.4)

Moved Cr SIMKIN, seconded Cr SUDLOW

That Council approve the engaging of the Kalbarri Men's Shed to undertake the repainting of house/building numbers on street kerbing throughout the Kalbarri townsite at a cost of \$5,500 and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

9.11.5 SENIOR EMPLOYEE'S EMPLOYMENT CONTRACT RENEWALS (ITEM 7.5.5)

Garry Keefe, Grant Middleton and Michelle Allen left the meeting at 3.18pm

Garry Keefe, Grant Middleton and Michelle Allen returned to the meeting at 3.35pm.

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Moved Cr SUCKLING, seconded Cr PIKE

That Council:

1. Renew the employment contract for the Manager of Works and Technical Services, Mr Neil Broadhurst, for a further term of five years commencing 1 July 2021 with an annual salary increase of 2% per annum to apply as from the first pay period on or before 1 July of each year.
2. Renew the employment contract for the Deputy Chief Executive Officer, Mr Grant Middleton, for a further term of five years commencing 1 July 2021 with the following amendments to the employment contract:
 - a) Salary be increased by \$5,000 per annum as from 1 July 2021 with all utilities at his private residence previously paid by Council to now be the responsibility of the officer; and
 - b) An annual salary increase of 2% per annum to apply as from the first pay period on or before 1 July of each year.
3. That Council defer the decision on the Chief Executive Officer's contract renewal and remuneration package until advice from the WA Local Government Association on any potential taxation implications to Council on the Officers proposal has been received.

CARRIED 8/0

9.12 PRESIDENT'S REPORT

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

24/08/2020	Northern Zone Meeting, Mingenew
10/09/2020	Geraldton University Centre graduations, Queens Park Theatre Geraldton
14/09/2020	Roads Inspection, Northampton

9.13 COUNCILLORS' REPORTS

9.14.1 CR SUDLOW

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

07/08/2020 Northampton Community Centre – Opening of Netball Courts

14/09/2020 Roads Inspection, Northampton

9.14.2 CR STEWART

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

14/09/2020 Roads Inspection, Northampton

9.14.3 CR HAY

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

14/09/2020 Roads Inspection, Northampton

9.14.4 CR SMITH

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

14/09/2020 Roads Inspection, Kalbarri

15/09/2020 Kalbarri Visitor Centre meeting, Kalbarri

9.15 NEW ITEMS OF BUSINESS

Nil

9.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 16th October 2020 commencing at 1.00pm at the Council Chambers, Northampton.

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9.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.41pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 18 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 18th SEPTEMBER 2020.

PRESIDING MEMBER: _____

DATE: _____

SHIRE OF NORTHAMPTON

LOCAL GOVERNMENT REVIEW PANEL REPORT

No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
1	The Panel recommends that the new Act be structured and drafted in such a way as to highlight the key strategic elements set out in Part A of this report, and that further consideration be given to the 'two Acts' options presented in Part A, at least as a transitional measure	✓			✓			Need to ensure that there is not a raft of regulations as is the current situation.
2	The Panel recommends the following statement of intent (vision) for a new Act: <i>An Act to provide for a system of local government relevant to Western Australia that develops and supports sustainable, accountable, collaborative and capable local governments through democratic representation, the provision of services, opportunities and enhanced well-being for each and every community</i>	✓			✓			The wording is implying that local governments do not do this now which is considered incorrect
3	The Panel recommends the adoption of the following objectives for a new Act: a. Democratic and accountable local government that recognises the diversity of and within Western Australia's communities. b. Recognition of the specific needs and culture of Western Australia's Aboriginal people. c. Promotion and improvement	✓			✓			Although supported the review panel does not recognise throughout their recommendations of how diverse each local government is and for calls form the sector that a tiered system in certain parts of the Act provisions using the Salaries and Allowances Tribunal bands is not proposed

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LOCAL GOVERNMENT REVIEW PANEL REPORT

No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPOSE	UNSURE	SUPPORT	OPOSE	UNSURE	
	<p>of the community's economic, social and environmental well-being.</p> <p>d. An adaptive and forward-looking legislative framework, which supports and enables councils to provide local leadership for the whole community, and to collaborate with each other and with other key stakeholders at a regional level.</p> <p>e. Open and transparent community participation in the decisions and affairs of local governments.</p> <p>f. Enhanced capability of the local government sector, with a focus on continuous improvement and sustainability.</p> <p>g. Efficient and effective service delivery and regulation that is responsive to current and future community needs.</p> <p>h. Informed decision-making by local governments which is in</p>							

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	<p>the interest of their communities, within a legislative framework that supports balance and certainty in relation to the different interests of their communities.</p> <p>i. Accountability of local governments to their communities through processes that demonstrate good governance.</p> <p>j. Support for approaches and opportunities which foster collaboration and cooperation both within the local government sector and across all levels of Government.</p>					
4	<p>The Panel recommends an Act that is considerably shorter, less prescriptive and minimises the use of regulations by establishing clear principles, robust processes, model charters, guidelines and templates.</p>	✓		✓		<p>Shorter and less prescriptive legislation is supported however need to ensure there is not large volumes of regulations that are every prescriptive as is the current case</p>

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5	The Panel recognises the diversity of local governments in Western Australia and supports a new Act which is responsive to this but does not recommend the adoption of a multi-tiered legislative framework		✓			✓		This recommendation is not supported. The one size fits all approach has been detrimental to the smaller regional remote LGAs and the opportunity is now presented to address this anomaly. A multi-tiered approach with the retention of accountable open processes is achievable. The multi-tiered legislative framework that the sector has been requesting has been rejected and/or ignored.
6	The Panel recommends the inclusion of a statement of the role and principal functions of local governments that makes it clear their basic statutory responsibilities, retaining the overall power of general competency in the current Local Government Act	✓				✓		The current Act is already clear on this fact
7	The Panel recommends that the following overarching guiding principles are included in the new Act: To ensure the system of local government is sustainable, accountable, collaborative and capable, councils should: a. Provide democratic and effective representation, leadership, planning and decision- making;	✓				✓		

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		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
	<p>b. Be transparent and accountable for decisions and omissions;</p> <p>c. Be flexible, adaptive and responsive to the diverse interests and needs of their local communities, including the traditional owners of the land;</p> <p>d. Consider the long term and cumulative effects of actions on future generations;</p> <p>e. Ensure that, as a general rule, all relevant information is released publicly, readily available and easy to understand;</p> <p>f. Provide services in an equitable manner that is responsive and accessible to the diverse needs of the community;</p> <p>g. Seek to continuously improve service delivery to the community in response to performance monitoring;</p>					

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	<p>h. Collaborate and form partnerships with other councils and regional bodies for the purposes of delivering cost-effective services and integrated planning, while maintaining local representation of communities and facilitating community benefit; and</p> <p>i. Participate with other councils and with the State and Federal government in planning and delivery of services, setting public policy and achieving regional, State and Federal objectives.</p>							
8	<p>The Panel recommends:</p> <p>a. The Local Government Grants Commission and the Local Government Advisory Board should be combined into a single body responsible to the Minister and named the Local Government Commission, and including the functions of the Grants Commission in accordance with Commonwealth legislation.</p>	✓					✓	<p>Though the concept is endorsed there needs to be more information on the power given to the Local Government Commission before full support should be considered.</p> <p>There is also a concern that one arm who provides funding to local governments also has the authority to determine a local governments future through an amalgamation process, should the two Authorities have such power remain separate.</p>

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	<p>b. The role of the Local Government Commission should be to:</p> <p>(i) Provide recommendations on major local government boundary changes, amalgamations and other necessary reforms;</p> <p>(ii) Manage the distribution of Commonwealth grant funding to local governments in WA; and</p> <p>(iii) Monitor the overall health and performance of the local government sector by identifying key issues and trends, and advise the Government and sector peak bodies accordingly.</p> <p>c. Members should be appointed</p>							

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	<p>to the Local Government Commission on the basis of their skills rather than as representatives.</p> <p>d. The Local Government Commission should consider the financial viability of local governments in making recommendations to the Minister.</p> <p>e. The Minister and sector peak bodies should have the power to refer matters to the Commission for assessment and advice.</p> <p>f. The Commission should play an independent role in monitoring the capacity and the financial health of the sector in collaboration with the Auditor General.</p> <p>g. Minor boundary adjustments where both local governments agree should be handled by the department.</p>							
9	The Panel supports a legislative framework for a system of local government which promotes local democracy and has the in-built flexibility to enable different models			√			√	Support is conditional to this not adding to the already overburdens bureaucratic red tape current forces on LGA's. More detail on the framework is needed.

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	of governance which facilitate community participation, provide for representation of the whole community, and for efficient and effective service-delivery for the community							
10	<p>The Panel recommends that through their Partnership Agreement and the proposed Local Government Commission, State and local government consider options to facilitate structural reform that will strengthen the capacity and resilience of the local government system. Those options should include:</p> <ul style="list-style-type: none"> a. Revised processes for boundary changes and mergers. b. Substantially increased cooperation between local governments through an enhanced model of joint subsidiaries. <p>Provision for the establishment of community boards within local government areas</p>			✓			✓	<p>More detail is required. The recommendation makes no specific proposals for change to facilitate amalgamations.</p> <p>Dadour provisions should be retained so that the electors are provided the opportunity to vote on any proposed amalgamation or boundary change.</p>
11	The Panel recommends an additional legislative option for local governments to establish community boards.	✓					✓	<p>This has been mentioned for this Northampton Shire previously and a proposal was put to the then state government and rejects. The concept was on a "parish" style Council for the Kalbarri Ward.</p> <p>However supporting a community board will have a significant workload implications for Council staff and</p>

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12	<p>The Panel recommends that the new Act should promote and mandate expanded regional cooperation between local governments by:</p> <ul style="list-style-type: none"> a. Making increased collaboration a specific objective and principle. b. Providing an improved model of joint (regional) subsidiaries that can be used for strategic planning, resource sharing, shared services delivery and commercial enterprises (see also Recommendations 14 and 39). c. Requiring regional cooperation as part of IPR (see also Recommendation 35). 	✓				✓		<p>increase complexity for senior officers who have to deal with two distinct bodies. Basically staff would be looking after two bodies and not one.</p> <p>It is considered that such a proposal would require additional staffing to administer a community body ,ie a area/board manager in that location.</p> <p>Mandating cooperation diminishes local autonomy and could have significant workload implications for staff.</p>
13	<p>The Panel recommends that consideration also be given to the potential need for a new form of 'regional authority' to enable collaboration on specific issues</p>	✓				✓		<p>It is unclear how such a regional authority would operate and what role individual local governments would be asked to play.</p> <p>Throughout the review there is proposals for "commissions", "community boards", expanded Audit</p>

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	between governments and with other key stakeholders							Committee Roles" etc, to have a regional authority adds to the bureaucratic impediments on local governments.
14	The Panel recommends: a. The regional council model is discontinued. b. A flexible model of joint (regional) and single (local) subsidiaries be introduced in order to enable: (i) collaboration between local governments; and/or (ii) involvement of local government in economic development including commercial activities	✓						More detail on the regional authority role is required. This recommendation does not affect this Council as has not been involved in a regional council.
15	The Panel recommends that the new Act include a set of principles for intergovernmental relations that make clear local government's role and obligations as part of the broader system of government, and that underpin a range of ongoing arrangements such as the State Local Government Partnership	✓						More detail is required, the recommendation is poorly explained. Intergovernmental relations should be a mutual obligation and with the Panel not recognising a tiered approach there is some doubt of their intent in this proposal.
16	The Panel recommends that the new Act recognises the unique status of Aboriginal people as traditional owners of the land and ensures that they are empowered to engage in	✓						In what matters are the traditional landowners are to be engaged in the decision making of a local government. Further detail needs to be provided.

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17	<p>decision-making in their local communities</p> <p>The Panel recommends that further consideration is given to the manner of recognition, and the options for inclusion, engagement and shared decision making between local governments and Aboriginal communities, through consultation with the Department of Premier and Cabinet and the Aboriginal Advisory Council of Western Australia, and with reference to practices in other states, the Northern Territory and New Zealand</p>	✓					✓	As per recommendation 16 comment, more detail required as to when the landowners are to be involved in Council decision making.
18	<p>The Panel recommends further consideration is given to the issue of service delivery by local governments in remote communities, and appropriate adjustments to Integrated Planning and Reporting requirements</p>			✓			✓	<p>This needs to be expanded to not only remote community, rather to all smaller rural and remote LGAs. Again a situation where a multi-tiered Act would be beneficial.</p> <p>The state government also has some responsibility as the recommendation implies it seems its being shifted to local government to provide services that the state government is currently providing.</p>
19	<p>Optional preferential voting be adopted in place of the current first past the post system</p>		✓				✓	Oppose - Retain First Past the Post non-compulsory voting in LG Elections
20	<p>The principle of one vote per person be included in the legislation, subject to Recommendation 21 below</p>		✓				✓	
21	<p>Property franchise voting should be replaced with the requirement for local governments to introduce mechanisms for regular and effective</p>		✓				✓	

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	consultation with the business community							
22	Local government elections are held once every four years, two years after but to otherwise accord with the timing of the State election		✓			✓		
23	All local government elections should be overseen by the Western Australian Electoral Commissioner		✓			✓		This is a monopoly now and the opportunity is here to bring in some competition to keep the costs down.
24	Provision in the new Act for electronic/online voting to be introduced in the future once the integrity of the process can be assured (including allowing for a pilot)	✓			✓			
25	The Panel makes the following further recommendations in relation to elections: <ul style="list-style-type: none"> a. Postal voting be required, with lodgement of these votes to be allowed in person on and before election day. b. The election process extended to provide more time for the issuing and receipt of postal votes. c. The information local government candidates must provide at nomination should be expanded to ensure that adequate information is given for voters to make an 	✓			✓			(a) Not supportive if the Election Day remains a Saturday. The cost to staff a polling booth(s) on a Saturday for little (or no) votes being made in-person on this day is not practical. It should be postal only with the opportunity to cast a vote in-person during the period leading up the closure of polls. Extraordinary Election Days are not set in legislation as having to be a Saturday, resulting in most of these being during the week. Not sure why this cannot be the same for the ordinary LG Elections Days. If this was the case the cost to hold election should be reduced.

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	<p>informed decision. Candidate nomination forms should also include declaration of membership of a political party and these forms should be published and available during the election period.</p> <p>d. A caretaker policy should be introduced barring elected members up for re-election from representing the council at events, handing out council grants or donations and moving substantive notices of motion in the period before the election, and a requirement to comply with this policy should be included in the Code of Conduct.</p> <p>e. The donor and the candidate should co-sign each declaration of a gift made.</p> <p>f. Donations via crowd funding platforms should be regulated so far as possible.</p>							<p>(d) Caretaker Policy – a policy is likely to have implications. As penalties are not attached to breaches of the Code of Conduct it is difficult to see how the caretaker policy proposal will be effective. Under these circumstances, additional pressure could be placed on the local government senior officers.</p> <p>(f) donations by crowd funding needs to be strictly regulated to prevent others crowd funding on behalf of a candidate without the knowledge of that candidate and then use it against the candidate at a later date. This is open for abuse and should be discouraged. Should be no funding of such nature in LG Elections</p>
26	In respect to elected member representation, the Panel recommends:		✓				✓	The parameters set are not supported and the panel does not recognise a local government with large rural areas.

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		SUPPORT	OPPOSE	SUPPORT	OPPOSE		UNSURE
	<p>a. Population should be used to determine the number of elected member positions:</p> <p>(i) Population of up to 5,000 – 5 councillors (including President).</p> <p>(ii) Population of between 5,000 and 75,000 – 5 to 9 councillors (including Mayor/President).</p> <p>(iii) Population of above 75,000 – 9 to 15 councillors (including Mayor).</p> <p>b. Ward boundary reviews, to ensure equitable representation is maintained, should be conducted every four years by the Office of the Electoral Distribution Commissioners, with the support of the WAEC and should be conducted using similar processes and principles that are in place for state electoral boundaries as</p>						<p>If parameters are to occur then they should be expanded for (i) 5 to 7 councillors, (ii) 7 to 9, (iii) 9 to 15.</p>
							<p>The concern here is the additional cost associated with the WAEC undertaking this review.</p> <p>For many rural areas a review every four years is not warranted as little changes and the eight year review term should be retained or be governed by adverse changes such as large population increases etc.</p>

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	<p>contained in the <i>Electoral Act 1907</i>.</p> <p>c. Current classification bands 3 and 4 should not have multiple wards unless the Local Government Commission permits it in the interests of ensuring local democracy is enabled in certain communities.</p> <p>d. The changes to wards and elected member numbers due to the above recommendations should be phased in.</p> <p>e. With the introduction of four-year elections, council elected mayors/presidents should be elected for two-year terms.</p> <p>f. No restriction should be placed on the number of terms an elected member or mayor/president can serve</p>		✓			<p>This is for the individual local government to determine and not the state government.</p> <p>SON is Band 3 so therefore no wards would occur</p>
		✓		✓		
		✓		✓		
		✓		✓		

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27	The Panel recommends significant changes in the Act to the current statements of roles and responsibilities for mayors/presidents, councillors and CEOs and that the Act should include a new statement of responsibilities for the 'council' which captures the roles and responsibilities of all councillors acting collectively as the council	✓				
28	The Panel recommends the following as the role of council <ul style="list-style-type: none"> a) considers the diversity of interests and needs of the local community; b) is accountable to the community for the local government's performance; c) ensures adequate opportunities and mechanisms for engagement with the local community; d) ensures the timely development and adoption of the strategic plans, programs and policies of the council and promotes the effective and consistent implementation of these; 	✓				

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	<p>e) develops and adopts strategic plans and a budget for the local government;</p> <p>f) keeps the local government's resource allocation, expenditure and activities and the efficiency and effectiveness of its service delivery, under review;</p> <p>g) provides strategic direction to the CEO in order to achieve high-quality administration and performance of the local government's functions in accordance with the Local Government Act and local government's policies;</p> <p>h) carries out an annual performance review of the CEO and in agreement with the CEO adopts Key Performance Targets for the following year;</p> <p>i) provides a safe working environment for the CEO, officers and councillors;</p> <p>j) reviews annually the delegations of the council;</p> <p>k) performs such other functions</p>							

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29	<p>as are given to a council by this Act or any other written law.</p> <p>The Panel recommends the following as the role of councillors</p> <ul style="list-style-type: none"> a) without bias represents the current and future interests of all people who live, work and visit the district; b) provides leadership and guidance to the community in the district; c) facilitates communication between the community and the council; d) accurately represents to the community the policies and decisions of the council; e) participates in the development of strategic plans; f) must be prepared to – <ul style="list-style-type: none"> i. participate with an open mind in the local government's decision-making processes; ii. be an active and contributing member of the council; and iii. make considered and well-informed decisions; 	✓			✓			

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	g) makes all reasonable efforts to acquire and maintain the skills necessary to perform the role of councillor; and performs such other functions as are given to a councillor by this Act or any other written law.							
30	<p>The Panel recommends the following as the role of the mayor/president: In addition to the responsibilities of a councillor, the mayor or president —</p> <p>a) provides leadership and guidance to the community in the whole district;</p> <p>b) carries out civic and ceremonial duties on behalf of the local government;</p> <p>c) acts as the principal spokesperson on behalf of the council and explains and upholds the decisions of the local government;</p> <p>d) encourages good working relations between councillors, and between the council and the CEO;</p> <p>e) provides guidance to councillors about what is expected of a</p>	✓			✓			

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31	<p>The Panel recommends the following as the functions of the CEO:</p> <p>1) The CEO's functions are to –</p> <p>a) advise and assist the council in relation to the functions of a local government under this Act and other written laws;</p> <p>b) ensure that timely and accurate advice and information is available to the council so that informed decisions can be made;</p> <p>c) ensure that the mayor and other councillors are given the administrative and professional support necessary to effectively discharge their role;</p> <p>d) advise the council on appropriate forms of community engagement;</p> <p>e) advise and consult the mayor and council on the development and implementation of the strategic plans, programs, strategies and policies of the council;</p> <p>f) prepare, in consultation with</p>	✓ Other than (b) & (c)			✓ Other than (b) & (c)			WALGA oppose items 32 (b) & (c) (a) ensure that timely and accurate advice and information is available to the council so that informed decisions can be made; (b) ensure that the mayor and other councillors are given the administrative and professional support necessary to effectively discharge their role

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	<p>the mayor and council, the draft budget;</p> <p>g) ensure that the policies and lawful decisions of the council are implemented in a timely and efficient manner;</p> <p>h) conduct the day-to-day management of the local government in accordance with the strategic plans, programs, strategies and policies of the council;</p> <p>i) ensure the effective and efficient management of the local government in a way that promotes –</p> <ul style="list-style-type: none"> i. the effective, efficient and economical management of public resources; ii. excellence in service delivery; and iii. continual improvement; <p>j) maintain systems to enable effective planning and accurate reporting of the financial and service performance of the local government to the council and community;</p>							

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	<p>k) speak publicly on behalf of the local government when approved by the mayor or president to do so;</p> <p>l) be responsible for the employment and management of local government employees, except with respect to the position of CEO, through management practices that —</p> <ul style="list-style-type: none"> i. promote equal employment opportunities; ii. are responsive to the local government’s policies and priorities; and iii. provide a safe working environment; <p>m) ensure the local government complies with this Act and any other written law;</p> <p>n) ensure that records, proceedings and documents of the local government are properly kept for the purposes of this Act and any other written law; and</p> <p>o) perform any other function specified or delegated by the</p>							

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	<p>council or imposed under this Act or any other written law as a function to be performed by the CEO.</p> <p>2) The CEO must inform and consult the council when determining, or making, significant changes to –</p> <p>a) the organisational structure for the staff of the local government; or</p> <p>b) the processes, terms or conditions that are to apply to the appointment of senior executive officers; or the appraisal scheme that is to apply to senior executive officers.</p>							
32	<p>The Panel recommends that the following community engagement principles should be included in the new Act:</p> <p>a. Councils actively engage with their local communities;</p> <p>b. Councils are responsive to the needs, interests and aspirations of individuals and groups within its community;</p> <p>c. Community engagement</p>							<p>The concern here is the additional costs and resources required and again the one-size fits all approach to community communications. What may be relevant to a large LGA may not be for a smaller LGA.</p> <p>There will also need to be detail on how this is managed through "Community Boards"</p>

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	<p>processes have clearly defined objectives and scope;</p> <p>d. Participants in community engagement have access to objective, relevant and timely information to inform their participation;</p> <p>e. Participants in community engagement are representative of the persons and groups affected by the matter that is the subject of the community engagement;</p> <p>f. Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement; and</p> <p>g. Participants in community engagement are informed of the ways in which the community engagement process will influence council decision-making</p>					
33	The Panel recommends a Community Engagement Charter be required as a mechanism for guiding and enhancing community participation in local decision-making, and that a model charter be prepared to set	✓			✓	The concern here is the Charter again cannot be a one-size fits all approach to community communications. What may be relevant to a large LGA may not be for a smaller LGA.

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34	<p>parameters and provide guidance on mechanisms to be used</p> <p>The Panel recommends the Annual Electors' Meeting is replaced by an Annual Community Meeting whereby:</p> <ol style="list-style-type: none"> As a minimum, councils provide information on their achievements and future prospects; Councils report on the local government's financial performance and performance against relevant Council Plans; Both the mayor/president and the Chair of the Audit Committee address the meeting; There is ample time for questions; and Wider community participation is encouraged through different delivery mechanisms 	✓	✓	✓	✓	<p>The Review Panel did not recognise local governments previous requests that Annual Electors meetings not be mandatory, all they have done is simply changed the title of the meeting.</p> <p>It would be easier to legislate for an Agenda Item to be presented to an Ordinary Council Meeting for the Annual Report to be presented and not hold a separate Meeting as proposed unless that Council or the community wishes for such a meeting.</p>
35	<p>The Panel recommends the following IPR Principles are included in the new Act:</p> <ol style="list-style-type: none"> Councils plan strategically, using the integrated planning and reporting framework, for 	✓		✓		<p>IPR needs to be relevant to the size, type and nature of the individual LGAs and not structured in a way as it becomes a one size-fit-all approach.</p>

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	<p>the provision of effective and efficient services to meet the diverse needs of the local community;</p> <p>b. Strategic planning identifies and incorporates, where appropriate, regional, State and Federal objectives and strategies concerning the economic, social, physical and environmental development and management of the community;</p> <p>c. Strategic planning addresses the community's vision;</p> <p>d. Strategic planning takes into account the resources needed for effective implementation;</p> <p>e. Strategic planning identifies and addresses the risks to effective implementation; and</p> <p>f. Strategic planning is a key accountability tool that provides for ongoing monitoring of progress and regular reviews to identify and address changing circumstances</p>							Do not set minimum standards which can only be achieved by small under-resourced LGA if this is outsourced to external consultants as this will simply be a cost burden on ratepayers.

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS
		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
36	<p>The Panel recommends:</p> <ul style="list-style-type: none"> a. IPR be given greater prominence in the new Act as the centrepiece of 'smart' planning and service delivery. b. The new Local Government Commission and the department should take steps to improve understanding and skills across the sector to ensure consistent implementation of IPR requirements. c. IPR provisions in the Act should be expanded to include the issues currently covered in the regulations (suitably updated in accordance with these recommendations). d. IPR provisions and guidelines should be amended to, amongst other things – <ul style="list-style-type: none"> i. Highlight the central goal of advancing community well-being (economic, social, cultural and environmental). ii. Replace the current requirement for a 	✓		✓		<p>IPR needs to be relevant to the size, type and nature of the individual LGAs and not structured in a way as it becomes a one-size-fit-all approach.</p> <p>Do not set minimum standards which can only be achieved by small under-resourced LGA if this is outsourced to external consultants as this will simply be a cost burden on ratepayers.</p> <p>Concern is that if the four year all in all out election cycle is introduced, what's the value in having four year plans when the incoming Council has had no input and can effectively reject the plan.</p>

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
	<p>Strategic Community Plan with a more flexible framework for 'Community Strategies'.</p> <p>iii. Reframe Corporate Business Plans as broader 'Council Plans' prepared by each incoming council.</p> <p>iv. Mandate deliberative community engagement in the preparation of both Community Strategies and Council Plans.</p> <p>v. Require a 'regional issues and priorities' section within Council Plans, to be prepared in consultation with neighbouring/nearby local governments.</p> <p>e. Provision should be made for a baseline reporting system as part of the IPR framework, and local governments should be required over time to report against a wider range of performance measures covering financial</p>							

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No	RECOMMENDATION	WALGA POSITION				COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE		
	<p>management, service delivery, governance and community wellbeing.</p> <p>f. Annual reports should include a statement of performance against the objectives, programs and projects set out in Community Strategies and Council Plans.</p> <p>g. The Audit, Risk and Improvement Committee (see Recommendations 53 and 54) should monitor the local government's performance in implementing the IPR framework, including compliance with relevant statutory obligations, and report its assessment to the community (for example, as an addendum to the council's annual report and/or as a statement to the Annual Community Meeting proposed in Recommendation 35).</p> <p>h. That all IPR plans be reviewed every four years (to align with the new election cycle), two years or one year depending on the plan.</p>								

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPOSE	UNSURE	SUPPORT	OPOSE	UNSURE	
37	<p>The Panel recommends:</p> <p>a. As a minimum, local governments must seek to identify and provide, or offer, to all its citizens, a minimum level of services to meet statutory obligations.</p> <p>b. The Minister should have the power to direct a local government if it fails to provide or offer these services.</p> <p>c. The new Act should incorporate financial sustainability principles which also link to the IPR framework.</p> <p>d. Local government services and programs should be aligned to the IPR framework.</p> <p>e. Local governments conduct regular reviews of services and service levels including community consultation</p>		✓			✓		
			✓			✓		
			✓			✓		
		✓			✓			
		✓			✓			
38	The Panel recommends local governments should continue to play an active role in economic development at both local and regional levels. The IPR framework should encourage local governments to be cognisant of State Government	✓			✓			

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
39	plans when developing strategies for economic development The Panel recommends that the new Act should provide the freedom for local governments to be involved in commercial activities where it is in the public interest and subject to competitive neutrality principles	✓					✓	
40	The Panel recommends that 'beneficial enterprises' not be introduced as a new mechanism for local government commercial activities, but that instead an updated and more flexible subsidiary model should provide for the following: a. Local government autonomy to establish a single or joint subsidiary to: (i) Carry out any scheme, work or undertaking on behalf of the council; (ii) Manage or administer any property or facilities on behalf of the council; (iii) Provide facilities or services on behalf of the council; and/or (iv) Carry out any other functions on behalf of the council.	✓ Other (h)					✓	

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS
		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
	<p>government/s and within the jurisdiction of the Western Australian Industrial Relations Commission.</p> <p>i. No requirement for ministerial approval at the outset, but reserve powers for the Minister for Local Government to intervene if issues arise should be included.</p>					
41	<p>The Panel recommends local governments should utilise the subsidiary models and, as a general rule, should not form entities outside this, such as under the Associations Incorporation Act, except as a means of establishing or maintaining partnerships with other local or regional organisations in those instances where the local government is not the dominant party</p>	✓			✓	
42	<p>The Panel recommends the following financial management principles be included in the new Act:</p> <p>a. Councils should have regard to achieving intergenerational equity, including ensuring the following:</p>	✓			✓	<p>The statement “intergenerational equity” needs to be further explained as to how this is to be measured, proven and achieved? Further detail required.</p>

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS
		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
	<p>(i) Policy decisions are made after considering their financial effects on future generations;</p> <p>(ii) The current generation funds the cost of its services;and</p> <p>(iii) Long life infrastructure may appropriately be funded by borrowings.</p> <p>b. Revenue, expenses, assets, liabilities, investments and financial transactions are managed in accordance with the council's financial policies and strategic plans;</p> <p>c. Financial risks are monitored and managed prudently having regard to economic circumstances;</p> <p>d. Financial policies and strategic plans, including the Revenue and Rating Strategy and Investment policy, seek to provide stability and predictability in the financial impact on the community; and</p> <p>e. Accounts and records that</p>					

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS
		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
	explain the financial operations and financial position of the council are kept.					
43	<p>The Panel recommends that local government procurement thresholds, rules and policies are, where applicable, aligned with the State Government, including (but not limited to):</p> <ol style="list-style-type: none"> Tender threshold (currently \$250,000); Procurement rules and methods for goods and services under the tender threshold; Procurement policies, including sustainable procurement, procuring from disability enterprises, buy local (where 'local' refers to Western Australia or a specific region of the state determined by the local government) and Aboriginal businesses; and Using Tenders WA as the primary tender platform. 	✓		✓		
44	The Panel recommends the development of a model procurement policy for all local governments. If a local government chooses to deviate from the policy it	✓		✓		

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
	should be required to explain its reasoning to the responsible State Government agency							
45	The Panel recommends enhancing legislation to regulate and guide the establishment and management of panel contracts	✓			✓			
46	The Panel recommends a requirement for local governments to have an open register of local businesses with local governments determining what is considered 'local' to their community	✓				✓		Cannot see the reason for this in a small LGA, also what is determined as local when for example have four towns within a shire boundary of which two are 110km apart yet have a regional city outside the shire boundary that is 50km from a shire town.
47	The Panel recommends breaches of the local government procurement rules to be referred to the Office of the Independent Assessor to use the appropriate powers under the new Local Government Act	✓			✓			
48	The Panel recommends: <ul style="list-style-type: none"> a. Rate capping should not be introduced. b. Local governments should be required to develop and publish a rates and revenue strategy, that would amongst other things replace the need to have fees and charges set in the annual budget. c. The Economic Regulatory Authority (ERA) should be asked to undertake a review of 	✓			✓			

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
	<p>the rating system, including a thorough examination of the case for the current wide range of exemptions.</p> <p>d. The current rates exemptions should be retained until after the ERA review.</p> <p>e. Property owners seeking an exemption should be regularly required to prove they meet the criteria for an exemption.</p> <p>f. Local governments should charge a separate waste charge applying to all properties which have a waste service, including exempt properties.</p> <p>g. The Valuer General should be asked to undertake a review of the rating methodology with the aim of smoothing out significant fluctuations in valuations.</p>							(d) its is questioned how long a review by the ERA will take, why can't the state government simply make the decisions on what charitable organisations are or are not to pay rates.
49	The Panel recommends that local governments should be able to set reasonable fees and charges according to a rating and revenue strategy, with the oversight of the Audit, Risk and Improvement Committee.	✓			✓			

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No	RECOMMENDATION	WALGA POSITION				COUNCIL POSITION				COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE		SUPPORT	OPPOSE	UNSURE		
50	The Panel recommends that local governments and State Government apply cost recovery principles when setting fees and charges	✓				✓				State & LG Principles can differ significantly. Not sure why this is recommended.
51	<p>The Panel recommends the role of audit committees be expanded to become Internal Audit, Risk and Improvement Committees and:</p> <p>a. The majority of the Committee members, including the Chair, should be independent of the local government and should be drawn from a suitably qualified panel.</p> <p>b. To address the impost on small local governments, the committee could be established on a regional basis.</p>		✓				✓		<p>This is opposed. Why have a committee of nonelected members when the Councillors are elected to manage the affairs of the Council.</p> <p>This proposal is taking away the role and responsibility of elected members. Also are the elected members answerable to the Audit Committee who are again non elected.</p> <p>Pool of suitably qualified members for the panel could be limited. Further general members of the public may not wish to be involved which is evident by lack of interest at local government elections.</p> <p>With the office of Auditor General undertaking audits, isn't this enough checking?</p>	
52	<p>The Panel recommends the main roles of the Audit, Risk and Improvement Committee should include:</p> <p>a. Developing an audit plan which focuses on compliance, risk (including procurement), financial management, fraud control, governance and delivery of the Council Plans;</p> <p>b. Identifying continuous</p>	✓				✓ Except (c)			(c) It is unclear how a committee will actually conduct an audit. These internal audits are normally undertaken by staff or consultants who report to the Audit Committee: an approach which represents good practice governance.	

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS
		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
	<p>improvement opportunities and monitoring programs and projects in this area;</p> <p>c. Conducting the mandatory internal audits as outlined in the audit plan; and</p> <p>d. Providing advice to the council in relation to these matters</p>					
53	<p>In relation to governance, the Panel recommends:</p> <p>a. Meeting procedures are standardised across all local governments, allowing for both a committee system and a public briefing system.</p> <p>b. Elected members should be required to lodge a declaration of interest as well as a confirmation of impartiality prior to meetings.</p> <p>c. Elected members who believe that they are unable to maintain impartiality on a particular matter should be permitted to withdraw from that part of the meeting provided a quorum is maintained.</p>	<p>✓ (other than items (c) & (g))</p>		<p>✓ Except (a), (e) & (g)</p>		<p>(a) Local governments have different approaches to running their operations. It is unclear what a standardised system would require. It is also difficult to envision how the same, standardized system, would work effectively for very large and very small local governments at the same time.</p>

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
	<p>d. All votes should be recorded in the minutes on each motion with details of how each councillor voted.</p> <p>e. As a minimum, audio recordings of public parts of council meetings should be available on the local government's website when the minutes become available, with livestreaming to be encouraged.</p> <p>f. CEO contracts should be standardised and consistent with the Public Sector Commission's policy and relevant conditions for public sector employees.</p> <p>g. CEO contracts should be no more than five years and after two terms the local government must readvertise the position.</p> <p>h. The department should facilitate additional oversight in the recruitment and management processes of CEOs. This could include representation on the selection panel and/or</p>							<p>(e) requirement for audio and visual recording of Council meetings will again be a financial impost on smaller local governments</p> <p>(f) There is currently a model contract in place for local government CEOs established through Local Government Professionals WA and WALGA. A standardized contract could have significant implications for CEOs and senior officers if it is less favourable than the current arrangement.</p> <p>(g) There is no rationale given for this proposal within the report which reduces the autonomy of Council and adds unnecessary recruitment costs. It will also encourage turnover amongst CEOs who are approaching the conclusion of their second term with their local governments which is undesirable if a good relationship exists between the Council and the CEO.</p> <p>(h) Why does the Department of LG have to be involved in the recruitment of a CEO. Many Councils now take the option of appointing a consultant to undertake this task with a recommendation to the</p>

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	
	<p>screening of applicants.</p> <p>i. Primary and Annual Returns should include disclosure of membership of political parties and associations likely to be seen as exerting an influence on decision- making.</p>						Council who they should employ. It is doubtful that staff in the Department have the expertise or skills to be involved in a CEO appointment process.
54	<p>The Panel recommends the following in relation to training:</p> <p>a. New CEOs (including CEOs moving to a substantially larger local government) should be required to undertake training and ongoing professional development as recommended by the selection panel.</p> <p>b. There should be compulsory induction training and ongoing professional development for all councillors, including specific programs for mayors and presidents.</p> <p>c. Training modules for all councillors should include in-depth material on IPR and land use planning.</p> <p>d. The Minister should have discretion to exempt</p>	✓			✓		

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No	RECOMMENDATION	WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS
		SUPPORT	OPPOSE	SUPPORT	OPPOSE	
	<p>completion of training within the stipulated time on compelling grounds.</p> <p>e. Expanded use of peer review and support should be encouraged both to help improve the performance of individuals and local governments.</p>					
55	<p>The Panel recommends that there should be an early intervention framework of monitoring to support local governments. The department should have additional powers to appoint and support the monitor with councils responsible for the direct costs of the monitor.</p>	✓		✓		<p>This would provide a new model for the Department to work with individual local governments to improve their performance. It is unclear how exactly the new model would work and what legislation is required to deliver this outcome.</p>
56	<p>The Panel recommends the Minister should have the power to direct local governments and make declarations in respect to the Local Government Act during a declared state of emergency</p>	✓		✓		<p>This happened in the COVID pandemic however need to be cautious as could represent a very broad power which could be used in many different ways.</p>
57	<p>The Panel recommends establishing an Office of the Independent Assessor that should:</p> <p>a. Be an independent body to receive, investigate and assess complaints against elected members and undertake</p>	✓		✓		

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No	RECOMMENDATION	LOCAL GOVERNMENT REVIEW PANEL REPORT					
		WALGA POSITION		COUNCIL POSITION		COUNCIL COMMENTS	
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE
	<p>inquiries. This removes the CEO from being involved in processing and determining complaints.</p> <p>b. Be a statutory appointment by the Governor.</p> <p>c. Upon assessment, refer the complaint back to the council (behaviour-related), the State Administrative Tribunal (SAT) (serious breaches), or to another appropriate body (such as, Corruption and Crime Commission, Public Sector Commission, Ombudsman) according to the subject of the complaint.</p> <p>d. Replace the Standards Panel by investigating and making determinations on Rules of Conduct breaches. SAT will determine the penalties.</p> <p>e. Amongst other powers, have the power to investigate, to order compulsory mediation and to deal with abuses of process.</p>						

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS	
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE		
58	<p>f. Be required to notify the CEO and council of any matters on a confidential basis</p> <p>The Panel recommends consideration should be given to the appropriate recognition and management of complaints by an elected member against a CEO or other senior officer, with one option for these to be investigated by the Office of the Independent Assessor</p>		✓			✓			As opposed to WALGA's position an independent process to deal with such complaints could be beneficial.
59	<p>The Panel recommends:</p> <p>a. The new Act should set principles for determining classification bands for local governments.</p> <p>b. These classification bands should be used by the Salaries and Allowances Tribunal for determining councillor and CEO payments, as well as providing a framework for distinguishing between local governments in relation to other matters.</p>		✓				✓		Bands already determine salaries & allowances for Councillors and CEO's therefore see no value in them being part of the Act.
60	The Panel recommends the increased harmonisation of local laws through the development of model local laws and deemed provisions	✓				✓			If model local laws are used then the need to consult on that model local law should not be required.

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No	RECOMMENDATION	WALGA POSITION			COUNCIL POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	SUPPORT	OPPOSE	UNSURE	
61	The Panel recommends requiring local governments to justify to the Joint Standing Committee on Delegated Legislation any variation from the model or deemed provisions	✓					✓	This provision could reduce local government autonomy and will make it more difficult to introduce local laws which are not model laws.
62	In relation to WALGA, the Panel recommends: <ul style="list-style-type: none"> a. WALGA not be constituted under the new Act; b. A transition period is provided to ensure continuity in operations of WALGA while it is re-formed under other legislation; and c. Recognition of WALGA's Preferred Supplier Program and mutual insurance coverage in the legislation should be accompanied by appropriate oversight measures, including auditing. 	✓			✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
20	Act be amended to provide for the Director General of the DLGSC to prescribe mandatory Code of Conduct for all council members, members of council committees and employees, which will set minimum standards to comprehensively regulate all conduct engaged in by Council members, committee members and employees in the discharge of their duties and functions, including, but not limited to the disclosure of conflicts of interest.	✓			Section 5.103 of LG Act requires a code of conduct to be adopted, is the code mentioned here going to be different than what we already use, LGA's will need to be consulted on the wording of the Code
25	The Department arrange for an independent review of the Code, at three-yearly intervals, to determine whether it remains effective and relevant and whether it should be updated and amended.	✓			Supported however LG should be able to provide comment on any recommended changes
28	LG be required to provide newly elected council members, elected committee members and employees with training on the Code including an assessment component, as part of the induction process.	✓			Training now a requirement under the LG Act so not a concern
29	All Council members and employees undergo training on the Code when it is introduced and refresher training on the Code, including and assessment component at no less than 12 month intervals.	✓ Not every 12 months			12 month intervals is considered too early and should be two years or the election cycle which ever is the lesser
30	The DLGSC establish the training programmes described in Recommendations 28-29 and publish comprehensive training materials on its website, for use by internal and external facilitators, in delivering the programme to council members and employees.	✓			
33	The DLGSC to consider the inclusion of reporting against compliance with the code training requirement in a LGA compliance audit return, split by category, namely, council members, committee members, candidates, the CEO, "senior employees' or equivalent and employees.		✓		For what purpose? Another compliance regime

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
34	LGA's be required to publish in their Annual Report their percentage of compliance for the financial year with the Code training requirement, according to the specified categories as per Recommendation 33.		✓		For what purpose? Another compliance regime
38	The DLGSC establish a Mayoral leadership coaching programme for newly elected mayors and presidents, delivered by accredited coaching providers, to support mayors and presidents build their non-technical and leadership skills as part of continuing professional development.	✓			Training for Presidents and Deputy Presidents used to be undertaken by WALGA and formed part of the Local Government Week Training and this could be re-instated to reduce costs
39	An independent accredited executive coach, with formal experience in leadership coaching, be appointed to support and mentor a newly elected mayor or president in their transition into the role and for continuing professional development particularly the development of skills necessary to provide effective community leadership and manage relationships with the local government and the CEO. Coach to be selected by the mayor or president from a panel of suppliers provided by the Department.			✓	Who pays for such coaching, this will be a major financial impost on small local authorities.
42	The DLGSC establish a CEO professional leadership coaching programme for CEO's of LGA's, delivered by accredited coaching providers, to support CEO's to build their non technical and leadership skills both in their transition into the role and continuing professional development.	✓			This used to be undertaken by the then Local Government Managers Association (now LG Professionals) but ceased for some reason.
43	An independent accredited executive coach, with formal experience in leadership coaching, be appointed, to support and mentor the CEO (including new and current CEO's) on their role and continuing professional development, particularly the development of skills necessary to provide effective community leadership and manage relationships within and between the council and the CEO. The coach be selected by the CEO from a panel of suppliers provided by the DLGSC.	✓			Have to be a good reason to bring in a coach for an already appointed CEO
47	Local Government (Administration) Regulations 1996 be amended to require council members to undergo training on:	✓			Of the list it is considered that the training now required by the Act covers all of the dot points so no amendment to the act is required

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
	<ul style="list-style-type: none"> The statutory roles and functions of, and the relationships between, the Council, Mayor or President, council members, the CEO and other employees of the local government. Conduct and integrity in decision making, including declaring and managing conflicts of interests. Financial management and the integrated planning and reporting frame work. Leadership, including council members' role as elected representatives of the community. 				
49	<p>Consideration to amend Section 5.128 of the LG Act and prescribing regulations to require local governments, in preparing and adopting policy on continuing professional development:</p> <ul style="list-style-type: none"> to extend the policy to committee members and senior employees; to consider the individual training and professional development needs of council members, committee members and senior employees; and to require training and professional development courses to be delivered by independent and qualified training providers who are members of a panel of training providers established by DLGSC, with assessment undertaken as part of the course. 	✓			Although supported it will be a significant financial impost on small local governments
50	<p>Committee members, including those who are council members, as part of their continuing professional development, receive training in respect of the specialised skills and knowledge required to competently carry out that committee function.</p>		✓		Committee's that are formed are normally general in nature and don't see the purpose of this requirement, easy way to get around it is to not have committee's
51	<p>The training described in Recommendation 50 be received before the committee member serves on the relevant committee or, if that is not practicable, as soon as practicable after the appointment of the committee.</p>		✓		As per recommendation 50

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
57	LG Act be amended to require all council meetings and committee meetings of Council be audio-visually recorded in their entirety, which recordings should be kept in compliance with the State Records Act 2000.			✓	Will be a major cost to local governments but achievable Should be optional
58	Audio-visual recordings of all parts of a council or a committee meeting that were open to the public, CEO must publish those on a local government website, to be prescribed.			✓	
59	Audio-visual recordings must be provided to a person to inspect when they attend the office of a local government during business hours, to be prescribed.			✓	
60	Regulation be amended to require the reasons for all decisions of council or a committee of council be recorded in writing in the minutes of the meeting in sufficient detail to explain why the decision was made.			✓	Is an officer recommendation not sufficient for a decision or is this referring to a decision where no recommendation is provided
83	The DLGSC give consideration to further amending the regulated forms for primary and annual returns to require council members and designated employees to disclose the names of close family members and entities that they or their close family member control or jointly control.			✓	Further definition of "close family members" will be required and does it relate to those members entities not within the local government area
104	LG Administration Reg's be amended to provide for the contract of employment for a CEO to be based on a model contract to be developed by the DLGSC		✓		Model contracts are already in place developed by WALGA and LG Professionals. State government based contracts my limit negotiation parameters between the Council and CEO
105	The DLGSC establish standardised professional leadership competencies for local government CEO's in each classification band.	✓			
106	The DLGSC adopt guidelines for use of those standardised professional leadership competencies of a CEO in respect of: <ul style="list-style-type: none"> CEO's initial recruitment; and His or her ongoing performance and the review of that performance (including termination of employment) 	✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPOSE	UNSURE	
110	The DLGSC consider requiring local governments to publish in their annual reports the details related to the employment of a CEO, including the total value of the annual remuneration, the term of the contract and the documented reasons for the decision on the salary to be paid.		✓		Nor supported, the remuneration established between the employer and employee is those entities concern and no others. Can be detrimental to the well being of the officer in social circles
111	The DLGSC establish a panel of professionals with demonstrated expertise in the recruitment and selection and management of performance of executive employees, to assist local governments to recruit, establish key performance indicators for and manage the performance of the CEO.	✓			Providing the local government is well represented and not having one elected member as proposed in recommendation 116
116	The CEO model standards require the recruitment and selection process for a local government CEO be undertaken by a panel (CEO Recruitment Panel) which shall make a recommendation to the council of a local government on the candidate to be appointed as CEO. The CEO Recruitment Panel is to comprise of: <ul style="list-style-type: none"> • A member of the council, appointed to the panel by the council; • An independent third party, with demonstrated expertise in local government; and • A member of the panel described in Recommendation 111, appointed by the DLGSC, with experience in the recruitment and selection and managing the performance of executive employees, who shall provide guidance and advice to the CEO Recruitment Panel. 	✓			Should be at least two members of the council not the one
117	The CEO model standards prescribe that the Council: <ul style="list-style-type: none"> • Must not employ a CEO in the absence of a recommendation from a CEO Recruitment Panel; • Must allow the members of the CEO Recruitment Panel to be present during discussions of the Panel's recommendation; • May accept the CEO Recruitment Panel's recommendation; 	✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
	<ul style="list-style-type: none"> May reject the CEO Recruitment Panel's recommendation and appoint another person as CEO, but must provide detailed reasons for doing so; and May require further information before deciding whether to accept or reject the CEO Recruitment Panel's recommendation. 				
118	The appointee of the DLGSC to a CEO Recruitment Panel prepare the report to council on the recruitment and selection process for a local government CEO, including the decision of Council to accept or reject the Panel's recommendation and the reasons given by the Council of that decision.	✓			But at whose cost, bit of a "big brother" watching in this recommendation
119	The appointee of the DLGSC to raise any probity concerns, with the Department, including potential breaches of the legislation.	✓			
121	The DLGSC consider developing a sector-wide standard format for the CEO Performance and Development Agreements and Assessments	✓			Still needs to be flexible
122	<p>The CEO model standards require the review of the performance of a local government CEO be facilitated by a panel (CEO Performance Advisory Panel), which shall make a recommendation and provide a report to the council of a local government on the outcome of that review. The CEO Performance Panel is to comprise of:</p> <ul style="list-style-type: none"> A member of the council, appointed by the council; An independent third party with demonstrated expertise in local government and/or the recruitment and selection and managing the performance of executive staff, appointed by the council, and One of whom is a member of the panel described in Recommendation 111 nominated by the DLGSC, who shall be experienced in the recruitment and selection and managing the performance of executive employees and provide guidance and advice to the CEO Performance Advisory Panel. 	✓			Should be two members from the council

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
123	<p>The CEO model standards to prescribe the council of a local government:</p> <ul style="list-style-type: none"> Review a CEO's performance guided by a recommendation from a CEO Performance Advisory Panel; Must allow the members of the CEO Performance Advisory Panel to be present during the councils discussions on the Panel's recommendation; May accept the CEO Performance Advisory Panel's recommendation with or without modifications, but if the Panel's recommendation is modified must provide detailed reasons for doing so. May reject the CEO Performance Advisory Panel's recommendation and adopt an alternative outcome of the review, but must provide detailed reasons for doing so; and May require further information before deciding whether to accept or reject the CEO Performance Advisory Panel's recommendations. 	✓			
124	<p>The appointee of the DLGSC to a CEO Performance Advisory Panel prepare the report to council on the local government CEO's performance review assessment and outcome, including the decisions of council, the reasons for them and the process taken.</p>	✓			But at whose cost, bit of a "big brother" watching in this recommendation
125	<p>The council is to afford to the CEO procedural fairness by providing:</p> <ul style="list-style-type: none"> The CEO Performance Advisory Panel's report to the CEO prior to the council meeting at which council will decide the outcome of the review; and Sufficient time for the CEO to respond to any adverse statements in the report. 	✓			
126	<p>The report to council is to include the report of the CEO Performance Advisory Panel and any response provided by the CEO, as described in recommendation 125.</p>	✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
127	Immediately following the council meeting where the report described in Recommendation 126 is considered, the CEO be provided with written advice from the council on the decision and any reasons for that decision and any areas for improvement.	✓			
129	The appointee of the DLGSC to raise any probity concerns with the DLGSC including potential breaches of the legislation.	✓			
133	<p>The CEO model standards require that before a LGA terminates a CEO's employment, the council of the LGA must record in writing, and provide to the CEO, the reasons for the termination, including:</p> <ul style="list-style-type: none"> • The date on which the decision is made; • If the termination was by consent, the reasons given by the council and the CEO for consenting to the termination; • If the termination was for serious misconduct or other conduct justifying summary dismissal, the precise conduct said to give rise to the termination; and • If the termination was for poor performance or non-performance of the CEO's duties or functions: <ul style="list-style-type: none"> - the precise way in which the CEO's performance was poor, expressed by reference to the criteria for performance described in recommendation 107; - the impact that performance had on the good government of the local government; - the steps which were taken by the council to remedy the poor performance; and - any comment or response provided by the CEO in respect of his or her performance, which comment or response the Council must seek. 	✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
134	<p>The written statement of reasons described in Recommendation 133:</p> <ul style="list-style-type: none"> where it concerns termination of the CEO's employment other than with the CEO's consent, be prepared with the professional assistance of an independent third party described in Recommendation 111; 	✓			
135	<p>The Local Government (Administration) Regulations be amended to provide that no decision to terminate the employment of a CEO maybe made within three months after a local government election, except in the case of serious misconduct or mutual agreement.</p>	✓			
145	<p>Before each biennial local government election cycle, the DLGSC audit the eligibility of candidates and electors across local governments</p>	✓			Is this only to apply if elections responsibility stays with a LGA, if so is the CEO not qualified enough as has been doing for the past 100 plus years.
162	<p>Section 5.37(2) which relates to the appointment of senior staff and the requirement for the CEO to report on the engaging or dismissal of a senior employee which the council can overturn.</p> <p>Recommendation is to repeal this section to remove the capacity for a council to be involved in the employment of senior staff, maintaining the delineation in roles between the council and the CEO and Administration</p>	✓			
323	<p>An office of Inspector of Local Government be established as an independent statutory office, responsible to the Minister for Local Government</p>	✓			Will an inspection be a cost to the local government
324	<p>The inspector have the following duties and functions, namely to:</p> <ol style="list-style-type: none"> improve the decision-making, integrity, efficiency, effectiveness and accountability of local governments; assume the regulatory and advisory functions of the DLGSC, including any additional functions of the DLGSC 	✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
	<p>arising from these recommendations;</p> <ul style="list-style-type: none"> iii. assist local governments by providing guidance, education and advice, as requested by local governments, or as the inspector thinks fit; iv. receive, investigate, assess and mediate complaints or referrals about local government matters, including about council members and employees, including in relation to the Code; v. of his or her own motion, conduct investigations into and audits of local governments, including council members and employees; vi. decide what matters should be investigated or audited, how they should be investigated or audited, what actions should be taken in respect of any investigation, what records or things will be required to be produced, who will be required to be examined under oath of affirmation and who will conduct the examination of any such person in the course of any investigation; vii. inquire into local government matters at the direction of the Minister for Local Government and assume the functions of authorised inquiries; viii. report to the Minister for Local Government where, in the Inspector's opinion, a local government may be failing to provide good government, or one or more council members are impeding the ability of the local government to provide good government; and ix. bring legal proceedings against council members and employees for failing to comply with their obligations under the Code. 				

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
325	<p>The inspector be conferred with powers to:</p> <ol style="list-style-type: none"> i. issue Standards establishing minimum standards that local governments must comply with, for example, in relation to procurement and contracting, governance, human resources and strategic planning; ii. require, by notice in writing, a person to produce any record or thing relating to the inspector's investigations, audits and examinations; iii. require, by notice in writing, a local government, council member or employee to produce a written statement of information relating to the inspector's investigations, audits or examinations; iv. require a person to attend and be examined on oath or affirmation; v. conduct examinations in public or private, as the Inspector thinks fit, having regard to the public interest and the matter before the Inspector vi. prohibit any person examined in private from disclosing the requirements to attend for the examination of the content of that examination to any other person without the Inspector's express prior written authorisation; vii. to issue improvement notices on local governments to remedy any failures to comply with the Local Government Act 1995 or other statutory instruments or any matter which, in the reasonable opinion of the Commissioner, amounts to a failure to provide good government of good governance; viii. require parties to a complaint, an allegation of breach, or referred matter, to attend mediation of the complaint, breach or matter, or to undertake another form of alternative dispute resolution that, in the opinion of the Inspector, is best suited to the matter before him or her; ix. refer suspected contraventions of the law to an appropriate external agency, such as the Corruption and 	✓			

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No	RECOMMENDATION	RECOMMENDED POSITION			COUNCIL COMMENTS
		SUPPORT	OPPOSE	UNSURE	
	Crime Commission or the WA Police;				
326	The Inspector to be a legal practitioner of at least 10 year's experience, with sufficient skills and experience in local government to properly discharge the roles and duties associated with the office.	✓			
332	The Local Government Act 1995 be amended to: <ul style="list-style-type: none"> abolish the Local Government Standards Panel; and give the State Administrative Tribunal jurisdiction to deal with alleged failures by council members to comply with their obligations under the Code. 	✓			
333	On a finding that a council member has failed to comply with his or her obligations under the Code, the State Administrative Tribunal have the power to make an order that the council member be publicly censured, be made to apologise publicly, undertake training, be suspended for a period of not more than six months, be disqualified for a period of not more than five years and/or be made to pay a fine.	✓			
334	The Magistrates Court be given jurisdiction to deal with serious failures of council members and employees of local governments to comply with designated obligations under the Code, including, for example, serious failures to disclose conflicts of interest or financial interests.	✓			
335	On a finding that there has been a serious failure by a councilmember or employee of a local government to comply with a designated obligation under the Code, the Magistrates Court have the power to order a term of imprisonment or be made to pay a fine.	✓			

ITEMS FOR DISCUSSION

Item	Description	Comments
1	Part 6 & Financial Management Regs. - Financial Ratios	<p>All Ratios need to be reviewed, specifically the inclusion of FAGS revenue into the ratios.</p> <p>Currently FAGS are not included, which reflects poorly on LGAs. As stated under section 3 of the <i>Local Government (Financial Assistance) Act 1995</i> the Australian Government provides financial assistance for local government purposes by means of grants to the states and self-governing territories for the purpose of improving:</p> <ul style="list-style-type: none"> • <i>The financial capacity of local governing bodies;</i> • <i>The capacity of local governing bodies to provide their residents with an equitable level of services;</i> • <i>The certainty of funding for the local governing bodies;</i> • <i>The efficiency and effectiveness of local governing bodies; and</i> • <i>The provision, by local governing bodies, of services to Aboriginal & Torres Strait Islander communities.</i> <p>For the DLGC to determine the FAG revenue should form part of the LGA ongoing recurrent revenue (similar to rates, fees and charges, etc.) is ludicrous and contradicts Commonwealth legislation.</p> <p>Recommend that rather than change the ratios, the Financial Health Indicator should take the FAGs into account. Suggestions for alternative ratios to be considered. In addition the Zones raise it as a concern on the manner in which ratios are calculated</p> <p>Status – discussion has been held in regard to ratios but no recommended changes have been received. The Review Panel Report indicates not to have a tiered structure system for local governments and their compliance with the new Act, which is against what many rural local governments have been requesting.</p>
2	Section 2.1., Schedule 2.1; & Constitution Reg. - Provisions about creating, changing the boundaries of, and abolishing districts	<p>Amend legislation to ensure poll option is required for boundary adjustment if required by an affected local government authority.</p> <p>The issue is that Clause 8 of Schedule 2.1 only allows poll provisions for the amalgamation of two or more districts, not for boundary adjustments.</p> <p>The argument is a district(s) could be merged with its neighbour simply by adjusting boundaries and not wholesale amalgamation of two districts.</p>

	<p>Local Governments have been stalked in the past on such boundary adjustment concepts however there is no poll provisions allowed under the legislation in such instances.</p> <p>Recommendation is that Schedule 2.1 needs to be amended to ensure any LGA with boundary adjustments being imposed or suggested, that they have the right to poll their constituents as they do with an amalgamation.</p> <p>Status – Review Panel Report is recommending a revised process for boundary changes however specific details of how it is to work has not been provided.</p>
<p>3</p> <p>Section 2.1; Schedule 2.2; & Constitution Reg. - Ward Representation</p>	<p>The current State Government position of +/- 10% of Electors to Elected Members is unfair when the rate/revenue contribution of the various area of LG district is not taken into account as well.</p> <p>Unable to determine if the ratio is set by legislation, which sets the +/- 10% ratio and believe this is simple a position of the State Government, probably at the recommendation of Executive Government, which has then been a direction to the Local Government Advisory Board.</p> <p>In the Shire of Somewhere as an example the Electors are approximately 50:50 under the current Ward system, whereas the rate revenue is significantly weighted to the UV areas (i.e. 82% UV – v – 18% GRV).</p> <p>It is being suggested the Rate Revenue only should be the basis of revenue source of an LGA and the WALGGC population ratio linked to FAGS revenue would also need to be included into the calculations.</p> <p>A combination of a number of criteria needs to be included as part of the Ward Representation ratio rather than just using the Electors – v – Elected members in isolation.</p> <p>Regional & remote LGAs opposed the State at the time they introduced the <i>One Vote – One Value</i> procedure for establishing State Electoral boundaries, yet we did not fight against the same concept for our own Ward Boundary representation, which is based on the same concept.</p> <p>Recommend that the appropriate body, be it the DLGC or WALGA investigate the possibility of a criteria being developed to accommodate the above . Note this is not legislated but a directive. In addition the calculating of rate revenue as a basis is not in keeping with the definition of “electors”</p> <p>Status – review report supports the one vote one value system to remain in the new Act</p>

4	Section 2.31 – Resignation of Elected Member	<p>Section 2.31 (3) requires <i>Written notice of resignation is to be signed and dated by the person who is resigning and delivered to the CEO.</i></p> <p>Recommendation that his section be amended to reflect an emailed resignation with undisputed proof the email is from the Elected Member should satisfy the requirements of being a signed & dated resignation delivered to the CEO.</p> <p>Status – no mention of this in the review</p>
5	Division 2– Subdivision1& Functions & General Regs. – Local Laws made under the Act	<p>The Local law process is extremely complex and difficult. This whole area needs to be reviewed to simplify the process of adopting new and/or reviewing existing local laws.</p> <p>Recommend that the DLGC undertake a comprehensive review with industry input on the process in reviewing Local Laws. The process needs simplification and an alternative needs to be established and considered by the sector.</p> <p>Status – a revised system in creating and amending Local Laws is being proposed which should be easier to administer however the detail of how this is to operate has not yet been provide.</p>
6	Section 3.53 – Control of certain unvested facilities	<p>Section 3.53(2) states: <i>“A local government is responsible for controlling and managing every otherwise unvested facility within its district unless subsection (5) states that this section does not apply.”</i></p> <p>The interpretation of <i>otherwise unvested facility</i> in the Act is: <i>“otherwise unvested facility means a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section.”</i></p> <p>The issue with this legislation is the LGA is responsible for all unallocated crown land (e.g. fire control, removal of abandoned vehicles, etc.)</p> <p>Recommend that this section needs to be removed or, if LGAs are to remain responsible for this land then they should be able to either rate the Crown or seek reimbursement of costs from the crown for works that are required.</p>

		<p>Status – no mention of this in the review</p>
7	Part 4 – Elections & Other Polls (Section 4.62)& Election Regs	<p>If an LGA is conducting a Postal Election or Referendum then the need to man a Polling Place on the day of the Election/Referendum should be removed.</p> <p>It is an added expense to have the WAEC & staff sitting at a Polling Place all day for limited or no votes collected.</p> <p>The Counting of Votes should still be held after 6pm on the election/referendum day.</p> <p>Recommend that the requirement to man a polling place when undertaking an election by postal vote be removed.</p> <p>Status – not being proposed in the review reports, recommending that the WA Electoral Commission be responsible for all local government elections and poling day is to remain.</p>
8	Subdivision 4 – Electors Meetings	<p>Amend this legislation to allow a LGA to determine if they want (or don't want) to conduct an Electors Meeting.</p> <p>Remove set number of days (i.e. 56) a LGA must hold an Electors meeting after accepting the Annual Report.</p> <p>Remove requirement for Minutes of an Electors meeting having to be presented to the first ordinary meeting after the Electors Meeting. This is not always possible. Perhaps state the minutes need to go to Council no more than three meetings after the Electors meeting being held.</p> <p>Recommend that the above changes be undertaken</p> <p>Status – change is not supported in the review reports. Local Governments will be required to have a “Annual Community Meeting”, so basically all the review reports are doing is changing the name.</p>
9	5.38. - Annual review of certain employees' performances	<p>Section 5.38 states</p> <p><i>The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.</i></p> <p>It is interpreted that this requires all employees to be reviewed annually. In smaller local authorities it appears to be a non sense to have this requirement. Senior staff/supervisors predominantly know the performance of all employees</p>

10	<p>due to their close working relationship with them. Further this legislative requirement is again regulating an operational process and reviews should be at the discretion of the individual LGA.</p> <p>For CEO and Senior Employees, they have performance reviews stipulated in their contracts.</p> <p>Recommend that this section be deleted as is an operational matter and should not be legislated.</p> <p>Status – review reports are recommending that only the CEO is to have an annual review by the Council and is to be undertaken by a “Review Panel” as is the case with this Council.</p>
5.56. Planning for the future -Integrated Planning & Reporting	<p>The current requirements for Integrated Planning & Reporting (IPR) are too onerous, specifically for smaller LGAs with limited resources.</p> <p>The most recent review undertaken by the DLGC has only exacerbated the resource requirements on LGAs to review their IPR.</p> <p>There must be different levels of requirements placed on LGAs of different sizes & resource capacity. The current IPR set up has resulted in smaller LGAs having to increase rate revenue to obtain external services/consultants to step these LGAs through the process.</p> <p>Long Term Financial Plans and Asset Management Plans linked to basic Strategic Community Plans is all that should be required.</p> <p>Corporate Business Plans & Workforce Plans are superfluous.</p> <p>Agreed, however it was noted that it is not the actual legislation but the Department and their one size fits all ‘guidelines’ that are the problem. Guidelines using ‘banding’ to reflect capacity of local governments would be better. Noted that Strategic Community Plans legislation in Queensland was abolished as the plans were unrealistic and unachievable financially for many rural local governments</p> <p>Also a concern that directives coming from DLGC are telling LG what they should do. It’s a LG decision not the DLGC.</p> <p>Status – review reports are recommending no real change and reports are to be more informative with various aspects to be reported on, refer recommendation 36 of the Review Panel Report. The review reports also do not suggest the above where different standards of reporting should occur for different sizes of local governments</p>

11	<p>6.33. Differential general rates; 6.36. Local government to give notice of certain rates; and Financial Management Regs.</p>	<p>Process of advertising and advertising intention to impose differential rates is unwieldy, specifically the timing issues and having to determine a rate in the dollar before the property revaluations are available. These rates are unavailable incorrect as it isn't possible to determine property valuation prior to Landgate releasing these figures, therefore making it necessary to report the rates variations in the Budget.</p> <p>An easier process needs to be introduced.</p> <p>Recommend that the DLGC undertake a complete review of the WA rating system make it comparable to the methodology of other States.</p> <p>Status – no suggested changes have been recommended.</p>
12	<p>Admin Reg. 10 - Revoking or changing decisions (Act s. 5.25(1)(e))</p>	<p>Regulation 10 states:</p> <p>(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —</p> <p>(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or</p> <p>(b) in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.</p> <p>(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.</p> <p>(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —</p> <p>(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or</p>

13	Admin Reg. 14A - Attendance by telephone etc. (Act s. 5.25(1)(ba))	<p>(b) in any other case, by an absolute majority.</p> <p>(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different. <i>[Regulation 10 amended in Gazette 31 Mar 2005 p. 1030.]</i></p> <p>It is questionable that a majority of local governments would follow the above process and would simply move a motion to revoke/change a motion. The process is cumbersome and needs to be changed.</p> <p>Recommend that Regulation 10 be amended to remove the notice to be signed by all elected members and simply require a Council to change or revoke a motion by a motion with an absolute majority to pass that motion.</p> <p>Status – no suggested changes have been recommended.</p>
		<p>This section is too restrictive and needs to be relaxed (e.g. the 150km distance is unrealistic).</p> <p>14A. Attendance by telephone etc. (Act s. 5.25(1)(ba))</p> <p>(1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —</p> <p>(a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and</p> <p>(b) the person is in a suitable place; and</p> <p>(c) the council has approved* of the arrangement.</p> <p>(2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.</p> <p>(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.</p> <p>(4) In this regulation —</p>

	<p>disability has the meaning given in the <i>Disability Services Act 1993</i> section 3; suitable place —</p> <p>(a) in relation to a person with a disability — means a place that the council has approved* as a suitable place for the purpose of this paragraph; and</p> <p>(b) in relation to any other person — means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located —</p> <p>(i) in a townsite or other residential area; and</p> <p>(ii) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;</p> <p>townsite has the same meaning given to that term in the <i>Land Administration Act 1997</i> section 3(1).</p> <p>With current technology local government should be embracing the opportunity to have Councillors participate, irrespective of distance or type of location (i.e. townsite).</p> <p>Recommend that the 150km limit be removed from regulation 14A.</p> <p>Status – no suggested changes have been recommended.</p>
14	<p>Admin Reg. 18F - Remuneration and benefits of CEO to be advertised</p> <p>The purpose of this regulation is questioned due to the remuneration of CEO's are set by the Salaries & Allowances Tribunal.</p> <p>Recommend that this section be deleted as serves no purpose in the governance of a LG</p> <p>Status – CEO salaries will continue to be determined by the Salaries & Allowances Tribunal but no actual specific mention of this Regulation being deleted however may do when the Green Paper is provided.</p>
15	<p>Audit Reg. 15 - Compliance audit return</p> <p>Recommend this requirement be removed due to the plethora of other audits required.</p> <p>Agreed and question why it is a legislative requirement that it has to go to an Audit Committee</p> <p>Further the actual legislative need for an Audit Committee is questioned when the whole Council can undertake the same role.</p>

16	<p>Audit Reg. 17 - CEO to review certain systems and procedures</p>	<p>Status – no suggested changes have been recommended.</p> <p>The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –</p> <ul style="list-style-type: none"> (a) risk management; and (b) internal control; and (c) legislative compliance. <p>This is onerous and should be removed or amended. Not sure why this would need to go to the Audit Committee then to Council. If retained then should go directly to Council with the Council then determines if any items raised needs further investigation and then putting this to the Audit Committee.</p> <p>In many instances the process is very onerous on the CEO and therefore external assistance is used which comes at a cost to the Council.</p> <p>Recommend that there should be different requirements for different ‘bands’ of local governments and DLGC’s expectations need to be amended to allow reviews to be done in house.</p> <p>Status – no suggested changes have been recommended.</p>
17	<p>Annual Reports</p>	<p>Recommend that there should be different levels of requirements for different ‘bands’ of local governments Also question the actual need for them considering little are read by electors.</p> <p>Status – review reports are to retain the requirements to prepare Annual Reports with additional specific details to be reported upon and reports do not recommend a tier system for local governments.</p>
18	<p>Annual Financial Reporting</p>	<p>Currently there is a one size fits all model for the annual financial process and Corporate Business Planning Process. Could a scenario where there is a tiered process that requires a higher level of reporting for larger LG’s, similar to the tiered approach that exists with company reporting.</p> <p>Recommend that the DLGC develop a “tiered” process on the level of reporting for each LG and on the level of compliance</p> <p>Status – review reports are to retain the current and do not recommend a tier system for local governments.</p>

19	Annual Returns	<p>Where a Councillor or designated employer has had no change to their previous Annual Return, they are required to place "No change" "nil" "none" within each box of the return. This does not occur in many cases and Auditors are determining that a Annual Return is not complete due to some boxes in the return have not been marked "none", "nil" or "no change."</p> <p>Recommend that the Annual Returns be changed to introduce the ability to declare 'no change from previous year' instead of having to mark every area. This will also assist in the storing of annual returns where only one page needs to be kept on record and not four as is the current case. This does not sound like an issue, however when you have a member that has been on Council for many years, the accumulation of four pages of an annual report does build up.</p> <p>Status – review reports recommend that the Annual reports will be required to be completely filled with all details of property ownership, Trusts, other sources of income etc. The current process of "no change" or "nil" will not be allowed.</p>
20	Section 3.5.8 Disposal of Property	<p>Issue is that if a LG gets a Real Estate Agent to sell land on its behalf and that land is sold, then the LG still has to go through the advertising process</p> <p>Recommend be changed to allow disposal through real estate agent (without having to go through 3.58 advertising provisions, ie be an exemption) as advertising has been undertaken and the public are well informed of the proposal to sell.</p> <p>Status – no suggested changes have been recommended</p>
21	Exemption of rates	<p>Recommend be changed to allow Council to decide whether or not to allow exemption to each 'charitable organisation' and any other organisation (eg CBH)</p> <p>Status – no suggested changes have been recommended</p>

WORKS & ENGINEERING REPORT CONTENTS

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7.1.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM

REPORTING OFFICER:	Neil Broadhurst - MWTS
DATE OF REPORT:	8^h October 2020

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 Wickens South, Normans Well, Hatch, Oakabella East, Gill, Sandy Gully, Woolawar, Ralph, Rudaway, Starling, James, Blue Well, Horry, Little Bay, Bowes River, Larrard, Ivans, Swamps, Rosehill, Mitchell, Nanson and Suckling/s.
- Gravel Patching/Sheeting/Verge works carried out on Normans Well, Ralphs, Wickens South, Woolawar, Hatch and Bowes River Road/s.

Maintenance Items

- General – Various signage works.
- Northampton – Various Northampton townsite and rural road verge tree pruning works including Wundi and Bowes Springs Road/s.
- Northampton and Kalbarri – Various locations pothole and bitumen repair works. Including rural roads.
- Northampton, Kalbarri and Horrocks – Borefield and transfer pump maintenance and replacement works in preparation for summer conditions.
- Kalbarri – Daily Toilet/BBQ cleans and litter collections continuing.
- Kalbarri – Powerline vegetation clearance following report/s from Western Power.
- Kalbarri – Assistance with Jakes toilet works.
- Kalbarri – Small vandalism issues surrounding long week end and school holiday period – Graffiti and solar bollards vandalism etc.
- Binu Rubbish tip – General clean-up including oil reciprocal clean-up works.
- Rural – Ajana East Road - 3 x culvert extensions to allow RAV7 upgrade.

Other Items (Budget)

- Northampton – Preparation works to Bateman Street and Fifth Avenue construction works. Shall continue to a finished gravel surface. When weather conditions allow works to bitumen the pavement, concrete kerbing etc. shall recommence to complete the works.
- Kalbarri – Kalbarri Post Office area – Pot plants and materials collected from Geraldton for townscape works.

Plant Items

- P271 – Isuzi ute – Clutch replacement, works done in house.
- Truck and trailer tarps for securing of loads – Works continuing for supply and fitting of truck and trailing tarp system/s. – Dtrans/BRE
- Registration for plant fleet paid in line with common expiry date (End of September) including 2 x community bus inspections.

OFFICERS RECOMMENDATION

For Council information.

SHIRE OF NORTHAMPTON

WORKS CREW 12 MONTHLY PROGRAM AND PROGRESS REPORT (2020/2021)

(October 2020)

2020/2021 Budget Works	Job No	Status	Comments
<u>REGIONAL ROAD GROUP PROJECTS - 150300</u>			
Kalbarri Road Reseal works 18.00 - 28.00 slk	RR14		
<u>ROADS TO RECOVERY - 152100</u>			
Binnu East Road Reseal works 0.00 - 14.40 slk	RT35		
Stephen Street Asphalt Reseal 0.69 - 0.912 and 0.945 - 1.005 slk	RT34		Quotes being confirmed
<u>MUNICIPAL FUND CONSTRUCTION - 150600</u>			
Carried Over from 2019/2020			
<u>Northampton</u>			
Bateman Street Construct and Seal 210m	R971		Works commenced
Fifth Avenue Construct and Seal 230m	R986		Works commenced
<u>Kalbarri</u>			
Karina Mews Reseal and replace concrete kerbing 210m	R971		
Smith Street Asphalt reseal and replace concrete kerbing 0.40 - 0.66 slk	R986		
Cont.			
2020/2021 Budget Works	Job No	Status	Comments

<u>MUNICIPAL FUND CONSTRUCTION - 150600</u>			
New Projects			
<u>Northampton</u>			
Thornton Street Install concrete kerb to east side (Langleys)	R992		
Fifth Avenue Reseal 0.20 - 0.57 slk	R999		
<u>Kalbarri</u>			
Browne Boulevard Reseal 0.130 - 0.440 slk at 8.5m.	R993		
Charlton Loop Reseal 0.000 - 0.631slk at 6.2	R995		
Jacques Boulevard Reseal 0.030 - 0.528 slk at 7.4m	R997		
Nanda Drive Reseal xx -xx slk	R998		
Grey Street Construct parrallel parking - Wood street north on west side.	R996		
<u>Horrocks</u>			
Glance Street Reseal xx -xx slk	R223		
<u>Rural</u>			
Binnu East Road (Council Contribution) Reseal works 0.00 - 14.40 slk	R235		
Cont.			
2020/2021 Budget Works	Job No	Status	Comments
<u>MUNICIPAL FOOTPATHS - 150900</u>			

Carried Over from 2019/2020			
Northampton - Stephen Street Replace DUP from NWCH to West Street	F702		
Kalbarri - Grey Street Replace DUP at front of Allen Centre	F707		Incorporate with Allen Centre carpark works
Kalbarri - Grey Street Complete DUP infill	F710	COMPLETE	
Kalbarri - Glass Street Complete DUP infill	F711	COMPLETE	
Kalbarri - Malaluca Pathway Undertake identified reinstatement works	T379		
<u>MUNICIPAL FOOTPATHS - 150900</u>			
New Projects			
Northampton - Essex Street Construct pathway from long vehicle parking to RSL entry	F712		
Kalbarri - Red Bluff Road Construct pathway into Red Bluff on north side Red Bluff Road	F713		
Kalbarri - Hackney Street Construct pathway ifrom school to post office north side	F714		Council determined Pathway on South side September 2020
<u>CARPARK CONSTRUCTION</u>			
New Projects			
Kalbarri - Allen Centre Construct Carpark/Access - Bus and Long vehicle parking	3884		
Kalbarri - Jacques Point Construct Carpark/Access - Toilet carpark and access road	3052		
Kalbarri - Blue Holes car park area Install concrete kerbing and carpark area only DUP Cont.	R969 3594		
2020/2021 Budget Works	Job No	Status	Comments
<u>OTHER WORKS - Depots/Ovals/Parks/Gardens etc</u>			

Northampton - Oval renovation Undertake Verti mowing	F016		
Northampton Tip Site Turn Contamination site - 2 actions per year	3854/08		
Northampton Cemetery Site - Memorial Tree area Stage 2 - Shelter and Paving to south	4422/08		
Northampton - Oval Fertiliser pump Install pump system to existing infrastructure	F016		
Kalbarri - Oval Renovation Undertake Verti Drain	F003		
Kalbarri Oval and Foreshore - 3 x Fertiliser Pumps Install pump system/s to existing infrastructure.	F001 F003		
Kalbarri - Eco Flora Borefield Replace bore No 1 - Pump and Motor.	xxx 5282/08		
Kalbarri - Post Office Area Install planter boxes to road closure area at Post Office.	4992/02		Works commenced
Kalbarri - Foreshore Tree lopping to 4 x large foreshore trees	F001		Works awarded
Horrocks - Killy Street Stormwater sump - Replace existing and install new fence.	T379		Works awarded
Horrocks - Jetty Repairs to lower platform and solar light poles x 2	4972/08	COMPLETE	
Horrocks - Memorial Wall Install Concrete DUP around memorial to exist DUP	4972/08		Works awarded
Binnu Tip Site Establish new site/trenches	3858/08		
Cont.			
2020/2021 Budget Works	Job No	Status	Comments
<u>PLANT ITEMS - Major</u>			
Northampton - New Truck (6 wheeler)	4214/99	COMPLETE	Delivered July 2020 - Carry over from 2019/2020

Purchase new - trade/sell existing P228 Truck			
Northampton - New Truck Trailer Purchase new - trade/sell existing P262 (NR9376) Trailer	4214/99	COMPLETE	Delivered July 2020 - Carry over from 2019/2020
Northampton - New Tractor Purchase new - existing P159 to Kalbarri Golf Course	4214/99		
Northampton - New Maintenance Truck Purchase New - trade/sell P234	4214/99		
Northampton - Manager of Works and Technical Service Purchase New - trade/sell P277	4224/99		Works awarded - Geraldton Toyota - delivery end of Oct 2020
Northampton - Load Covers 4 x Trucks, 3 x Trailers Install and fit Load Covers	4214/99		Works awarded - Dtrans/BRE - Progressive supply and install
<u>PLANT ITEMS - Minor/Other/Sundry tools</u>			
Northampton - Set of hand held 2-way radios	7362/02		
Northampton - Tip site generator		COMPLETE	
Northampton - Chainsaw small	7362/02		
Northampton Gardeners - New tipping trailer	4214/99		Works awarded - Papas trailer.
Northampton - 3 x Impact Wrench - Graders	7362/02	COMPLETE	
Northampton - 3 x Depot Office Desks.	T456		
Kalbarri - Manual push fertiliser spreader	7362/02		
Kalbarri - 1 x Rechargeable Rotary Hammer Drill	7362/02	COMPLETE	
Kalbarri - 1 x Whipper Snipper	7362/02		

HEALTH AND BUILDING REPORT CONTENTS

7.2.1	BUILDING STATISTICS FOR THE MONTH OF SEPTEMBER 2020	2
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7.2.1	INFORMATION ITEM: BUILDING STATISTICS
	DATE OF REPORT: 9 th October 2020
	RESPONSIBLE OFFICER: Glenn Bangay – Principal EHO/Building Surveyor

1. BUILDING STATISTICS

Attached for Councils' information are the Building Statistics for September 2020.

OFFICER RECOMMENDATION – ITEM 7.2.1
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For Council information.

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - SEPTEMBER 2020														
Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Materials			Area m2	Value	Fees			
						1. Floor	2. Wall	3. Roof			1. App Fee	2. BCITF	3. BRB	4. Other
01/09/2020	1794	G & J Teakle PO Box 161 NORTHAMPTON	M & H Barnden PO Box 184 NORTHAMPTON	46 (Lot 48) Mitchell Street HORROCKS	Retaining Wall	1. n/a	2. n/a	3. n/a	15.3	\$12,000	1. \$105.00	2. \$0.00	3. \$61.65	4. \$0.00
01/09/2020	1826	E Rubel 35 Appelby Street BALCATTIA	Geraldton Creative Landscapes 25 Dorset Drive DEEPPDALE	1 (Lot 108) Amber Vista KALBARRI	F/Glass B/G S/Pool	1. F/Glass	2. F/Glass	3. n/a	11	\$20,000	1. \$105.00	2. \$0.00	3. \$61.65	4. \$0.00
09/09/2020	1827	B Keilman PO Box 571 KALBARRI	Shane Smith 2 Dunbar Link BALDIVIS	115 (Lot 553) Porter Street KALBARRI	Open sided lean to attached to existing shed	1. Concrete	2. n/a	3. Zinc	91	\$18,000	1. \$105.00	2. \$0.00	3. \$61.65	4. \$15.00
11/09/2020	1819	C Tuesley Po Box 1255 EXMOUTH	O/Demolition Contractor WR 1175	U 3/6 (Lot 7) Gliance Street HORROCKS	Two Storey section of existing structure with ACM	1. n/a	2. n/a	3. n/a	68	\$8,500	1. \$105.00	2. \$0.00	3. \$61.65	4. \$0.00
16/09/2020	1834	J O'Byrne PO Box 395 KALBARRI	Kalbarri Earthworks PO Box 395 KALBARRI	4 (Lot 294) Mallard Street KALBARRI	Remove steel framed, metal clad shed	1. n/a	2. n/a	3. n/a	36	\$800	1. \$105.00	2. \$0.00	3. \$61.65	4. \$0.00
16/09/2020	1833	B Lang & L Kennedy PO Box 208 NORTHAMPTON	GBSC 16 Box Street GERALDTON	67 (Lot 187) Hampton Road NORTHAMPTON	Verandah Repairs	1. Concrete	2. Brick	3. Concrete	n/a	\$50,000	1. \$160.00	2. \$100.00	3. \$68.50	4. \$20.00
16/09/2020	1835	C Damon 52 West Street NORTHAMPTON	R Machin PO Box 366 MOORA	52 (Lot 298) West St NORTHAMPTON	Double Garage	1. Concrete	2. Steel	3. Zinc	96	\$19,508	1. \$105.00	2. \$0.00	3. \$61.65	4. \$24.00
17/09/2020	1831	Summerstar Pty Ltd 8 Mallion St EMBLETON	Holtro Modular Pty Ltd PO Box 4 BASSENDEAN	399 (Lot 10646) Red Bluff Road KALBARRI	S/F, Hardie Clad, accommodation unit	1. Timber/Steel	2. Timber	3. C/Bond	86	\$115,000	1. \$218.50	2. \$0.00	3. \$157.55	4. \$30.00
23/09/2020	1837	Dunn Realty Pty Ltd PO Box 64 KALBARRI	Gliss Holding P/L PO Box 64 KALBARRI	62 (Lot 378) Grey St KALBARRI	Remove ACM wall and ceiling cladding from inside shop 1	1. n/a	2. n/a	3. n/a	100	\$2,000	1. \$105.00	2. \$0.00	3. \$61.65	4. \$0.00

TOWN PLANNING CONTENTS

ITEMS

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**7.3.1 PROPOSED SINGLE DWELLING - R-CODE VARIATIONS - LOT 120 (NO.7)
LAWRENCIA LOOP, KALBARRI**

LOCATION:	Lot 120 (No.7) Lawrencia Loop, Kalbarri
APPLICANT:	Leander Crickmay
OWNER:	C Power
FILE REFERENCE:	10.6.1.1 (A4042)
DATE OF REPORT:	9 October 2020
REPORTING OFFICER:	Michelle Allen – Planning Officer
RESPONSIBLE OFFICER:	Garry Keeffe - Chief Executive Officer

APPENDICES:

- 1. Landowner's Letter of Application**
- 2. Site Plan and Elevations**
- 3. Submission Table**

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 an application for the development of a single dwelling upon Lot 120 (No. 7) Lawrencia Loop, Kalbarri. Council consideration is required due to a number of variations to the 'Deemed-to-Comply' provisions of the Residential Design Codes, a variation to a provision of Local Planning Scheme No. 11 – Kalbarri and objections received from adjoining and affected landowners.

This report recommends Council grant development approval to the single dwelling subject to conditions. Some of the recommended conditions will result in minor amendments to the proposed development in order to adequately address the design principles for lot boundary setback, visual privacy and building height.

LOCALITY PLANS:

Figure 1. Locality plan of Lot 120 (No. 7) Lawrencia Loop, Kalbarri



Figure 2. Site plan of Lot 120 (No. 7) Lawrencia Loop, Kalbarri



BACKGROUND:

An application has been received for the development of a single dwelling upon Lot 120 (No. 7) Lawrencia Loop, Kalbarri which is seeking a number of variations to the Residential Design Codes of Western Australia ('R-Codes') and variation to the Local Planning Scheme No. 11 - Kalbarri.

The Proposal:

The proposed single dwelling is comprised of three storeys with a ground floor/undercroft garage with laundry, bathroom and entrance hall/foyer. In addition the first and second floors include two bedrooms, two bathrooms, one ensuite, living space consisting of kitchen, lounge, dining and theatre room and an artist studio. The total floor space attributed to the dwelling, including balcony areas is approximately 474m². The floor space of the dwelling is as follows:

Ground Floor	152m ²
First Floor	212.4m ² (including balconies)
Second Floor	109.9m ²
Total Area	474m²

The footprint of the dwelling is approximately 212m² (calculated using the first floor area considered to be the greatest imprint) being 24% of the lot. The dwelling is proposed to be located well forward on the lot, with the following setbacks:

	Ground Floor	First Floor	Second Floor
Side (NE)	3.265m	3.265m	7.212m
Side (SW)	1.0m to 1.3m	6.3m	9.9m
Front (NW)	Protrusion of 7m ² (1m x 7m) area into 7.5m setback area		
Rear (SE)	Well setback from rear boundary (15.45m)		

The building is proposed to be three storeys in height with an overall maximum height of 8.650 metres at its highest point being the roof pitch height which is under 9 metres from natural ground level. The single dwelling is proposed to be constructed of Hardiplank cladding for the walls and Colorbond custom orb for the roof with a timber frame. The colour schedule provided with the application is to include 'Ironstone' for Colorbond iron roof and 'Shale Grey' for the wall cladding.

Copies of the applicant's site, floor and elevation plans have been included as **Appendix 1** to this report.

In consideration of the application the following information is provided:

Lot Size	907m ²
Existing Development	Vacant, Residential R12.5 zoning
Access & Frontage	Access via Lawrencina Loop
Services	Water, Sewer, Telephone and Power
Topography	Varied levels over the site
Vegetation	Cleared
Surrounding Land Uses	Residential R20, Vacant lots to northern and southern boundaries

The application has been brought before Council for the following variations to the Residential Design Codes:

- Reduced setback to the front/primary street;
- Reduced setback to second storey on the NE side boundary;
- Visual privacy incursions along the northern lot boundary; and
- Reduced setback to ground floor on SW side boundary.

The application has been brought before Council for the following variation/s to the Local Planning Scheme:

- Building height exceeding two storeys.

COMMUNITY CONSULTATION:

Given the variations being sought by the proposed single dwelling, the application has been advertised in accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which requires the local government to give notice to adjacent landowners who are likely to be impacted by the proposed development:

"(3) (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..."

In accordance with the above requirements, correspondence was sent to twelve adjoining and adjacent landowners. The advertising period for this consultation was from 19 August 2020 to 4 September 2020.

During that period five submissions were received, objecting to the proposed development. The objections were in relation to the reduced side setbacks and potential to affect visual privacy, overshadowing and potential to affect sunlight and the impacts of building bulk and height. A copy of the submissions can be made available to Councillors upon request.

The Applicant and Landowner were given the opportunity to address the objections raised by the adjoining landowners.

FINANCIAL & BUDGET IMPLICATIONS:

An Application for Development Approval fee has been charged in line with the 2020/21 statutory Planning Fees and Charges for a single dwelling.

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

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

State Planning Policy 3.1 - Residential Design Codes (2015)

Local: Shire of Northampton Local Planning Scheme No. 11

Shire of Northampton Local Planning Scheme No. 11

The land is zoned “Residential R12.5” under the *Shire of Northampton Local Planning Scheme No. 11* with a “Single Dwelling” considered a permitted use.

The objective of the “Residential” zone is:

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

Specific site and development requirements are set out in the Scheme that are additional to those set out in the R-Codes, activity plans, local development plans or State or local planning policies.

Clause 4.8.13 of the Scheme deals with Building Height and states:

“Except as otherwise provided under the Scheme, no building is permitted to exceed two storeys and 9 metres in height measured from the natural ground level immediately below the relevant point on the roof or wall, including freestanding structures such as masts, tanks and signage, with the exception of minor projections such as chimneys, TV aerials, satellite dishes and vent pipes.”

The proposed development sits 0.350m under the maximum height limit of 9 metres but does not satisfy the provision in seeking to construct a three storey dwelling.

State Planning Policy 7.3 - Residential Design Codes (2019)

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

The proposed single dwelling complies with the “Deemed-to-Comply” provisions of the *Residential Design Codes (2019)*, with the exception of:

- Lot Boundary Setbacks - Clause 5.1.3;
- Building Height - Clause 5.1.6; and
- Visual Privacy – Clause 5.4.1.

These clauses of the Residential Design Codes will be examined in further detail.

Lot Boundary Setbacks - Clause 5.1.3

The proposed development is not able to satisfy the following “Deemed-to-Comply” provision(s) of the R-Codes in terms of lot boundary setbacks under clause 5.1.3:

“C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:

- buildings set back from lot boundaries in accordance with Table 1, Tables 2a and 2b”*

The primary street setback required for lots located in the Residential R1 2.5 zone is 7.5 metres, with the applicant proposing to protrude 1 metre for the length of the 7.1 metre balcony. However, the setback required on the south west side of

the ground floor as per table 2a is 1.5 metres, with the applicant proposing a setback of 1.305 metres. The setback required on the north east side of the first floor as per table 2b is 3.5 metres, with the applicant proposing a setback of 3.265 metres.

Where the "Deemed-to-Comply" provisions are not able to be met, it is necessary to assess that component of the design against the relevant design principle(s).

The design principles for lot boundary setbacks are:

"P3.1 Buildings set back from lot boundaries so as to:

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

Building Height - Clause 5.1.6

The proposed development is not able to satisfy the following "Deemed-to-Comply" provision(s) of the R-Codes in terms of lot boundary setbacks under clause 5.1.6:

"Buildings which comply with Table 3 for Category B area buildings, except where stated otherwise in the scheme, the relevant local planning policy, local structure plan or local development plan."

Table 3 states the following maximum building heights for Category B buildings:

Top of external wall (roof above)	6m
Top of external wall (concealed roof)	7m
Top of pitched roof	9m

The wall height of the proposed development is 8.650 metres which exceeds the 6 metre maximum height and which therefore cannot be considered to be "Deemed-to-Comply".

Where the "Deemed-to-Comply" provisions are not able to be met, it is necessary to assess that component of the design against the relevant design principle(s).

The design principles for building height are:

"P6 Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms; and*
- *access to views of significance."*

Further examination and analysis of the above variations and the application of the "design principles" is contained within the Comment section of this report.

Visual Privacy - Clause 5.4.1

The proposed development does not satisfy the following "Deemed-to-Comply" provision(s) of the R-Codes in terms of visual privacy under clause 5.4.1:

"C1.1 Major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line are:

- i. set back, in direct line of sight within the cone of vision from the lot boundary, a minimum distance as prescribed in the table below (refer Figure Series 10):*

Types of habitable rooms/ active habitable spaces	Setback for areas coded R50 or lower
Major openings to bedrooms and studies	4.5m
Major openings to habitable rooms other than bedrooms and studies	6m
Unenclosed outdoor active habitable spaces	7.5m

or;

- ii. are provided with permanent screening to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space.*

The proposed setback to the first floor is 3.265m along the north eastern boundary. The wall includes major openings to a living/dining room, which is classified as a habitable room other than bedroom/study. Therefore the required setback is 6m.

A portion of the front balcony is also located along the north eastern elevation with a setback of less than 7.5m to the adjoining boundary. The same balcony is also setback from the southern boundary by only 6.3m. There is also no permanent screening to restrict views and therefore this aspect of the proposed development cannot be considered to be "Deemed-to-Comply".

Where the "Deemed-to-Comply" provisions are not able to be met, it is necessary to assess that component of the design against the relevant design principle(s).

The design principles for visual privacy are:

"P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- building layout and location;*
- design of major openings;*
- landscape screening of outdoor active habitable spaces; and/or*
- location of screening devices.*

P1.2 Maximum visual privacy to side and rear boundaries through measures such as:

- offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
- building to the boundary where appropriate;*
- setting back the first floor from the side boundary;*
- providing higher or opaque and fixed windows; and/or*
- screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)."*

Further examination and analysis of the above variations and the application of the "design principles" is contained within the Comment section of this report.

POLICY IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

COMMENT:

Assessment of the application indicates that the proposed single dwelling complies with the objectives of the "Residential" zone as prescribed by the Shire of Northampton *Local Planning Scheme No. 11*. There are however, a number of variations being sought to the "Deemed-to-Comply" provisions of the *Residential Design Codes and the Local Planning Scheme*. Whilst some of these provisions can be supported by application of the design principles, there are a number of

exceptions including lot boundary setback, wall height/building height and visual privacy which are discussed further below.

Lot Boundary Setback

Although the variation to the primary street setback is minimal at 1 metre (making a total protrusion area of 7m²) and it is noted that the protrusion meets Clause 5.1.2 Street Setback provision C2.1 (iii) which is compensated for by an equal area of open space, the combination of the reduction in the side setback and increased wall height (from 6m to 8.650m) further exacerbates the impact of building bulk along the north eastern boundary.

A reduction in the lot boundary setback from 3.5m to 3.265m is considered to be minor, however, the design principle that appears to be least addressed by the proposal is that relating to minimising the extent of overlooking and resultant loss of privacy on adjoining properties. This will be further discussed below although it is noted that direct overlooking from the first floor balcony of the dwelling could be addressed by the installation of 1.6m screening along the north eastern ends of the balconies. Direct overlooking from the major openings of habitable rooms on the first floor could also be addressed through the installation of windows with a sill height of 1.6m.

Building Height and Two-Storey Scheme Requirement

The proposed single dwelling has a maximum wall height of 8.650m which significantly exceeds the 6m required by the R-Codes. Whilst dwellings of significant height are not considered unusual in Kalbarri given the undulating sites within the coastal environment, most developments achieve appropriate setbacks to their street and lot boundary setbacks and contain their height within the permitted two storeys.

In accordance with the Design Principles, building height shouldn't create any adverse impact on the amenity of adjoining properties or the streetscape. In terms of the appearance of building height and particularly with the additional storey on the streetscape, it is considered necessary that the proposed development is setback from the primary street with no incursions into the front setback area.

In accordance with cl 4.10.5 of LPS11, which provides the framework to consider a variation of the Scheme provision relating to building height (two-storey limit), the local government may only approve an application for development approval under this clause if the local government is satisfied that:

- a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have

regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and

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

It is therefore also necessary to examine the impact of wall height and the inclusion of an additional storey, albeit still within the overall permitted height of 9m, not only on the adjoining properties or the streetscape but also the inhabitants of the locality or the likely future development of the locality.

Three of the five submissions received during the consultation period raised concerns with the variation to the number of storeys being proposed and the increased wall height. In accordance with the Scheme provisions it is first necessary to examine the variation in accordance with cl. 67(m) of the deemed provisions having regard to

"the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development."

To determine whether the proposed development will have a significant adverse effect on the inhabitants of the locality and to determine the likely effect of height, bulk and scale the Residential Design Codes provides the most appropriate assessment framework.

Whilst the "Deemed-to-Comply" provisions of Clause 5.1.6 are not met in relation to the maximum wall height of 8.650m which significantly exceeds the required 6m of the R-Codes, it is considered that "Design Principle P6" that relates to adequate access to direct sun into buildings and access to views of significance could be addressed by locating the development wholly behind the required 7.5m primary street setback area. It is noted that placing vertical elements of a development towards the centre of a site greatly reduces the impact on neighbours of adjoining properties.

In addressing provisions of the Local Planning Scheme No. 11 in relation to building height and permitted number of storeys it is important to note that the development does not exceed the 9 metre building height provision. The proposed three storey development does, however, exceed the two storey

provision. Promoting consistency in building height, being under the 9m provision, and the ability to maintain and enhance the identified character of the area could be achieved with modifications raised in this report despite the permitted two storey provision not being met.

Visual Privacy

The proposed single dwelling seeks to vary the setback requirements for visual privacy, particularly along the north eastern elevation and does not include appropriate screening measures.

In considering the design principles for Visual Privacy maximum visual privacy has not been provided to the north eastern side boundaries through measures such as providing higher or opaque and fixed windows and/or screening devices. A visual privacy incursion is also proposed on the south side of the proposed development along the southern end of the front balcony.

Two adjoining landowners have also raised concerns regarding the impact of the proposed development on privacy. The front balcony, living and dining room windows and rear balcony along the north eastern elevation are all overlooking the rear boundary of two lots and it is not considered that minimal direct overlooking has been achieved in the design of major openings or the location of screening devices.

In order to ameliorate the impact of the proposed development not only in terms of visual privacy but in terms of ensuring that the proposed variation in the number of storeys does not have a significant adverse impact on adjoining landowners/inhabitants of the locality it is considered necessary that should Council determine to approve the proposed development that appropriate conditions are included to address visual privacy.

It is recommended that the proposed dwelling design be modified to install permanent screening measures along the north eastern sides of both balconies, being balcony 1 which faces the front of the lot and balcony 2 which faces the rear of the lot.

VOTING REQUIREMENT:

Absolute Majority Required: No.

CONCLUSION:

It is recommended that Council grant development approval to the proposed single dwelling upon Lot 120 (No. 7) Lawrenca Loop, Kalbarri, subject to the conditions outlined below. These conditions aim to minimise and in some cases remove overlooking as well as reduce the impact of building height and bulk on the streetscape and locality generally.

OFFICER RECOMMENDATION – ITEM 7.3.1	APPROVAL
<p>That Council grant development approval to the proposed Single Dwelling upon Lot 120 (No. 7) Lawrenca Loop, Kalbarri subject to the following conditions:</p>	
1.	<p>Development shall be in accordance with the attached approved plan(s) dated [insert date] 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;</p>
2.	<p>Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;</p>
3.	<p>A building permit shall be issued by the local government prior to the commencement of any work on site;</p>
4.	<p>The applicant is to prepare, submit and adhere to stormwater and drainage plans to the approval of the Local Government, with all costs met by the applicant;</p>
5.	<p>Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;</p>
6.	<p>The Applicant shall provide a colour schedule for the dwelling prior to construction of the dwelling, which shall be to the approval of the local government. The colours chosen shall be non-reflective and in keeping with the natural coastal environment;</p>
7.	<p>The roof of the dwelling shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted:</p>
8.	<p>Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the view from the street/s, to the approval of the local government;</p>
9.	<p>Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:</p>

- (a) all illumination is confined within the boundaries of the property; and
 - (b) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;
10. Installation of crossing places and verge gradients shall be to the standards and specification of the local government (refer to Advice Note 1);
 11. The first floor storey lounge/dining windows on the north eastern façade, as marked in 'RED' on the attached approved plan(s) dated [insert date], shall be modified to become a highlight window with a minimum sill height of 1.6m, so as to maintain visual privacy for adjoining landholders, to the approval of the local government.
 12. The setback from the front/primary street boundary, as marked in 'RED' on the attached approved plan(s) dated [insert date], shall be modified from 6.1 metres to 7.5 metres, so as to meet the requirements of Clause 5.1.3 of the *Residential Design Codes (2019)*. The site plan shall be modified to locate the development wholly behind the setback area providing a minimum setback distance of 7.5 metres;
 13. The development/land use is to be located entirely within the property boundary;
 14. All parking of vehicles including boats and trailers to be provided for within the property boundary and the street verge area to be kept free of vehicles.
 15. The Applicant/Owner shall install and maintain visual screening to a height of 1.6 metres upon the north eastern side of Balcony 1 (facing forward on the lot) as marked in "RED" on the attached approved plan(s) dated [insert date] so as to address the requirements of Clause 5.4.1 of the *Residential Design Codes (2019)*; and
 16. The Applicant/Owner shall install and maintain visual screening to a height of 1.6 metres upon the north eastern side of Balcony 2 (facing rear of the lot) as marked in 'RED' on the attached approved plan(s) dated [insert date] so as to address the requirements of Clause 5.4.1 of the *Residential Design Codes (2019)*.

Advice Notes:

Note 1: *With regard to Condition No 10, it is advised that the Applicant should liaise with the Shire of Northampton's Manager of Works and Technical Services to determine crossover, verge gradient and additional retaining requirements.*

Note 2: *If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*

Note 3. *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 4. *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.*

APPENDIX 1 – LANDOWNER'S LETTER OF APPLICATION

Shire Of Northampton

Ms Carol-Lee Power

PO Box 230 Kalbarri 6536.

Phone: 0488 555 232

Email: carol-lee@live.com.au

5th August 2020

RE: Application for Development Approval (DA) – 7 Lawrencia Loop Kalbarri

We are proposing a new residential building at 7 Lawrencia Loop Kalbarri and request Northampton Shire Council to please consider this DA request.

Description of the building:

The new building is rectangular shaped. The main living area is elevated on columns, and also has a studio area above. The elevation also forms an undercroft area on the ground which proposes to have some service utility.

The location of the building:

The location of the proposed building is on the second lowest tier of a terraced estate along Lawrencia Loop. See Attachment 1 – Satellite view of the area, and Attachment 2 – picture of the site and immediate area. There are currently only 2 other houses built on this western side of Lawrencia Loop – one at No 5, the other is near the top of the terrace at No 21.

DA Issues for consideration and approval:

There are two issues in the design and placement of the proposed building that we believe are relevant for DA consideration:

1) Set back from the front boundary:

The current permitted set back from the front boundary is 7.5M. The proposed house front is setback at 8.5M however a 7M wide section of the front balconies extends by 1M into the 7.5M setback limit, to 6.5M.

We hence request your consideration and approval for this arrangement of the front balcony to impinge the front set back of 7.5M by 1M.

2) Minor fit out of the undercroft space:

The proposed building has a minor fitout of the undercroft space which may or may not be considered to be a ground floor, and hence may exceed the definition of the 2 story limit in the current building code when counting the elevated main living area, and the studio above. Irrespective, the proposed building height will be within the 9M limit.

This undercroft space is intended to be a service area, and includes:

- Structural Bracing rods.
- Service riser for plumbing and electrical.
- internal stairway to the main living area.
- An entry door.
- Laundry facility.

- Shower and toilet access, for possible future pool.
- Sink and tap for outdoor entertainment area.

We hence request your consideration and approval for the undercroft area layout, or approval for a 3 storey building within the 9M height limit, if you deem it to be a ground floor.

In consideration of our request:

In council's consideration of our request for DA approval, the building proposed for No 7 is for comparison nearly identical footprint, design, and elevation to other elevated building/s in the area - See Attachment 3 for an example , except that:

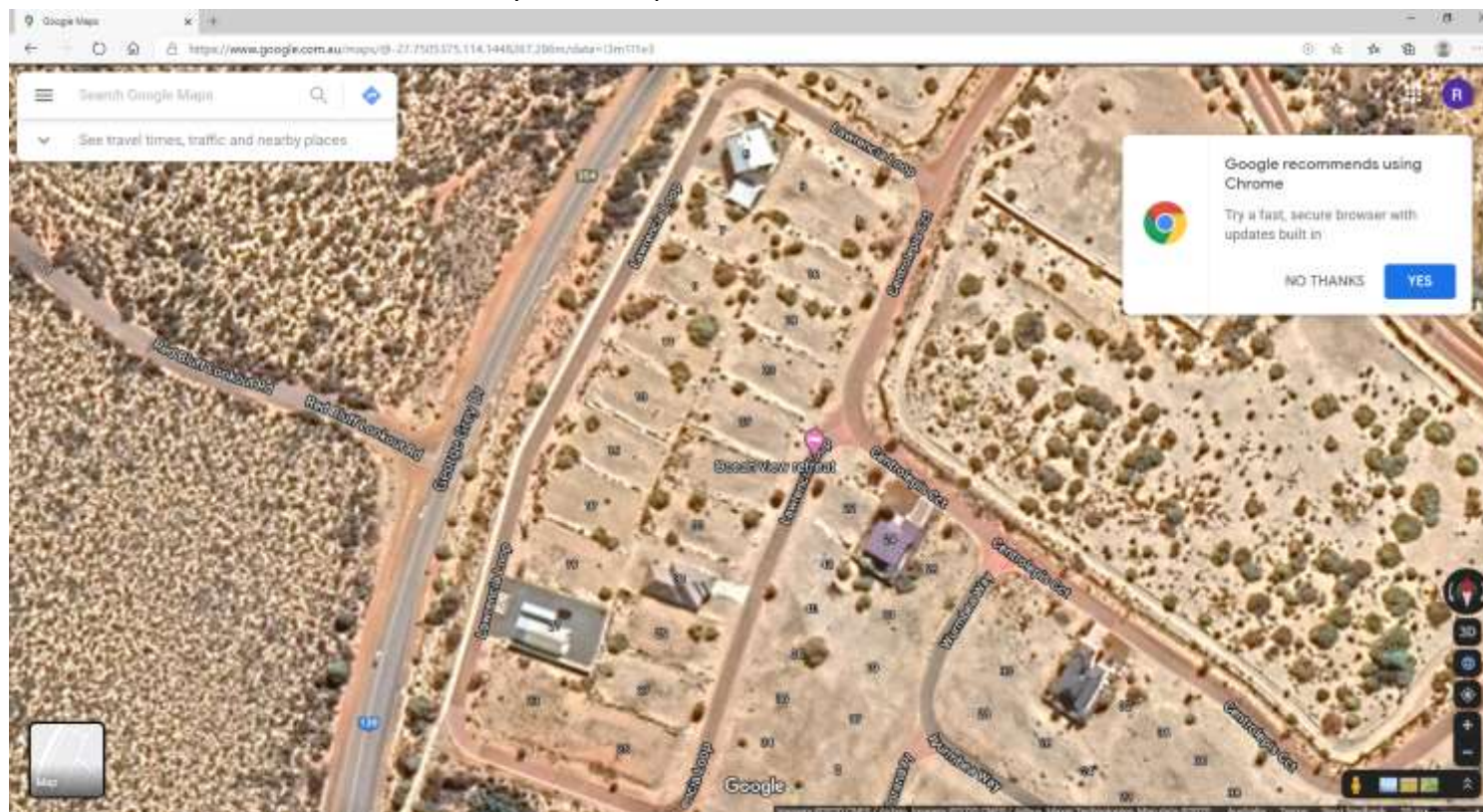
- The column elevated home pictured has the undercroft space fully enclosed.
- The building pictured has a very high pitch gable roof line at or near the 9M limit whereas the proposed building at No 7 attempts to use this gable roof wasted space for a studio above the main living area. To achieve this, a new floor line is added for the studio and the roof at the right and left sections of the proposed new house drop down to a very low pitch, as does the roof above the studio area.
- Whereas the building pictured has a pergola type roof covering their balcony and entertainment area below, at No 7 there is a balcony proposed emerging from the studio instead.

Regards

Ms Carol- Lee Power

Attachment 1: Google satellite view of Lawrencia Loop

This picture shows; an existing house at No 5 (top middle of the picture), the proposed building site at No 7 (SW below No 5), and another existing house at No 21 (lower left). The estate has been largely vacant for a considerable number of years. It also is immediately surrounded o the north/east by undeveloped lots reserved for commercial businesses.



Attachment 2: Pictures of the lot and immediate area

Lot 120 at No 7 Lawrenca (foreground). The house seen at the top of the terraces is No 21.



A view of the area from the NW.
Lot 120 is at the middle right of the picture.



This picture is of buildings further to the SW of Lawrencia Loop.



Attachment 3A: Similar existing design – Front View

It is a timber column elevated house with a very high pitched gable roofline, enclosed undercroft area and detached garage.



Attachment 3B: Similar existing design – Right Side View

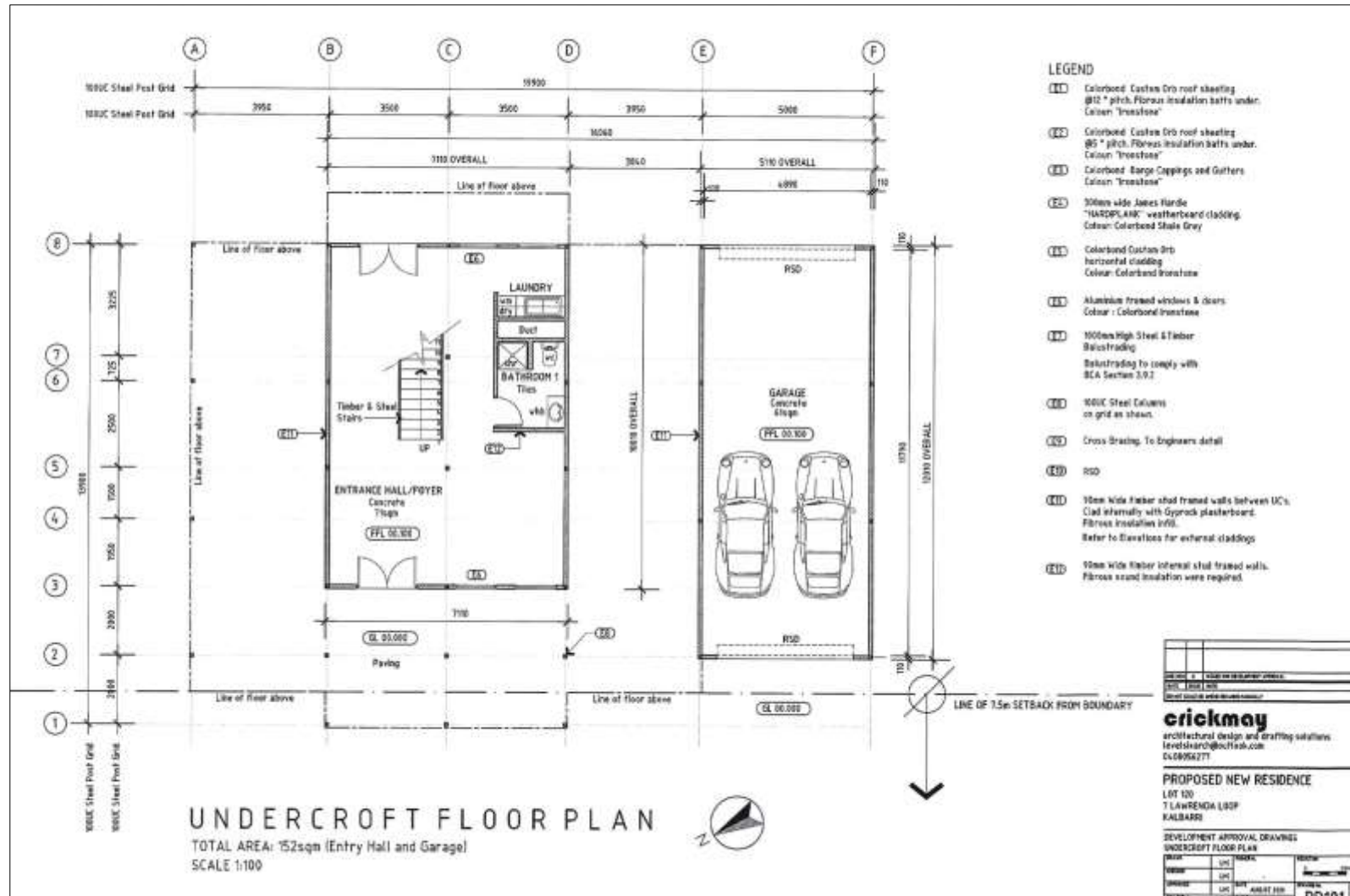


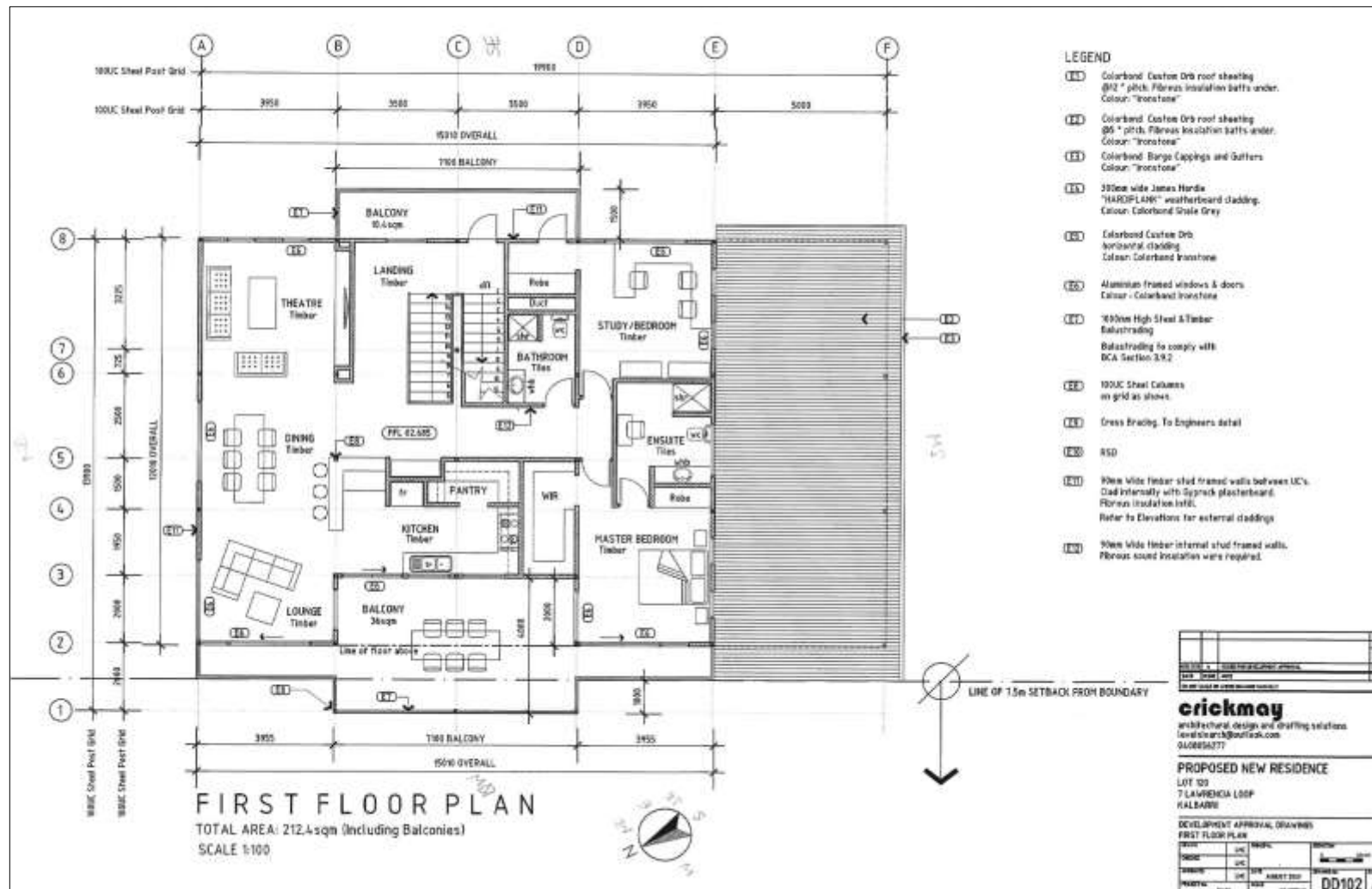
Attachment 3C: Similar existing design– Rear View

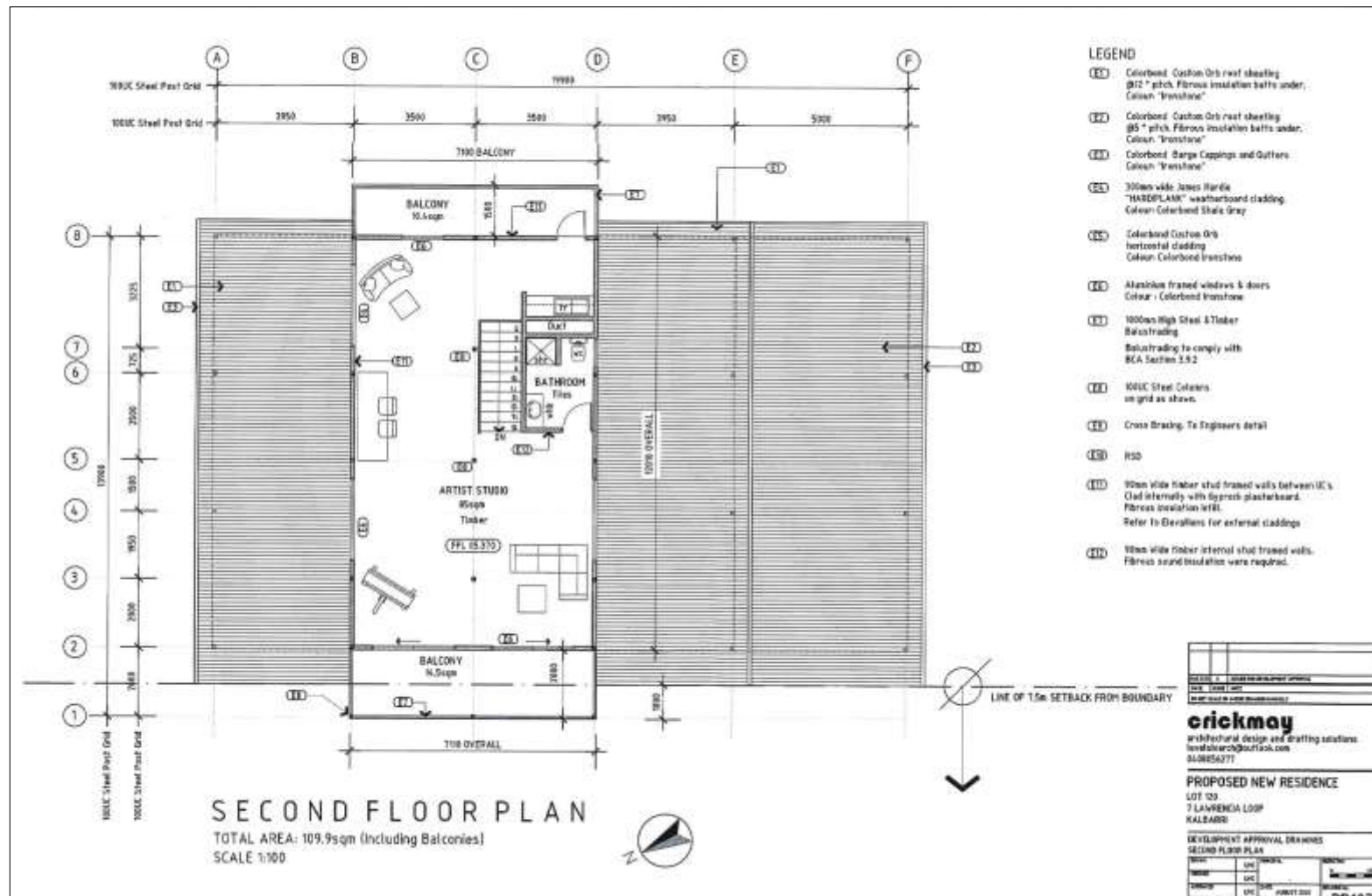


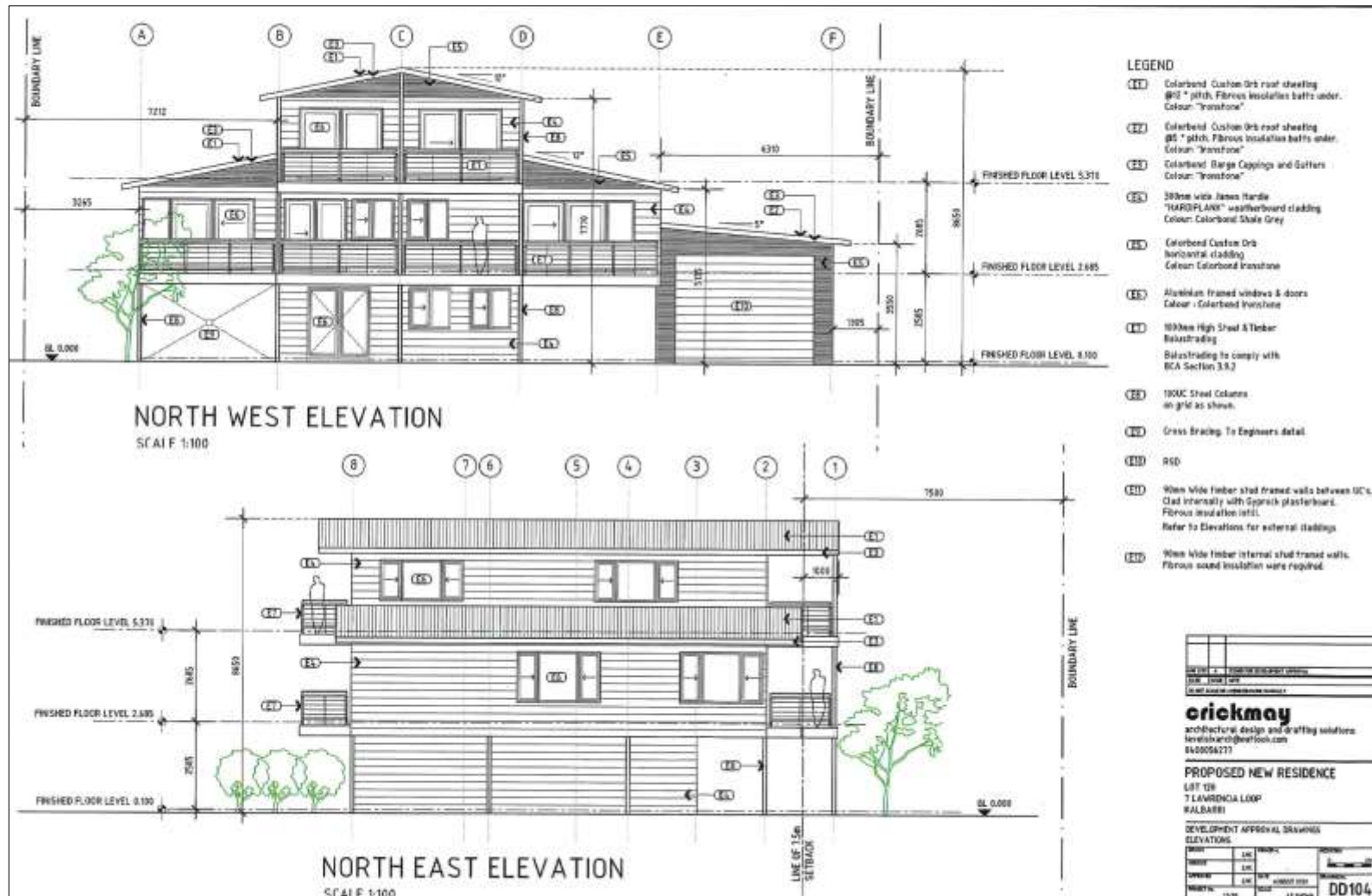
APPENDIX 2 – SITE PLAN AND ELEVATIONS

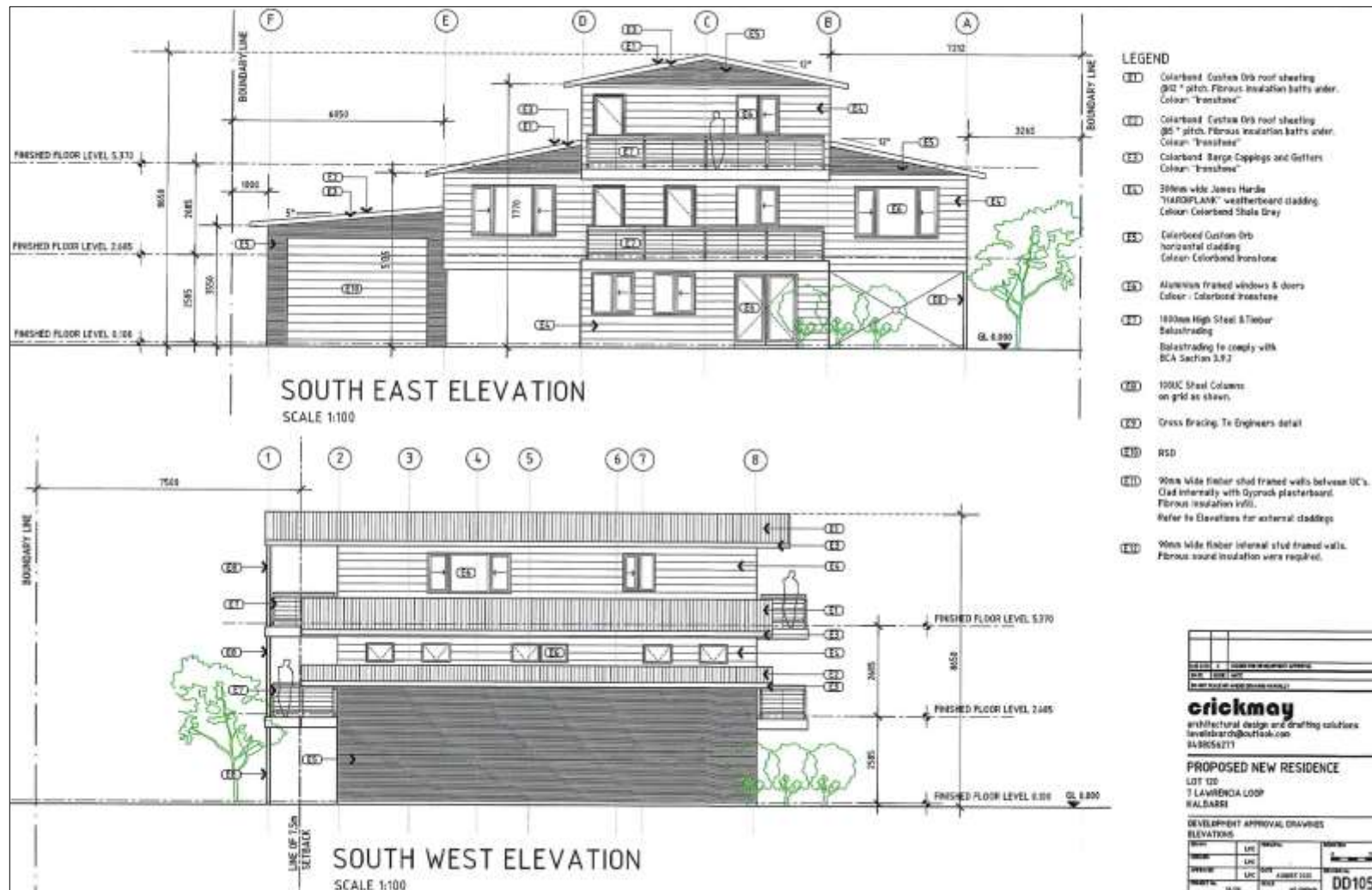












APPENDIX 3 – SUBMISSION TABLE

No	Date Received	Submitter	Submission Detail	Comment/Recommendation
1.	02/09/2020	PRJ & JV Keenan, Turner St, Augusta	<p>OBJECTION</p> <ul style="list-style-type: none"> - Objects to the setbacks as considered it will affect visual privacy requirements currently available. Current buffer gives less noise pollution if a house is built on the property and the reason we bought the property. 	<p>The impacts of lot boundary setbacks and visual privacy have been assessed and it is considered they will be minimal due to the following:</p> <ul style="list-style-type: none"> - the development is proposed to be located forward on the lot towards Lawrencia Loop and 15 metres from the rear north eastern lot boundary which only partly adjoins the submitters lot at the rear; and - it is presumed that any future proposed dwelling will be placed forward on the submitters lot which sits at right angles to the proposed development providing considerable distance between both developments. <p>If the visual privacy and setback implications can be appropriately modified and managed the overall height being under 9m should not affect the inhabitants of the locality or the likely future development of the locality and can therefore be approved.</p> <p>Submission upheld in part</p>
2.	02-09/2020	P & T Perkins, Kalbarri	<p>OBJECTION</p> <p>Submitters state they do not oppose development and modernising of their neighbourhood, however, development proposed for Lot 120 Lawrencia Loop;</p> <ul style="list-style-type: none"> - Oppose reduced setback on any storey level; - Objects to residence proposing to be three storeys when the Clause 4.8.13 of LPS No. 11 states “no building is permitted to exceed 9 metres in height etc”; 	<p>The impacts of lot boundary setbacks, visual privacy and building height have been assessed and it is considered they would not be impacted due to the following:</p> <ul style="list-style-type: none"> - the development is proposed to be located forward on the lot towards Lawrencia Loop and 15 metres from the rear north eastern lot boundary which only partly adjoins the submitters lot on the rear boundary; and - it is presumed that any future proposed dwelling will be placed forward on the submitters lot facing Centrolepis Circuit providing significant distance between both structures.

			<ul style="list-style-type: none"> - Overall height of development will have significant impact due to the amount of overshadowing; - Visual privacy concerns given the amount of windows/doors and balconies on SE elevation which faces submitter's property; - Considers development will have overwhelming footprint on the streetscape. 	<p>If the visual privacy and setback implications can be appropriately modified and managed the overall height being under 9m should not affect the inhabitants of the locality or the likely future development of the locality and can therefore be approved</p> <p>Submission upheld in part</p>
3.	03/09/2020	R Lim, Chiswick St, Riverton WA	<p>OBJECTION</p> <ul style="list-style-type: none"> - Proposed reduced setback will impact on 180° panoramic sea view from submitter's property (from front room and front balcony) will be obstructed. 	<p>The impact of obtaining and keeping views has been assessed and it is noted that the R-Codes cannot guarantee the protection of views but a degree of control can be exercised in relation to setbacks and height controls that assist in protecting this amenity. It is considered that due to the location of the submitter's lot, not being adjacent to but situated a distance from and to the rear of the proposed development, impact to views cannot be attributed solely to this proposed development. The submitter's lot is currently vacant so reference to impact on sea views from front room and front balcony are not valid.</p> <p>Submission is dismissed.</p>
4.	03/09/2020	N Holmes & C Guy, Balyarra Parkway Baynton WA	<p>OBJECTION</p> <ul style="list-style-type: none"> - Submitter concerned that NE elevation will face their home on Lot 119 and will result in loss of privacy due to bedroom, dining, lounge sections of house - Not in Kalbarri so unable to determine whether the shadow of the proposed development will affect submitter's proposed location for solar panels on shed 	<p>The impact of visual privacy has been assessed and it is considered that the proposed development does not afford maximum visual privacy to the north eastern lot boundary (rear boundary). Therefore it is recommended that the proposed dwelling design be modified to install screening measures along the balcony and install higher or opaque windows along this elevation to the living and dining room.</p> <p>The proposed development is unlikely to impact on the installation of solar panels on the shed roof of the adjoining property given that shadows will be cast south.</p>

			<p>roof which is located on common boundary;</p> <ul style="list-style-type: none"> - Clause 4.8.13 of LPS 11 relating to building height states <i>'no building is permitted to exceed two storeys and 9 metres in heights.....'</i> 	<p>The Scheme includes a specific clause for the local government to consider a variation to the building height / storey requirement. It is considered that if the visual privacy and setback implications can be appropriately modified and managed that the overall height being under 9m should not affect the inhabitants of the locality or the likely future development of the locality and can therefore be approved.</p> <p>Submission upheld in part.</p>
5.	04/09/2020	H Miller, Hovea Place, Coodanup, WA	<p>OBJECTION</p> <ul style="list-style-type: none"> - A two storey house is well within the limits if it doesn't block anyone's view; - A three storey house is deemed commercial/border line hotel; - Development is considered to hinder submitter's privacy and does not need people looking into our garden. 	<p>The impact of visual privacy has been assessed and it is considered that due to the location of the submitter's lot, not being adjacent to but situated a significant distance from the proposed development, impacts to visual privacy will be minimal. Protection from overlooking is not necessary for extensive areas of garden, especially where neighbouring properties can provide their own vegetative screening. The submitter's lot is currently vacant.</p> <p>Submission is dismissed.</p>

7.3.2	PROPOSED FOUR (4) LOT SUBDIVISION - LOTS 2, 294 & 316 CLIFTON PLACE & MALLARD STREET, KALBARRI																		
<table> <tr> <td>LOCATION:</td> <td>Lots 2, 294 & 316 Clifton Place & Mallard Street, Kalbarri</td> </tr> <tr> <td>FILE REFERENCE:</td> <td>10.6.4 / A45</td> </tr> <tr> <td>APPLICANT:</td> <td>Hille Thompson & Delfos</td> </tr> <tr> <td>OWNER:</td> <td>E O'Byrne & J O'Byrne</td> </tr> <tr> <td>DATE OF REPORT:</td> <td>9 October 2020</td> </tr> <tr> <td>REPORTING OFFICER:</td> <td>Michelle Allen – Planning Officer</td> </tr> <tr> <td>RESPONSIBLE OFFICER:</td> <td>Garry Keeffe – Chief Executive Officer</td> </tr> <tr> <td>APPENDICES:</td> <td></td> </tr> <tr> <td>1.</td> <td>Plan of Subdivision (WAPC 159842)</td> </tr> </table>		LOCATION:	Lots 2, 294 & 316 Clifton Place & Mallard Street, Kalbarri	FILE REFERENCE:	10.6.4 / A45	APPLICANT:	Hille Thompson & Delfos	OWNER:	E O'Byrne & J O'Byrne	DATE OF REPORT:	9 October 2020	REPORTING OFFICER:	Michelle Allen – Planning Officer	RESPONSIBLE OFFICER:	Garry Keeffe – Chief Executive Officer	APPENDICES:		1.	Plan of Subdivision (WAPC 159842)
LOCATION:	Lots 2, 294 & 316 Clifton Place & Mallard Street, Kalbarri																		
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RESPONSIBLE OFFICER:	Garry Keeffe – Chief Executive Officer																		
APPENDICES:																			
1.	Plan of Subdivision (WAPC 159842)																		

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:

A new proposal to subdivide Lots 2, 294 & 316 Clifton Place and Mallard Street, Kalbarri was received on 18 September 2020 from the Western Australian Planning Commission (WAPC). An earlier application to subdivide these lots was received on 23 October 2015 where Shire staff provided a response supporting the proposal subject to a number of conditions. At that time the Applicant/Owner queried one of the conditions and Council consideration was required with regard to the application of a bond and statutory declaration to clear the condition should conditional approval be granted by the WAPC. This latest proposal requires Council consideration with regard to the application of a bond and statutory declaration to clear the condition should conditional approval be granted by the WAPC.

Figure 1 - Locality Plan - Lots 2, 294 & 316 Clifton Place & Mallard Street, Kalbarri



Figure 2 - Site Plan - Lots 293, 294 & 316 Clifton Place & Mallard Street, Kalbarri



BACKGROUND:

The proposed subdivision involves the creation of four (4) freehold residential lots.

Lots 316 and 293 currently contain two (2) grouped dwellings, with Lot 293 being subject of a strata scheme. Lot 294 currently contains a single house and two outbuildings.

The Applicant/Landowner proposes to remove one outbuilding and retain the larger outbuilding located at the rear of the property on proposed Lot 3. It is noted there is no dwelling constructed on proposed Lot 3.

A copy of the subdivision plan is included in **Appendix 1**.

Shire staff under delegation support the subdivision proposal subject to a number of conditions. The condition which has been brought into question in the previous application to subdivide by the Applicant/Landowner was:

The two outbuildings and existing materials located on proposed Lot 3 being removed and the site cleaned and levelled to the satisfaction of the Local Government.

Shire staff under delegation support the current subdivision proposal (WAPC 159842) subject to a number of conditions with the condition that relates to the matter of removal of outbuildings to be:

The one outbuilding and existing materials located on the boundary of proposed Lot 3 and Lot 4 being removed and the site cleaned and levelled to the satisfaction of the Local Government.

COMMUNITY & GOVERNMENT CONSULTATION:

The WA Planning Commission has referred the subdivision proposal to relevant Government Departments and Agencies.

FINANCIAL & BUDGET IMPLICATIONS:

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

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

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

The land is zoned “Residential R30” under *Local Planning Scheme No. 11*.

This enables the subdivision of land with a minimum of 260m² and an average of 300m².

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Policy – Outbuildings

Clauses 3.8.1 and 3.8.2 of the Shire of Northampton Local Planning Policy – Outbuildings states:

3.8.1 The erection of an outbuilding on vacant residential, rural residential and rural smallholding zoned land shall not be approved unless the following requirements have been satisfied:

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

repaid to the applicant upon completion of the final inspection of the residence.

3.8.2 The approval of the outbuilding, prior to the residence, will be subject to the outbuilding not being used for habitable purpose in residential zoned areas, and in rural residential and rural smallholding zoned areas will be subject to Local Planning Policy – Caravans for Temporary Accommodation.

A condition was applied in the original application in 2015 to the proposed subdivision with the recommendation to include a condition requiring the removal of all outbuildings from the vacant residential lot.

A Local Planning Policy shall not bind Council in respect of any application for Planning Consent 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:

Nil.

COMMENT:

In 2015, the Applicant/Owner queried the validity of a condition applied that required the removal of all outbuildings from proposed Lot 3. The Applicant/Owner previously cited that the outbuilding was located at the rear of the property, therefore would not impact on streetscape. Furthermore, it was not used for habitation or commercial/industrial purposes. The Applicant/Owner also stated it was their intention to build on proposed Lot 3 within 5 years. The previously obtained approval (WAPC 152777) to subdivide from the WAPC lapsed on 1 February 2019 with no conditions being met.

In August 2020, the Applicant/Owner approached Shire staff seeking approval to relocate a transportable dwelling onto Lot 294 (proposed Lot 3) prior to a new subdivision application being submitted and completed. Two outbuildings currently remain on the lot. Shire staff advised that the development would not be supported based on a subdivision application being submitted in the future.

A new proposal (WAPC 159842) to subdivide Lots 293, 294 & 316 Clifton Place and Mallard Street, Kalbarri was subsequently received on 18 September 2020 from the Western Australian Planning Commission (WAPC). Discussion with the

Applicant confirms that the new proposal seeks to retain one of the two outbuildings that still remain on Lot 294 (proposed new Lot 3).

It is considered that to achieve compliance with the requirements of the Shire's Local Planning Policy *Outbuildings* for the placement of outbuildings on vacant residential land, the lodgement of a statutory declaration and a \$10,000 bond by the Owner is required that includes the following conditions:

- 1. Acknowledge that the bond will be forfeited if development of a single house has not substantially commenced on proposed Lot 3 within 5 years from the date of subdivision approval being granted for WAPC 159842 application;*
- 2. Acknowledge that the outbuilding retained on Lot 294 (proposed Lot 3) is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the Local Government and shall NOT be used for habitation, commercial or industrial purposes; and*
- 3. Acknowledge that the bond will only be refunded (if not forfeited) when the single house has substantially commenced construction within 6 months from the date of a Building Permit issued by the Shire of Northampton.*

VOTING REQUIREMENT:

Absolute Majority Required: No.

CONCLUSION:

It is recommended that advice be provided to the Western Australian Planning Commission that Council supports the current subdivision proposal (WAPC 159842) subject to conditions being met that includes the removal of the outbuilding located on the boundary of proposed Lots 3 and 4.

It is considered that to achieve compliance with the requirements of the Shire's Local Planning Policy *Outbuildings* for the placement of outbuildings on vacant residential land, that delegation be granted to the Chief Executive Officer to accept a \$10,000.00 bond and lodgement of a statutory declaration from the landowner.

OFFICER RECOMMENDATION – ITEM 6.3.1

That Council provides advice to the Western Australian Planning Commission that support for the current subdivision proposal (WAPC 159842) of Lots No. 2, 294 Mallard Street and Lot 316 Clifton Place, Kalbarri is granted subject to the following conditions:

- 1. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme, Building Act 2011, and National Code Series/Building Code of Australia (as amended);**
- 2. The one (1) outbuilding and existing materials located on the boundary of proposed Lots 3 and 4 be removed and the site cleaned and levelled to the satisfaction of the Local Government;**
- 3. Uniform fencing being constructed along the boundaries of all the proposed new lots;**
- 4. The existing dwellings being retained on Lots 1, 2 and 4 are to comply with the requirements of the Residential Design Codes;**
- 5. The land being filled, stabilised, drained and/or graded as required to ensure that:**
 - a) Lots can accommodate their intended development;**
 - b) Finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and**
 - c) Stormwater is contained on site, or appropriately treated and connected to the local drainage system; and**
- 6. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the**

form of either certification from a licensed plumber of a statutory declaration from the landowner/applicant confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.

Advice Note:

- 1. In accordance with provisions of the Shire of Northampton's Local Planning Policy 'Outbuildings', one (1) of the existing outbuildings, as shown on the attached approved plan(s) and located on the boundary of proposed Lots 3 and 4 is to be removed from the property. To achieve compliance with the retention of an outbuilding on a vacant residential lot, a bond of \$10,000 and lodgement of a statutory declaration will be administered by the Chief Executive Officer.***

APPENDIX 1 – PLAN OF SUBDIVISION (WAPC 159842)

EXPLANATORY NOTE

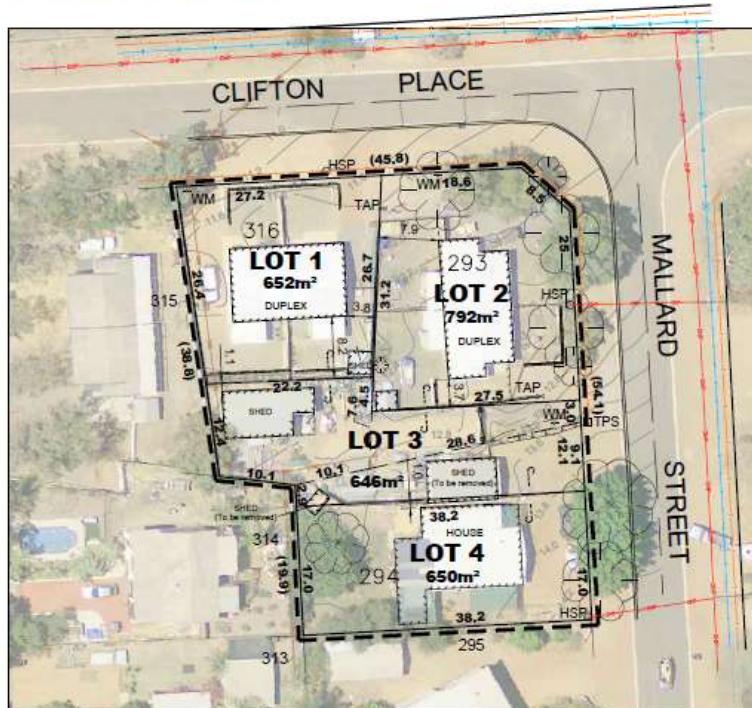
THIS PLAN WAS PREPARED TO ACCOMPANY AN APPLICATION TO THE WESTERN AUSTRALIAN PLANNING COMMISSION FOR APPROVAL TO SUBDIVIDE THE LAND DESCRIBED IN THE PLAN AND IS NOT TO BE USED FOR ANY OTHER PURPOSE OR BY ANY OTHER PERSON. HILLS, THOMPSON & DELFOS ACCEPT NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE CAUSED TO ANY PERSON WHO MAY RELY ON THE INFORMATION ON THIS PLAN FOR A PURPOSE FOR WHICH IT WAS NOT INTENDED.

THE SERVICES SHOWN ON THIS PLAN HAVE BEEN PLOTTED FROM THE RECORDS OF THE RELEVANT AUTHORITIES. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE, THE RELEVANT AUTHORITIES SHOULD BE CONTACTED.

AERIAL PHOTO WAS SOURCED FROM LANDGATE.

EXISTING BUILDINGS TO BE RETAINED UNLESS OTHERWISE NOTED.

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
15-Sep-2020	159842



No. of EXISTING LOTS : 3
 LOT 293 : 937m²
 LOT 294 : 879m²
 LOT 316 : 924m²
 TOTAL AREA : 2740m²
 No. of PROPOSED LOTS : 4
 R30 MINIMUM LOT SIZE : 280m²
 PROPOSED MINIMUM LOT SIZE : 646m²

- TREE
- WATER METER
- HOUSE SERVICE POLE
- TELSTRA PIT
- GATE
- PROPOSED BOUNDARY
- EXISTING BOUNDARY
- TO BE REMOVED
- APPLICATION AREA

LEGEND

- WATER (SOURCED FROM ESINET)
- TELSTRA (SOURCED FROM DBYD)
- SEWER GRAVITY (SOURCED FROM ESINET)
- OVERHEAD POWER
- FENCE
- TOP OF BANK
- BOTTOM OF BANK
- RETAINING WALL
- EDGE CONCRETE
- BUILDING
- CENTRELINE OF ROAD (UNDEFINED)

REVISIONS

NO	DATE	DESCRIPTION
0	07/09/20	ORIGINAL ISSUE

SURVEYED BY:	DW	21/07/15	AREA FILE:	97D
DRAWN BY:	BC	07/09/20	CONT. INT'VAL:	0.2m
CHECKED BY:			V DATUM:	AHD
APPROVED BY:			H DATUM:	KALBS94
			FIELD NO.:	TSC382

HTD
 SURVEYORS & PLANNERS
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CLIENT: JASON O'BYRNE
 LOTS 294 & 316 ON DP211575 AND LOT 2 ON SP20477
PROPOSED FREEHOLD SUBDIVISION
 CLIFTON PLACE / MALLARD STREET, KALBARRI - SHIRE OF NORTHAMPTON
 SCALE 1 : 500
 SHEET NO: A3
 DRAWN BY: 34720AS1-1-0

00 10 20 30
 ALL DISTANCES ARE IN METRES

7.3.3 SUMMARY OF PLANNING INFORMATION ITEMS

DATE OF REPORT: 8 October 2020
REPORTING OFFICER: Michelle Allen – 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
068	HALSALL & ASSOCIATES	LOT 12158 – RESERVE 29152 GLANCE ST HORROCKS	DEMOLITION & REPLACEMENT OF ABLUTIONS/LAUNDRY & CONSTRUCTION OF NEW ABLUTIONS/LAUNDRY AND MODIFICATION TO CAMP KITCHEN	10 SEPT 2020
069	REDINK HOMES MIDWEST (HARKINS)	LOT 146 (NO. 34) LAWRENCIA LOOP, KALBARRI	SINGLE HOUSE & RETAINING WALL – R-CODE VARIATION	29 SEPT 2020
070	T MOOCHER	LOT 188 (NO. 93) JOHN STREET, NORTHAMPTON	EXTENSION OF NON-CONFORMING USE – TRANSPORT DEPOT	18 SEPT 2020 Ordinary Meeting
2019-052	A & N PLUSCHKE	LOT 101 (NO. 76) MITCHELL STREET, HORROCKS	SINGLE DWELLING & OUTBUILDING (AMENDED PLANS)	18 SEPT 2020 Ordinary Meeting
071	L CRICKMAY (M KOENIG)	LOT 138 (NO. 16) CENTROLEPIS CIRCUIT, KALBARRI	SINGLE HOUSE – R-CODE VARIATION	29 SEPT 2020
072	BETHANY MICHAUD (SUN CITY SOLAR)	LOT 398 (NO. 12) PORTER STREET, KALBARRI	SOLAR PANELS – COMMERCIAL CENTRE – GILGAI TAVERN	1 OCT 2020

OFFICER RECOMMENDATION – ITEM 7.3.2

For Council Information

SHIRE OF NORTHAMPTON

Late Items

16th October 2020

TOWN PLANNING CONTENTS

LATE ITEM

7.3.4	PROPOSED SINGLE DWELLING & OUTBUILDING - R-CODE VARIATIONS - LOT 242 (NO. 28) STOKES STREET, HORROCKS	2
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**7.3.4 PROPOSED SINGLE DWELLING & OUTBUILDING - R-CODE VARIATIONS - LOT 242
(NO. 28) STOKES STREET, HORROCKS**

LOCATION:	Lot 242 (No. 28) Stokes St, Horrocks
APPLICANT:	McAullay Builders Pty Ltd
OWNER:	T & S Hay
FILE REFERENCE:	10.5.1.1 (A3668)
DATE OF REPORT:	14 October 2020
REPORTING OFFICER:	Hayley Williams – Consultant Planner
RESPONSIBLE OFFICER:	Garry Keeffe - Chief Executive Officer

APPENDICES:

1. **Site Plan and Elevations**
2. **Submission Table**
3. **Amended Plans 14.10.2020**

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 an application for the development of a single dwelling and outbuilding upon Lot 242 (No. 28) Stokes St, Horrocks. Council consideration is required due to a number of variations to the 'Deemed-to-Comply' provisions of the Residential Design Codes and objection received from an adjoining landowner.

This report recommends Council grant development approval to the single dwelling subject to conditions. Some of the recommended conditions will result in minor amendments to the proposed development in order to adequately address the design principles for front and lot boundary setbacks, visual privacy and building height.

LOCALITY PLANS:

Figure 1. Locality plan of Lot 242 (No. 28) Stokes St, Horrocks

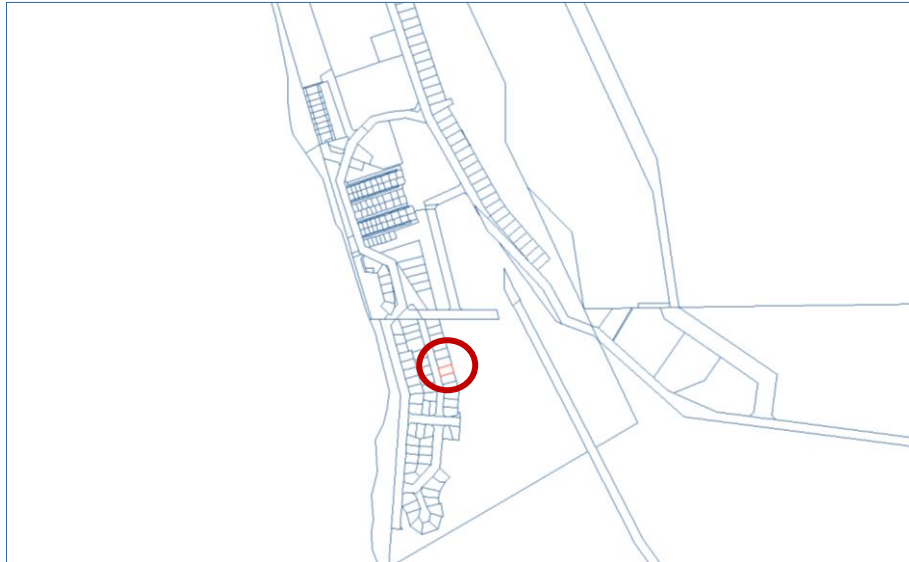


Figure 2. Site plan of Lot 242 (No. 28) Stokes St, Horrocks



BACKGROUND:

An application has been received for the development of a single dwelling and outbuilding upon Lot 242 (No. 28) Stokes St, Horrocks which is seeking a number of variations to the Residential Design Codes of Western Australia ('R-Codes').

The Proposal:

The proposal is for a single dwelling and outbuilding. The single dwelling is comprised of two storeys with a ground floor consisting of three bedrooms, laundry, bathroom, living/entry, porch, alfresco, garage and storeroom. In addition, the first floor includes one bedroom with ensuite, study, dining/kitchen area and front and side balconies which form the outdoor living area on that level. The total floor space attributed to the dwelling, including balcony areas is approximately 429m². The floor space of the dwelling is as follows:

Ground Floor	210.24m ² (including porch & alfresco)
First Floor	219.3m ² (including balconies)
Total Area	429.54m²

The footprint of the dwelling is approximately 210m² being 34% of the lot.

The dwelling is proposed to be located forward on the lot, with the following setbacks:

	R-Code Provisions	Ground Floor	First Floor
Side (S)	2.4m	1.50m	1.50m
Side (N)	5.6m	3.59m	3.59m
Front (W)	3.5 metres initially which has been amended to 4.0 metres with a 32m ² protrusion into 6m setback area		
Rear (E)	10.733m		

An outbuilding formed part of the original application and was proposed to comprise an area of 90m² with a skillion roof at 17° pitch. Original plans for the outbuilding were supplied with the single house and were amended on the 14th October 2020 in relation to building height and roof pitch. The outbuilding is proposed to be located at the rear of the lot. Details pertaining to R-Code and Local Planning Policy provisions, together with setbacks as well as the original and amended dimensions are supplied in the table below:

	R-Code	LPP	Original Plans	Amended Plans
Aggregate	60m ²	120m ²	90m ²	90m ²
Wall Height	3m	3m	3m to 5.75m	3.65m - 4.98m
Max Wall Height	4.5m	4.5m	5.75m	4.98m
Roof Pitch			17°	10°
Height above NGL	7m		8m	8m
Rear Setback (E)	0.7m		Nil	Nil
Side Setback (S)	3m		9.36m	9.36m
Side Setback (N)	1.2m		Nil	Nil

Amended plans supplied on 14th October are proposing a reduction of 0.770m in maximum building height of the outbuilding from 5.75m to 4.98m and a reduction in roof pitch from 17° to 10°.

Single Dwelling

The dwelling is proposed to be two storeys in height with a skillion roof that includes a 4° pitch and an overall maximum height of 8 metres at its highest point, being at the front of the dwelling, falling to a height of 5.657 metres at the rear.

The single dwelling is proposed to be constructed of brick and masonry on the ground floor and timber frame and cladding material for the walls of the first floor. Sheet metal material is noted as the roofing material with no additional detail supplied.

It is noted details for cladding material of the walls and profile of metal roof sheeting is still to be chosen with colour and materials schedule to still be provided.

Outbuilding

The building is proposed to be brick and masonry construction with a skillion roof that includes a 17° pitch in original plans with a maximum height at the front of the outbuilding (which faces west) of 5.754 metres falling to a height of 3 metres at the rear of the structure. Plans for the outbuilding were amended on 14th October and now propose a roof pitch of 10° and a reduction in maximum height to 4.976m falling to 3.65m at the rear.

It is noted that profile of the metal roof sheeting and colour schedule is still to be provided for the outbuilding.

Copies of the applicant's original site, floor and elevation plans have been included as **Appendix 1** to this report. Copies of amended plans are provided as **Appendix 3**.

In consideration of the application the following information is provided:

Lot Size	619m ²
Existing Development	Vacant, Residential R20 zoning
Access & Frontage	Access Stokes Street
Services	Water, Sewer, Telephone and Power
Topography	Varied levels over the site
Vegetation	Cleared
Surrounding Land Uses	Residential R20

The application has been brought before Council for the following variations to the Residential Design Codes:

- Reduced setback to the front/primary street;
- Inability to adequately compensate for front setback incursion;
- Encroachment area of approximately 74% of street frontage;
- Visual privacy incursions along the northern lot boundary;
- Nil setback and building bulk on side boundary; and
- Variation to the maximum permissible roof height of the outbuilding.

The application has been brought before Council for the following variation to the Shire of Northampton's Local Planning Policy *Outbuildings*:

- Maximum permissible roof height.

As a result of discussions with the Applicant, amended plans were received on the 14th of October 2020, which included the following amendments to the proposed development:

- Visual privacy screening along the northern balcony;
- Setback of an additional 0.5m from the front boundary to the balcony; and
- Design modifications to reduce the overall height of the outbuilding from 5.75m to 4.98m.

COMMUNITY CONSULTATION:

Given the variations being sought by the proposed single dwelling, the application has been advertised in accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which requires the

local government to give notice to adjacent landowners who are likely to be impacted by the proposed development:

"(3) (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..."

In accordance with the above requirements, correspondence was sent to five adjoining and adjacent landowners. The advertising period for this consultation was from 16 September 2020 to 30 September 2020.

During that period two submissions were received, with one in support of the application and one objecting to the proposed development. The objection was in relation to the reduced side setback on the northern boundary, potential for overlooking and effect on visual privacy from the first floor balcony on the northern side and the reduced setback being sought for the outbuilding on the northern side. A copy of the submissions can be made available to Councillors upon request.

The Applicant and Landowner were given the opportunity to address the objections raised by the adjoining landowners and submitted amended plans on the 14th of October 2020. A copy of these plans is included as **Appendix 3**.

Despite late submission of amended plans, the adjoining landowner was engaged seeking their input to the proposed amendments and subsequently advised that inclusion of visual privacy measures to the balcony was an improvement but noted that building height of the dwelling remained over height, according to R-Code provisions.

Consideration of the amended plans has occurred at short notice, with time restrictions pertaining to the current Federal and State Government's building stimulus grant/s deadlines being the main driver for this approach. However, Council may wish to defer the agenda item allowing greater time for the variations to be considered.

FINANCIAL & BUDGET IMPLICATIONS:

An Application for Development Approval fee has been charged in line with the 2020/21 statutory Planning Fees and Charges for a single dwelling.

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

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

State Planning Policy 7.1 - Residential Design Codes (2019)

Local: Shire of Northampton Local Planning Scheme No. 10

Shire of Northampton Local Planning Scheme No. 10

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

The objective of the “Residential” zone is:

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

State Planning Policy 7.3 - Residential Design Codes (2019)

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

The proposed single dwelling complies with the “Deemed-to-Comply” provisions of the *Residential Design Codes (2019)*, with the exception of:

- Street Setback – Clause 5.1.2;
- Lot Boundary Setbacks - Clause 5.1.3;
- Building Height - Clause 5.1.6;
- Visual Privacy – Clause 5.4.1; and
- Outbuildings – Clause 5.4.3.

These clauses of the Residential Design Codes will be examined in further detail.

Street Setback – Clause 5.1.2

Whilst the applicant was originally seeking a reduced primary street setback of 3.5m amended plans are now proposing a reduced setback of 4m which moves the structure back 0.5m on the lot. The original protrusion into the 6m setback has been reduced from 44m² to 32m². It is highlighted to Council that the R-Codes (whilst typically requiring a 6m setback in the R20 zone) allows this setback to be reduced by half (i.e. to 3m) if the encroachment can be compensated with contiguous open space that is visible behind the 6m setback line.:

“C2.1 Buildings set back from the primary street boundary:

- i. in accordance with Table 1;*
- ii. corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street;*
- iii. reduced by up to 50 per cent provided that the area of any building, including a carport or garage, intruding into the setback area is compensated for by at least an equal area of open space between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a, 2b and 2c);...*”

The amended plans propose to move the proposed development 0.50 metres from the front setback area. This reduces the protrusion into the front setback area from 3.5 metres to 4 metres. Whilst this is considered to reduce the potential impact of building bulk on the streetscape, the proposed amendment is still unable to comply with Cl 5.1.2 C2.1 (iii) and therefore requires consideration against the design principles.

The design principles for street setback are:

- “P2.1 Buildings set back from street boundaries an appropriate distance to ensure they:*
- Contribute to, and are consistent with, an established streetscape;*
 - Provide adequate privacy and open space for dwellings;*
 - Accommodate site planning requirements such as parking, landscape and utilities; and*
 - Allow safety clearances for easements for essential service corridors.*

"P2.2 Buildings mass and form that:

- *Uses design features to affect the size and scale of the building;*
- *Uses appropriate minor projections that do not detract from the character of the streetscape;*
- *Minimizes the proportion of the façade at ground level taken up by building services, vehicle entries and parking supply, blank walls, servicing infrastructure access and meters and the like; and*
- *Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.*

Lot Boundary Setbacks - Clause 5.1.3

The proposed development is not able to satisfy the following "Deemed-to-Comply" provision(s) of the R-Codes in terms of lot boundary setbacks under clause 5.1.3:

"C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:

- buildings set back from lot boundaries in accordance with Table 1, Tables 2a and 2b"*

The lot boundary setback required on the south side of the ground floor as per Table 2a is 2.4 metres, with the applicant proposing a setback of 1.5 metres. The setback required on the northern side of the ground floor as per Table 2b is 5.6 metres (not including the visual privacy setback requirements of 7.5m to a verandah/balcony), with the applicant proposing a setback of 3.59 metres.

Where the "Deemed-to-Comply" provisions are not able to be met, it is necessary to assess that component of the design against the relevant design principle(s).

The design principles for lot boundary setbacks are:

"P3.1 Buildings set back from lot boundaries so as to:

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

The amended plans have not sought to modify the side boundary setbacks, however, it is noted that minimisation of the extent of overlooking and resultant loss of privacy on the adjoining property to the north has occurred with amendment to incorporate visual screening along the extent of the northern balcony.

Building Height - Clause 5.1.6

The proposed development does not satisfy the following "Deemed-to-Comply" provisions of the R-Codes in terms of building height given that the maximum permissible building height for a skillion roof is 7 metres and the proposed development has a maximum overall height of 8 metres. Although the total overall height does not exceed the maximum permissible for a pitched roof design at 9 metres consideration still needs to be given to the following 'Design Principles':

- "P6 *Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*
- *adequate access to direct sun into buildings and appurtenant open spaces;*
 - *adequate daylight to major openings into habitable rooms;*
and
 - *access to views of significance."*

The amended plans received have not sought to modify the building height variation of the dwelling.

Visual Privacy - Clause 5.4.1

The proposed development does not satisfy the following "Deemed-to-Comply" provision(s) of the R-Codes in terms of visual privacy on the first floor under clause 5.4.1:

"C1.1 Major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line are:

- i. set back, in direct line of sight within the cone of vision from the lot boundary, a minimum distance as prescribed in the table below (refer Figure Series 10):*

Types of habitable rooms/ active habitable spaces	Setback for areas coded R50 or lower
Major openings to bedrooms and studies	4.5m
Major openings to habitable rooms other than bedrooms and studies	6m
Unenclosed outdoor active habitable spaces	7.5m

or;

- ii. are provided with permanent screening to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space.

The proposed setback on the northern elevation is 3.59 metres with the northern walls on both ground and first floors to include major openings to a living/dining room on the first floor and living/entry on the ground floor with both areas being classified as habitable rooms. Therefore, the required setback on the ground floor is 6m and the first floor is 7.5 metres.

The first floor balcony is located on two elevations being the western/front elevation and the northern elevation. The balcony is setback from the northern boundary by only 3.59 metres and includes an outdoor living area. The verandah below which is raised above 0.5 metres is also setback 3.59 metres. There was no permanent screening in the original plans to restrict views and therefore this aspect of the proposed development could not be considered to meet the "Deemed-to-Comply" provision.

Where the "Deemed-to-Comply" provisions are not able to be met, it is necessary to assess that component of the design against the relevant design principle(s).

The design principles for visual privacy are:

"P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- *building layout and location;*
- *design of major openings;*
- *landscape screening of outdoor active habitable spaces;*
and/or
- *location of screening devices.*

P1.2 Maximum visual privacy to side and rear boundaries through measures such as:

- *offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*

- *building to the boundary where appropriate;*
- *setting back the first floor from the side boundary;*
- *providing higher or opaque and fixed windows; and/or*
- *screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)."*

The Applicant has provided amended plans that now install visual privacy screening at a height of 1.6 metres along the extent of the north facing balcony. The installation of a dividing fence at 1.8 metres high is also considered to screen the raised verandah.

Outbuildings – Clause 5.4.3

The proposed development does not satisfy the following "Deemed-to-Comply" provision(s) of the R-Codes in terms of outbuildings under clause 5.4.3:

- "C3 *Outbuildings that:*
- *are not attached to a dwelling;*
 - *are non-habitable;*
 - *collectively do not exceed 60m² in area or 10 percent in aggregate of the site area, whichever is the lesser;*
 - *do not exceed a wall height of 2.4m;*
 - *do not exceed ridge height of 4.2m;*
 - *are not within the primary or secondary street setback area;*
 - *do not reduce the amount of open space required in Table 1; and*
 - *are set back in accordance with Tables 2a and 2b."*

The design principles for outbuilding are:

- "P3 *Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties."*

Further examination and analysis of the above variations and the application of the "design principles" is contained within the Comment section of this report.

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Policy – Outbuildings

Shire of Northampton Local Planning Policy – Outbuildings

The objectives of the Shire's 'Outbuildings' Local Planning Policy are:

- "3.1 To alter the deemed-to-comply provisions of the R-Codes for Design Principles 5.4.3 and 6.4.4 – Outbuildings.
- 3.2 To provide further clarity and a clear interpretation to the definition of an 'outbuilding'.
- 3.3 To ensure that outbuildings are not used for habitation or commercial purposes by controlling building bulk (size and height).
- 3.4 To limit the visual impact of outbuildings.
- 3.5 To encourage the construction of outbuildings in materials and colours that complements the landscape and amenity of surrounding areas.
- 3.6 To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property."

The Local Planning Policy states the following provisions for outbuildings within the Residential R-20 zone:

"3.3 Maximum Standards for R10 and Higher Density

3.3.1 Maximum standards do not override the open space requirements of Table 1 of the Residential Design Codes (2019) or any specific Scheme requirements.

3.3.2 120m² in area or 20% in aggregate of the site area, whichever is the lesser, with a maximum wall height of 3.0m and a total maximum height of 4.5m measured from natural ground level.

3.3.3 Increases in total maximum height to a maximum of 5m may be considered where all of the following criteria can be achieved:

- a) *The outbuilding must be constructed in the same materials and finish to the existing (or approved) dwelling.*
- b) *The roof pitch of the outbuilding is to match the roof pitch of the existing (or approved) dwelling.*
- c) *The overall total maximum height of the outbuilding is not to be any higher than the highest part of the existing (or approved) dwelling.*
- d) *The outbuilding is not within the primary or secondary street setback area.*
- e) *The outbuilding footprint is not greater than the existing*

- (or approved) dwelling footprint.
- f) *The aggregate floor area is not greater than the maximum area prescribed in clause 3.3.2 (the intent is if higher outbuildings are approved, the footprint of the outbuilding is reduced, thereby reducing building bulk).*
 - g) *Setbacks to comply with the R-Codes.*
 - h) *Consultation with adjoining properties is required.*

3.8 Outbuildings on Vacant Residential, Rural Residential and Rural Smallholding Land

3.8.1 The erection of an outbuilding on vacant residential, rural residential and rural smallholding zoned land shall not be approved unless the following requirements have been satisfied:

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

3.8.2 The approval of the outbuilding, prior to the residence, will be subject to the outbuilding not being used for habitable purpose in residential zoned areas, and in rural residential and rural smallholding zoned areas will be subject to Local Planning Policy – Caravans for Temporary Accommodation.

3.8.3 In residential zoned areas the applicant/landowner will also be required to complete fencing of the side and rear property boundaries for the purpose of lessening the visual impact of the building from neighbouring properties and the road to the approval of the local government.”

The amended plans received have reduced the overall height of the proposed outbuilding from 5.75 metres to 4.98 metres which is considered to be within the increased maximum height stipulated by the LPP of 5.0m. However, consideration must still be given to the proposed outbuilding due to the nil setback and impact on the visual amenity of the adjoining property.

A Local Planning Policy shall not bind Council in respect of any application for Planning Consent 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:

Nil.

COMMENT:

Assessment of the application indicates that the proposed single dwelling and outbuilding complies with the objectives of the "Residential" zone as prescribed by the Shire of Northampton *Local Planning Scheme No. 10*. There are, however, a number of variations being sought to the "Deemed-to-Comply" provisions of the *Residential Design Codes and the Local Planning Policy - Outbuildings*. Whilst some of these provisions can be supported by application of the design principles, there are a number of exceptions including lot boundary setback, wall height/building bulk of both the dwelling and outbuilding and visual privacy which are discussed further below.

Street Setback

The variation being sought for the front setback has been addressed in part through amended plans being received which denote an additional 0.5 metre setback, so that the minimum front setback to the balcony is proposed to be 4.0 metres.

The amended setback will still incorporate a projection of more than 1 metre and will significantly occupy more than 20% of the frontage. Furthermore, it still cannot be averaged by contiguous open space behind the 6 metre front setback line.

However, assessment against the 'Design Principles' has demonstrated that whilst a substantial variation is being sought, the amendment to install visual privacy screening along the extent of the northern balcony assists in providing adequate privacy. The additional setback of 0.5 metres will also assist in the proposed development being more consistent with the established streetscape. Stokes

Street has a range of front setbacks, however, those that have been reduced to 3.5 metres are able to average with open space behind the 6 metre setback line. By stepping the proposed development back to 4.0 metres and with the openness of the front facade it is considered that the projection into the front setback area will not detract from the character of the streetscape.

Lot Boundary Setback

The reduced side setback distance being sought on the northern side at 3.59m is not considered to be minor with ground floor provision of 5.6m and first floor provision of 7.5m according to Clause 5.4.1 C1.1 (i) of the R-Codes. The original combination of the reduced setback and associated visual privacy incursions that did not address potential to overlook the adjoining property together with the nil setback being sought for the rear and northern side boundaries of the outbuilding, exacerbated the impacts of building bulk and visual privacy incursions along the northern boundary.

A reduction in the lot boundary setbacks is not considered to be minor and the design principle that was least addressed by the original proposal was that relating to minimising the extent of overlooking and resultant loss of privacy on adjoining properties. As detailed in the amended plans, the matter of direct overlooking from the first floor balcony of the dwelling has been addressed by the proposed installation of permanent 1.6m screening measures along the northern side of the balcony area. It is therefore considered with the amendments to the dwelling via screening and with the amendments to the outbuilding via a reduction in overall height and lowering of the roof pitch that the variation is capable of meeting the design principles.

Building Height

According to the design principles consideration needs to be given to the increased height of the proposed dwelling on two fronts. Firstly, on the amenity of the adjoining properties and secondly on the streetscape.

The amenity of the adjoining property to the north is considered to be less impacted given that the northern elevation is largely open with the inclusion of an extensive verandah and balcony, no overshadowing and access to light and ventilation.

The amenity on the streetscape needs to be considered in light of the increased building height and reduced front setback. Generally where a building proposes an increase in height, compliance should be achieved with both street and boundary setbacks. In this particular instance the increased building height is incorporated into a 3 metre wide balcony, which is considered to lessen the

impact of building bulk/height due to the openness of the front facade. Therefore the variation to building height, taking into account that it sits within the overall 9 metre height is not considered to adversely impact on the amenity of adjoining properties or the streetscape.

Visual Privacy

The proposed development seeks to vary the setback requirements for visual privacy, particularly along the northern elevation.

The Applicant has submitted amended plans that seek to rectify this matter through the installation of 1.6 metre high permanent screening along the extent of the balcony on the northern elevation.

This modification to the proposed development is considered to address concerns raised by the adjoining landowner and adequately addresses the design principles relating to the provision of maximum privacy to side boundaries via the installation of a screening device.

Outbuilding

The *Shire of Northampton's Local Planning Policy (LPP) - Outbuildings* allows a regional variation to the provisions of the R-Codes in relation to Outbuildings, however the development still exceeds these LPP provisions in terms of R-Code setback compliance.

Dimensions of the outbuilding have since been amended with modifications to building height and roof pitch proposed. Amended plans detail a reduction in building height of the skillion roofed structure from 5.75m to 4.98m equating to a 0.770m reduction in height thus reducing the roof pitch from 17° to 10°. However, given that the outbuildings overall height is still over 4.5 metres this requires a variation to the lot boundary setback provisions of the R-Codes and adjoining landowner consultation.

The applicant has advised the proposed outbuilding design is to accommodate the landowner's boat. This is considered to support the increased height, however, it is not considered to justify the approach to utilise a nil setback which is more reflected by the need to fit the outbuilding within the confines of the overall development site and the location of the proposed dwelling. Given that the affected adjoining landowner has expressed an objection to the proposal on the basis of the impact of building bulk along the lot boundary, coupled with the decreased lot boundary setback to the proposed dwelling and increased building height it is recommended that the outbuilding be setback from the northern side boundary a minimum of 1 metre.

VOTING REQUIREMENT:

Absolute Majority Required: *No.*

CONCLUSION:

It is recommended that Council grant development approval to the proposed single dwelling and outbuilding upon Lot 242 (No. 28) Stokes Street, Horrocks, subject to the conditions outlined below. These conditions aim to minimise and remove overlooking as well as reduce the impact of building height and bulk on the locality generally of the outbuilding.

OFFICER RECOMMENDATION – ITEM 7.3.1	APPROVAL
<p>That Council grant development approval to amended plans as part of Appendix 3 for the proposed Single Dwelling and Outbuilding upon Lot 242 (No.28) Stokes Street, Horrocks subject to the following conditions:</p>	
<p>1. 2. 3. 4. 5. 6. 7.</p>	<p>Development shall be in accordance with the attached approved plan(s) dated [insert date] 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;</p> <p>Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;</p> <p>A building permit shall be issued by the local government prior to the commencement of any work on site;</p> <p>The applicant is to prepare, submit and adhere to stormwater and drainage plans to the approval of the Local Government, with all costs met by the applicant;</p> <p>Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;</p> <p>The Applicant shall provide a materials and colour schedule for the dwelling prior to construction of the dwelling, which shall be to the approval of the local government. The colours chosen shall be non-reflective and in keeping with the natural coastal environment;</p> <p>The roof of the dwelling shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted;</p>

- 8. Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the view from the street/s, to the approval of the local government;**
- 9. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:**
 - (a) all illumination is confined within the boundaries of the property; and**
 - (b) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;**
- 10. Installation of crossing places and verge gradients shall be to the standards and specification of the local government (refer to Advice Note 1);**
- 11. The development/land use is to be located entirely within the property boundary;**
- 12. All parking of vehicles including boats and trailers to be provided for within the property boundary and the street verge area to be kept free of vehicles.**
- 13. The Applicant/Owner shall install and maintain visual screening to a height of 1.6 metres upon the northern side of the first floor balcony as marked in 'RED' on the attached approved plan(s) dated [insert date] so as to address the requirements of Clause 5.4.1 of the *Residential Design Codes (2019)*; and**
- 14. The Applicant/Owner shall install a dividing fence to a height of 1.8 metres upon the northern side boundary as marked in 'RED' on the attached approved plans (s) dated [insert date] so as to address the requirements of Clause 5.4.1 of the *Residential Design Codes (2019)*;**
- 15. The setback of the outbuilding from the northern side boundary, as marked in 'RED' on the attached approved plan(s) dated [insert date], shall be modified from nil setback to 1 metre, so as to meet the requirements of Clause 5.1.3 of the *Residential Design Codes (2019)*;**
- 16. The approved outbuilding component (i.e. named 'shed') is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the Local government and shall NOT be used for habitation, commercial or industrial purposes; and**
- 17. The construction of the outbuilding (but not including the laying of a cement pad) shall NOT be commenced prior to the construction of the dwelling unless the following can be satisfied:**

- (a) **A building permit for the dwelling and outbuilding has been issued;**
- (b) **The Applicant has lodged a Statutory Declaration providing a commitment to commence construction of the dwelling within 6 months of the outbuilding;**

AND

- (c) **The Applicant has paid a bond of \$10,000 to the Shire of Northampton, that would be repaid to the Applicant upon satisfactory completion and final inspection of the dwelling.**

Advice Notes:

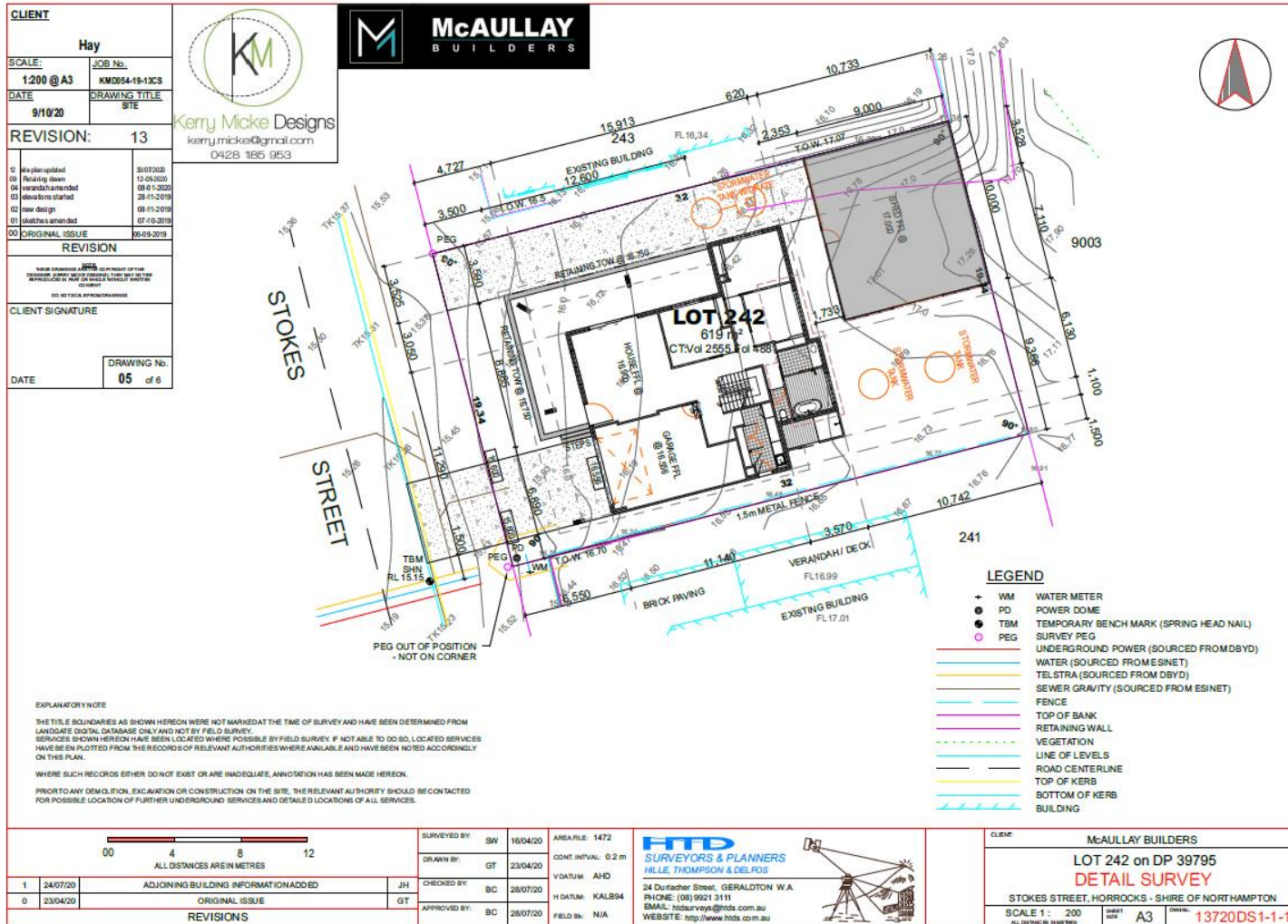
Note 1: *With regard to Condition No 10, it is advised that the Applicant should liaise with the Shire of Northampton's Manager of Works and Technical Services to determine crossover, verge gradient and additional retaining requirements.*

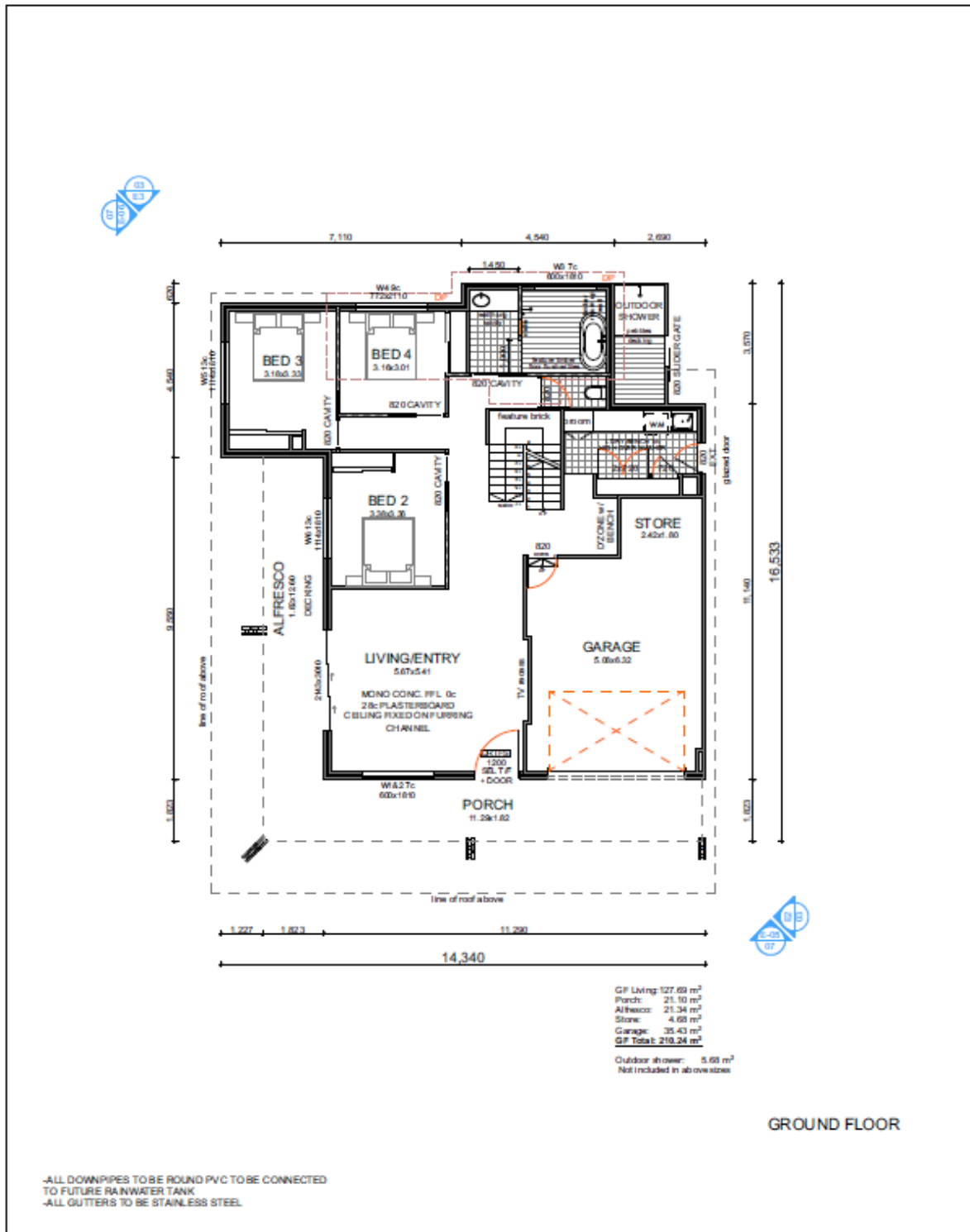
Note 2: *If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*

Note 3. *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.*

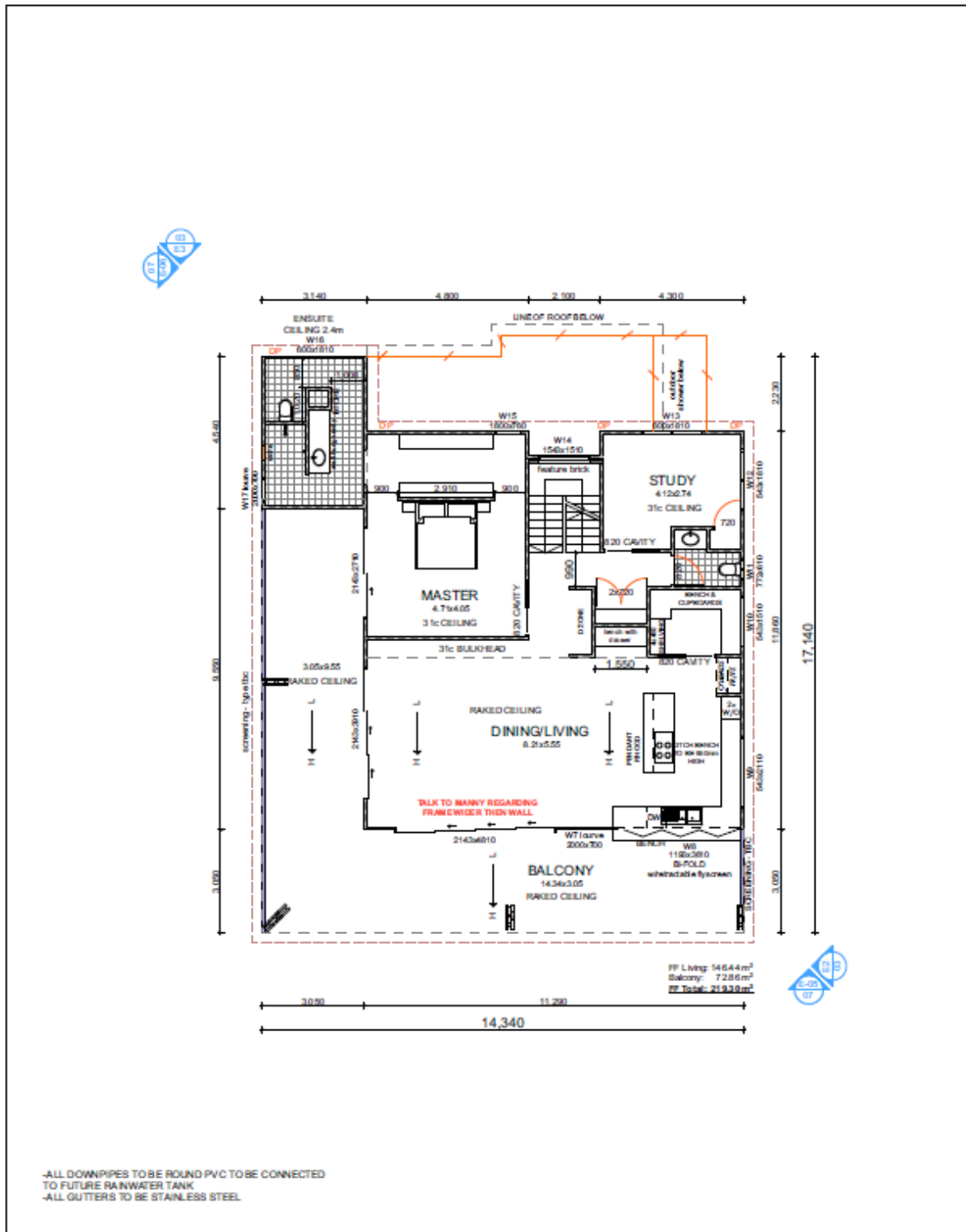
Note 4. *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*

APPENDIX 1 – SITE AND ELEVATION PLANS



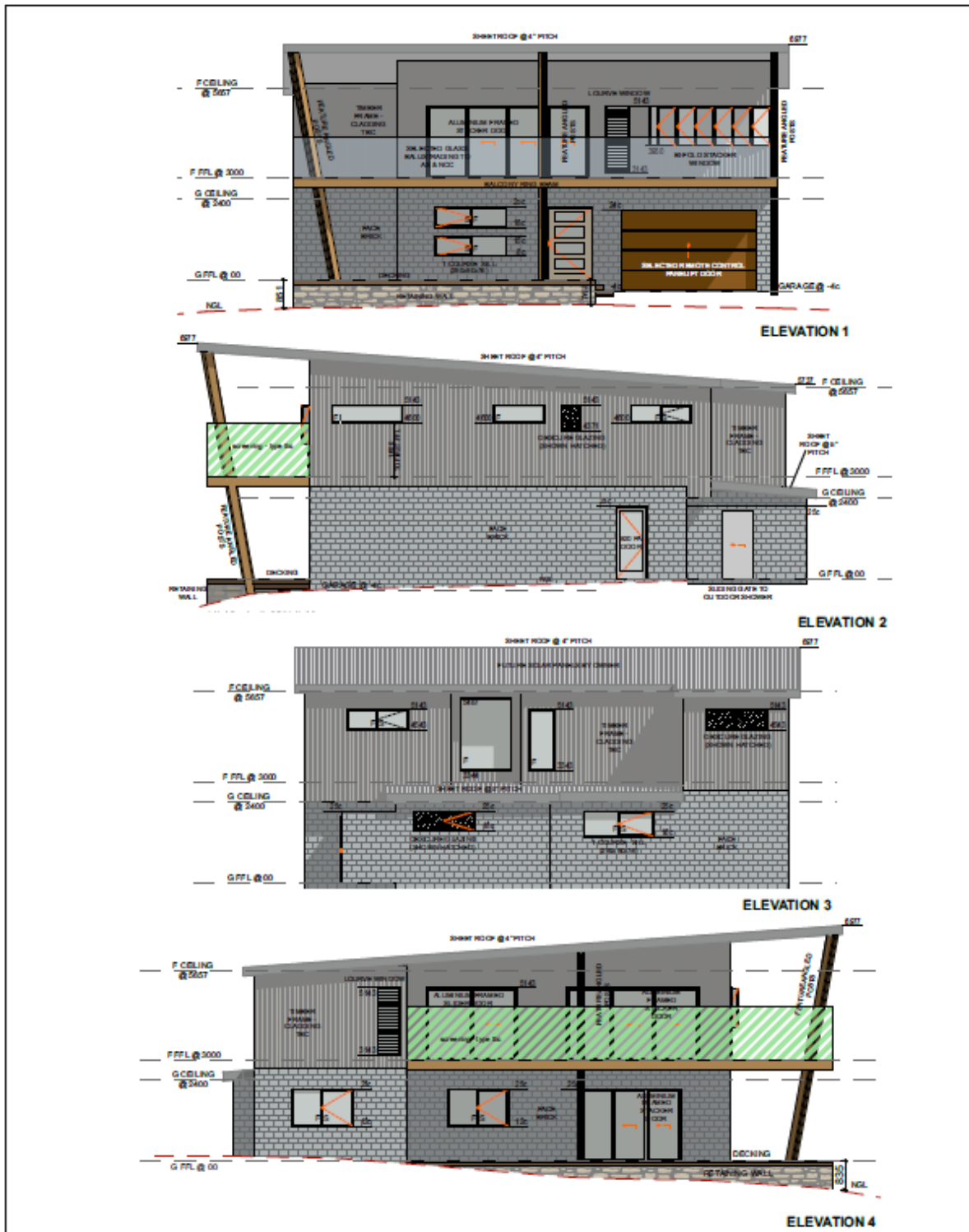


		REVISION: 13 <small>11. 2020-09-20</small> <small>12. 2020-09-20</small> <small>13. 2020-09-20</small> <small>14. 2020-09-20</small> <small>15. 2020-09-20</small> <small>16. 2020-09-20</small> <small>17. 2020-09-20</small> <small>18. 2020-09-20</small> <small>19. 2020-09-20</small> <small>20. 2020-09-20</small> 21. ORIGINAL ISSUE 16/08/20 13	Lot 242 #20 Stokes St Horrocks	CLIENT Hay	CLIENT SIGNATURE DATE
		PROJECT: RM0554-19-13CS SCALE: 1:100 @ A3 DATE: 9/10/20 DRAWING TITLE: GROUND FLOOR		DRAWING No. 01 of 6	

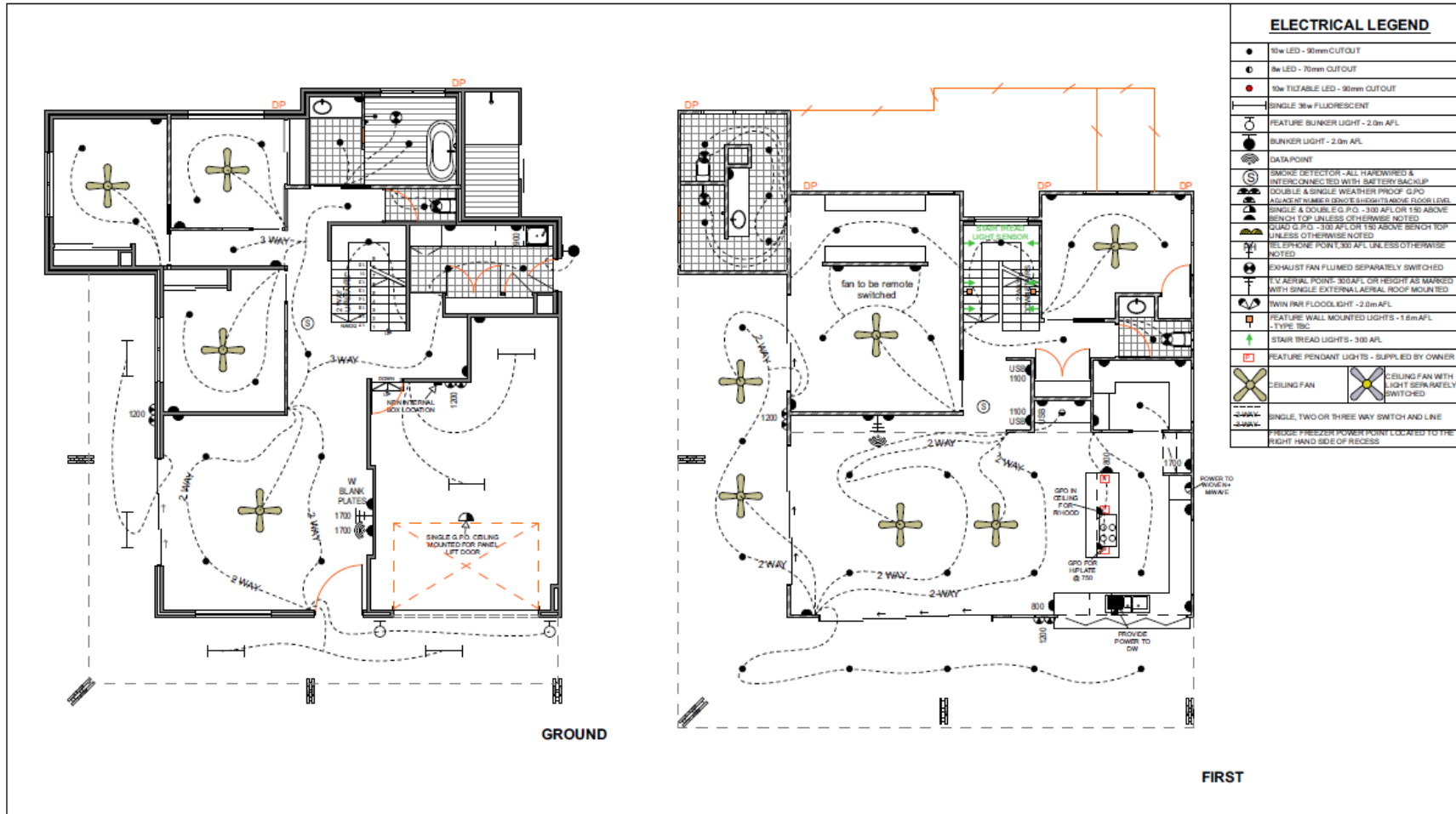


-ALL DOWNPIPES TO BE ROUND PVC TO BE CONNECTED TO FUTURE RAINWATER TANK
-ALL GUTTERS TO BE STAINLESS STEEL

		REVISION: 13	CLIENT Hay	<small>OWNER UNDERTAKES TO VERIFY ALL INFORMATION IS CORRECT AND TO SIGN ALL DOCUMENTS AND TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT AND ENGINEER.</small> CLIENT SIGNATURE																													
		<table border="1"> <tr> <th>NO</th> <th>REVISION</th> <th>DATE</th> </tr> <tr> <td>12</td> <td>According to each building</td> <td>09.10.2020</td> </tr> <tr> <td>13</td> <td>Final added, remove light</td> <td>28.09.2020</td> </tr> <tr> <td>14</td> <td>Repositioned, aluminium, size as well</td> <td>18.09.2020</td> </tr> <tr> <td>15</td> <td>change window size to double</td> <td>1.09.2020</td> </tr> <tr> <td>16</td> <td>reposition, wall door</td> <td>17.07.2020</td> </tr> <tr> <td>17</td> <td>reposition window</td> <td>09.07.2020</td> </tr> <tr> <td>18</td> <td>reposition window</td> <td>28.11.2019</td> </tr> <tr> <td>19</td> <td>see design</td> <td>09.11.2019</td> </tr> <tr> <td>20</td> <td>ORIGINAL ISSUE</td> <td>09.09.2019</td> </tr> </table>			NO	REVISION	DATE	12	According to each building	09.10.2020	13	Final added, remove light	28.09.2020	14	Repositioned, aluminium, size as well	18.09.2020	15	change window size to double	1.09.2020	16	reposition, wall door	17.07.2020	17	reposition window	09.07.2020	18	reposition window	28.11.2019	19	see design	09.11.2019	20	ORIGINAL ISSUE
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	<p>Kerry Mickle Designs kerry.mickle@gmail.com 04229 185 563</p>	REVISION: 13	CLIENT Hay	CLIENT SIGNATURE																						
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		DATE 9/10/20	DATE	DRAWING No. 03 of 6																						



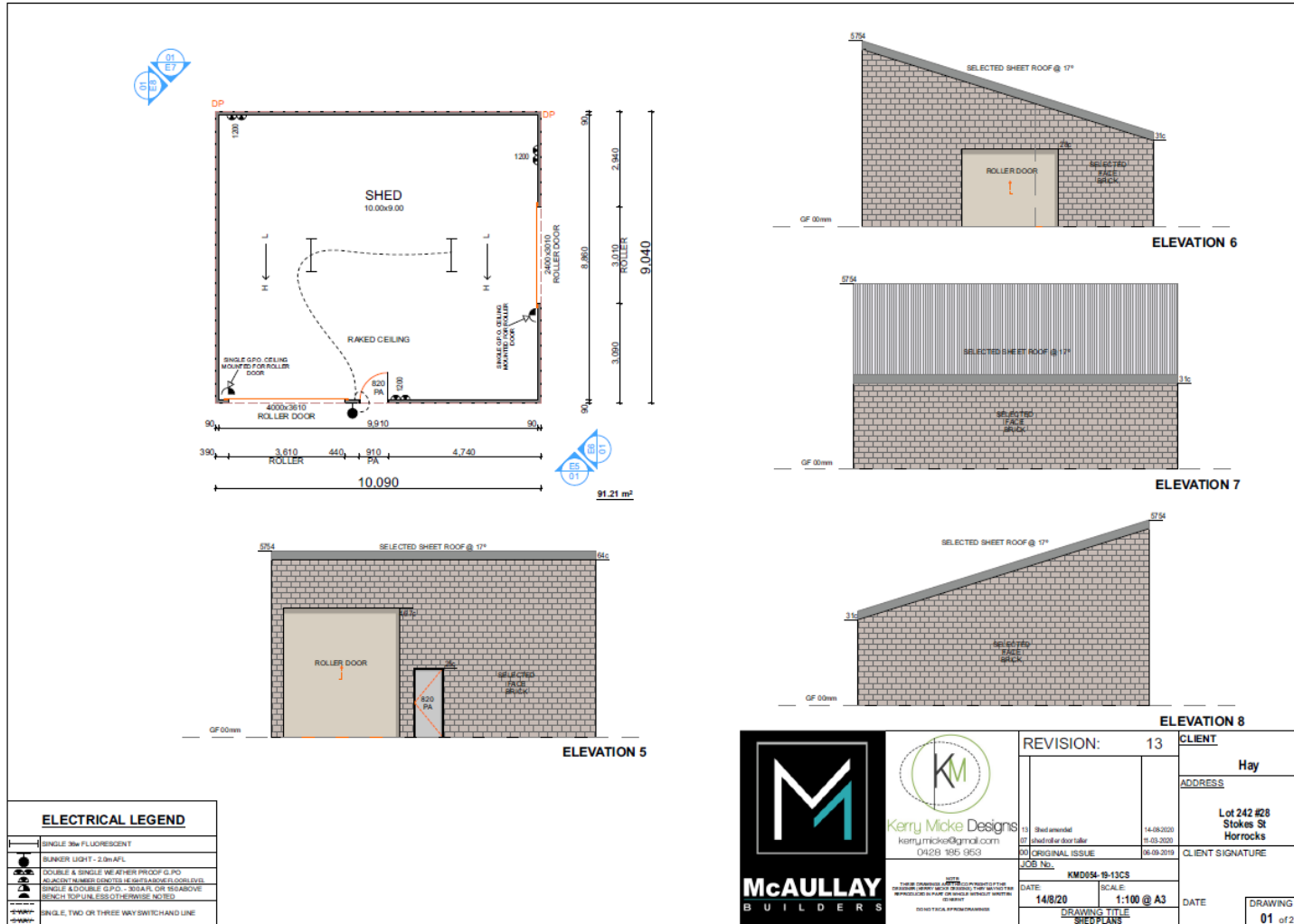
ELECTRICAL LEGEND	
●	10w LED - 50mm CUTOUT
●	8w LED - 70mm CUTOUT
●	10w TABLE LED - 50mm CUTOUT
—	SINGLE 36w FLUORESCENT
○	FEATURE BUNKER LIGHT - 2.0m AFL
●	BUNKER LIGHT - 2.0m AFL
○	DATAPOINT
⊕	SMOKE DETECTOR - ALL HARDWIRED & INTERCONNECTED WITH BATTERY BACKUP
⊕	DOUBLE & SINGLE WEATHER PROOF GPO
⊕	AGAJENT NUMBER (BENEATH HEIGHTS ABOVE FLOOR LEVEL)
⊕	SINGLE & DOUBLE GPO - 300 AFL OR 150 ABOVE BENCH TOP UNLESS OTHERWISE NOTED
⊕	QUAD GPO - 300 AFL OR 150 ABOVE BENCH TOP UNLESS OTHERWISE NOTED
⊕	TELEPHONE PORT 1.50 AFL UNLESS OTHERWISE NOTED
⊕	EXHAUST FAN FLUMED SEPARATELY SWITCHED
⊕	E.V. AERIAL POINT - 300AFL OR HEIGHT AS MARKED WITH SINGLE EXTERNAL LABRAL ROOF MOUNTED
⊕	TWIN INR FLOODLIGHT - 2.5m AFL
⊕	FEATURE WALL MOUNTED LIGHTS - 1.5m AFL - TYPE TBC
⊕	STAIR TREAD LIGHTS - 300 AFL
⊕	FEATURE PENDANT LIGHTS - SUPPLIED BY OWNER
⊕	CEILING FAN
⊕	CEILING FAN WITH LIGHT SEPARATELY SWITCHED
—	SINGLE, TWO OR THREE WAY SWITCH AND LINE
⊕	FRIDGE FREEZER POWER POINT LOCATED TO THE RIGHT HAND SIDE OF RECESS

GROUND

FIRST



REVISION:	13	CLIENT	Hay
		ADDRESS	Lot 242 #28 Stokes St Horrocks
06	posts moved, elec amended, on sec wall longer	19-03-2020	
07	garage smaller, niche to showers	11-03-2020	
08	electrical amended	03-02-2020	
09	electricals, elect done	17-01-2020	
10	ORIGINAL ISSUE	06-09-2019	
JOB No.	KMD054-19-13CS	CLIENT SIGNATURE	
DATE:	9/10/20	SCALE:	@A3
DRAWING TITLE		DATE	DRAWING No.
ELECTRICAL			04 of 6

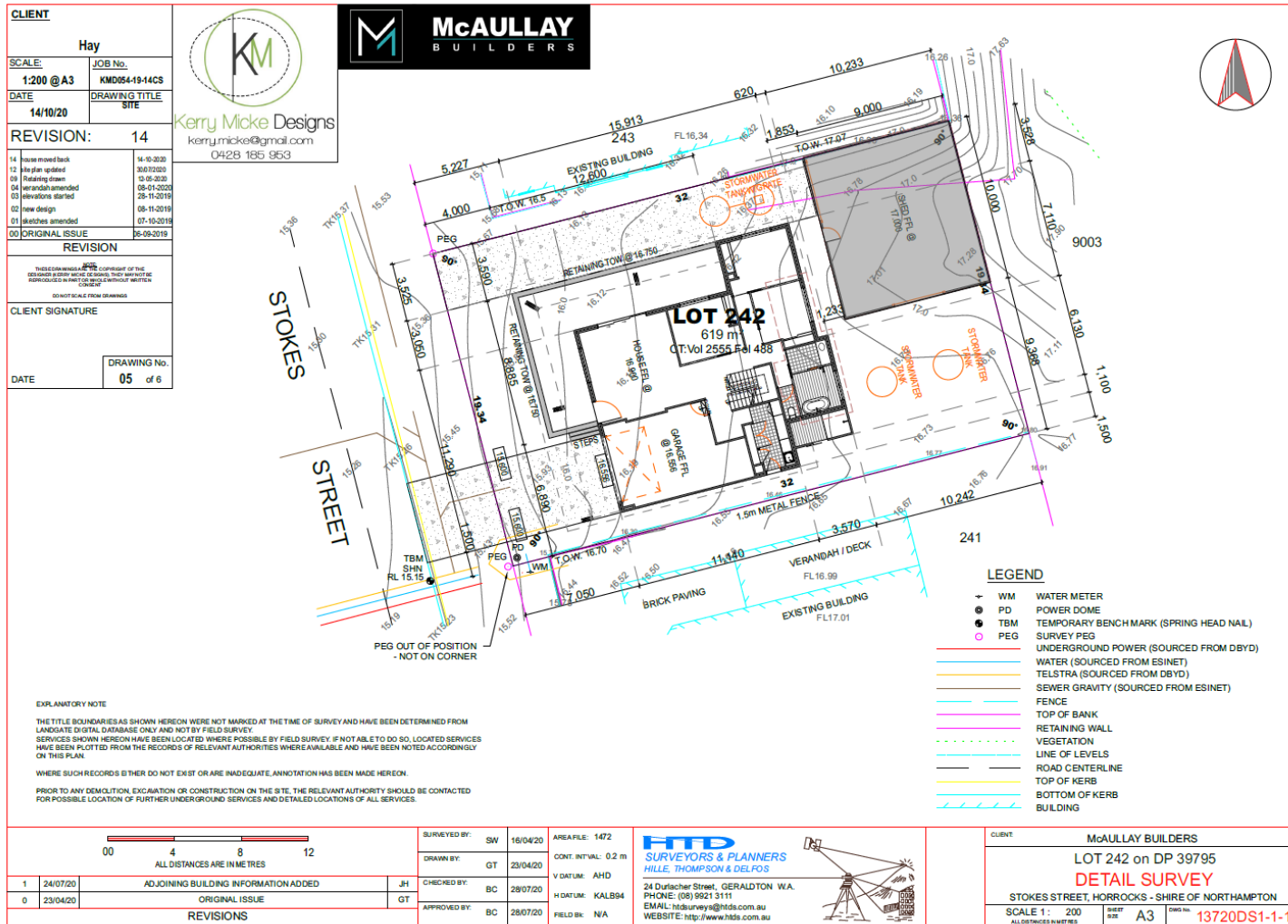


	 <p>Kerry Micke Designs kerry.micke@gmail.com 0428 186 953</p>	REVISION: 13	CLIENT
			Hay
			ADDRESS
			Lot 242 #28 Stokes St Horrocks
			CLIENT SIGNATURE
		JOB No. KMD054-19-13CS	
		DATE: 14/8/20	SCALE: 1:100 @ A3
		DRAWING TITLE: SHED PLANS	DRAWING No. 01 of 2

APPENDIX 2 – SUBMISSION TABLE

No	Date Received	Submitter	Submission Detail	Comment/Recommendation
1.	21/09/2020	Simon Mitchell & Debbie Munday	SUPPORT No additional comment	Submission noted
2.	30/09/2020	Bruce Brunton on behalf of CT, AG & AF Armstrong	OBJECTION <ol style="list-style-type: none"> 1. Reduced side boundary setback on the northern boundary; 2. Reduced privacy setback for a balcony or outdoor living area on the northern side; and 3. Nil setback to outbuilding on the northern side. 	<p>The impact of visual privacy has been assessed and it is considered that the proposed development does not afford maximum visual privacy to the northern (side) boundary. Therefore, it is recommended that the proposed dwelling design be modified to install screening measures along the first floor balcony together with installation of a dividing fence along this elevation. The setback implications of the dwelling could be addressed by moving the proposed structure further back on the lot.</p> <p>If the visual privacy, setback implications and building height can be appropriately modified and managed for both the single house and outbuilding, it should not affect the inhabitants of the locality or the likely future development of the locality and can therefore be approved</p> <p>Submission upheld in part</p>

APPENDIX 3 – AMENDED PLANS SINGLE HOUSE AND OUTBUILDING

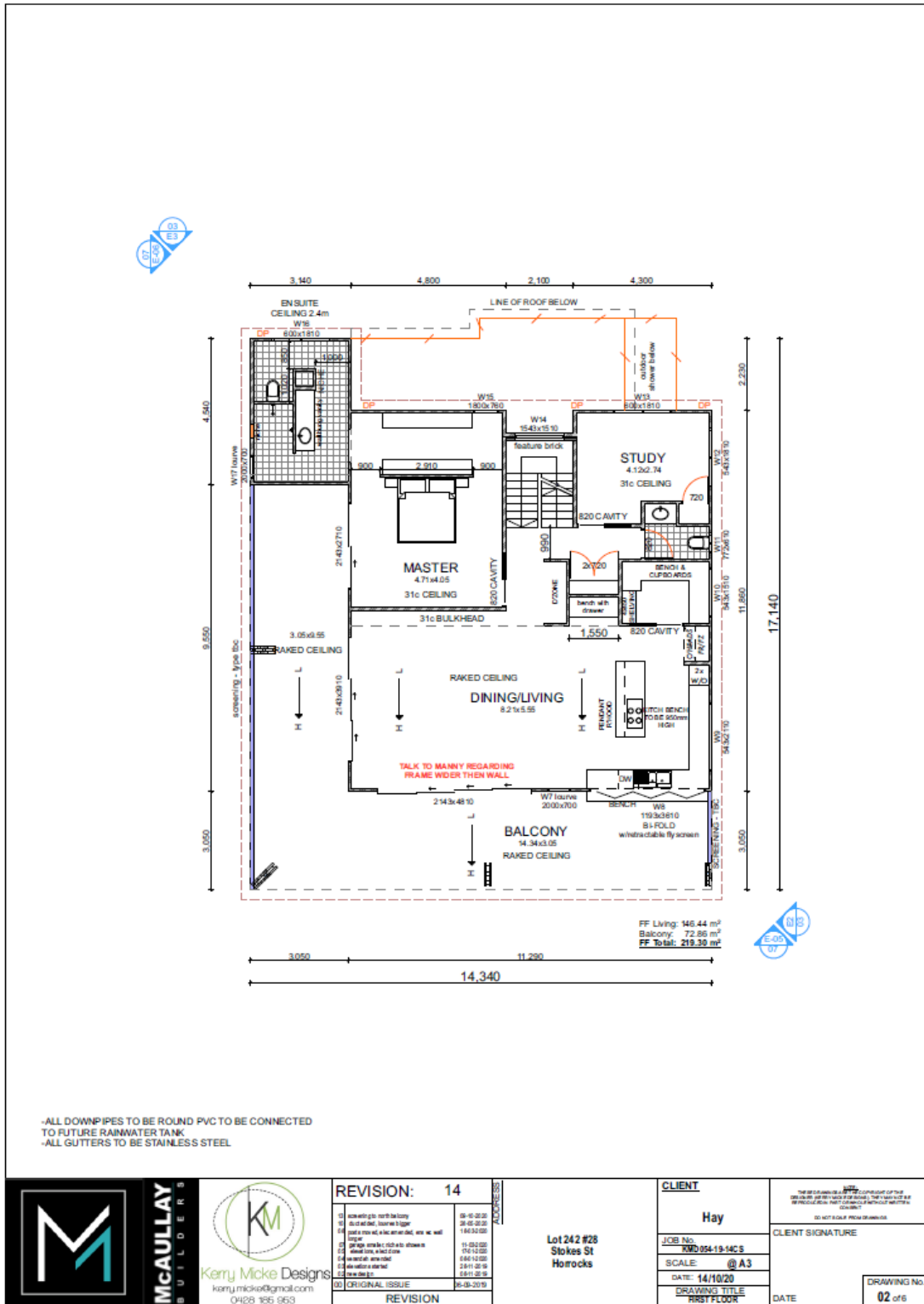


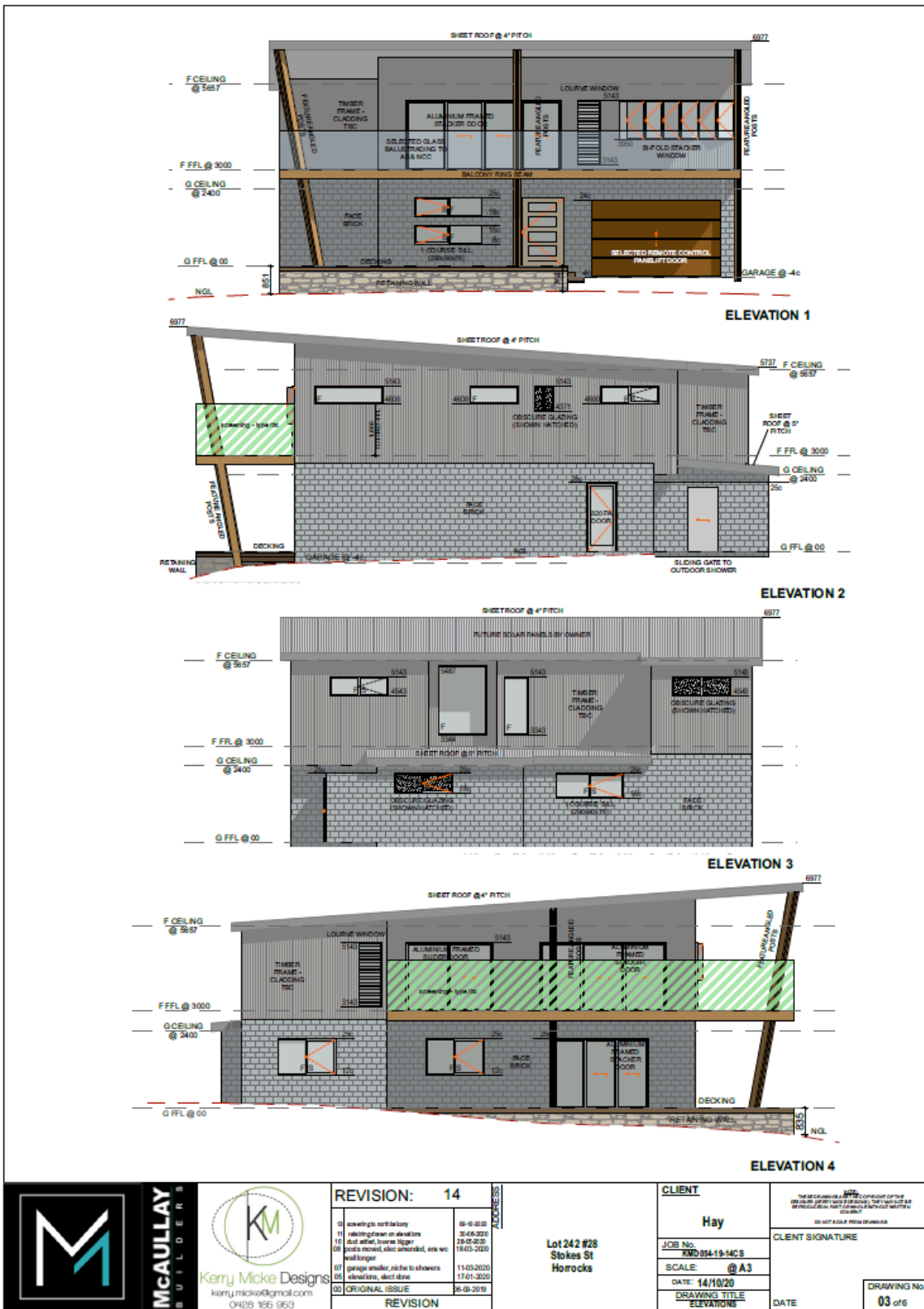




GROUND FLOOR

-ALL DOWNPIPES TO BE ROUND PVC TO BE CONNECTED TO FUTURE RAINWATER TANK
 -ALL GUTTERS TO BE STAINLESS STEEL

<p>McAULLAY BUILDERS</p>	<p>Kerry Mickle Designs kerry.mickle@gmail.com 0128 155 953</p>	<p>REVISION: 14</p> <table border="1"> <tr><td>10</td><td>add detail, bare floor</td><td>14-05-2020</td></tr> <tr><td>9</td><td>add detail, elec schedule, elec wall layout</td><td>04-05-2020</td></tr> <tr><td>8</td><td>add detail, rch detail, shower detail</td><td>11-05-2020</td></tr> <tr><td>7</td><td>add detail, window</td><td>17-01-2020</td></tr> <tr><td>6</td><td>add detail, window</td><td>03-01-2020</td></tr> <tr><td>5</td><td>add detail, window</td><td>28-11-2019</td></tr> <tr><td>4</td><td>add detail, window</td><td>28-11-2019</td></tr> <tr><td>3</td><td>add detail, window</td><td>28-11-2019</td></tr> <tr><td>2</td><td>add detail, window</td><td>28-11-2019</td></tr> <tr><td>1</td><td>add detail, window</td><td>28-11-2019</td></tr> </table>	10	add detail, bare floor	14-05-2020	9	add detail, elec schedule, elec wall layout	04-05-2020	8	add detail, rch detail, shower detail	11-05-2020	7	add detail, window	17-01-2020	6	add detail, window	03-01-2020	5	add detail, window	28-11-2019	4	add detail, window	28-11-2019	3	add detail, window	28-11-2019	2	add detail, window	28-11-2019	1	add detail, window	28-11-2019	<p>Lot 242 #28 Stokes St Horrocks</p>	<p>CLIENT Hay</p>	<p>DATE: 14/10/20 DRAWING TITLE: GROUND FLOOR</p>
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<p>ADDRESS: [Redacted]</p>	<p>JOB No. KMD-054-19-14C S</p> <p>SCALE: 1:100 @ A3</p>	<p>CLIENT SIGNATURE</p>	<p>DRAWING No. 01 of 6</p>																																





 <p>McAULLAY BUILDERS</p>	 <p>Kerry Micke Designs kerry.micke@gmail.com 0428 166 963</p>	<p>REVISION: 14</p> <table border="1"> <tr> <th>NO</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>01</td> <td>new edge to north bay</td> <td>08-10-2020</td> </tr> <tr> <td>02</td> <td>radiating glass on elevators</td> <td>30-06-2020</td> </tr> <tr> <td>03</td> <td>door detail, bronze finger</td> <td>28-05-2020</td> </tr> <tr> <td>04</td> <td>profile moved, elec amended, area wall longer</td> <td>18-03-2020</td> </tr> <tr> <td>05</td> <td>garage smaller, niche to showers elevations, elect done</td> <td>11-03-2020</td> </tr> <tr> <td>06</td> <td>ORIGINAL ISSUE</td> <td>06-09-2019</td> </tr> </table>	NO	DESCRIPTION	DATE	01	new edge to north bay	08-10-2020	02	radiating glass on elevators	30-06-2020	03	door detail, bronze finger	28-05-2020	04	profile moved, elec amended, area wall longer	18-03-2020	05	garage smaller, niche to showers elevations, elect done	11-03-2020	06	ORIGINAL ISSUE	06-09-2019	<p>Lot 242 #28 Stokes St Horrocks</p>	<p>CLIENT Hay</p> <p>JOB No. 000054-19-14C S SCALE @ A3 DATE: 14/10/20 DRAWING TITLE ELEVATIONS</p>	<p>DATE</p>	<p>DRAWING No. 03 of 6</p>
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<p>REVISION</p>		<p>CLIENT SIGNATURE</p>	<p>DATE</p>																								

7.4.1	ACCOUNTS FOR PAYMENT	2
7.4.2	MONTHLY FINANCIAL STATEMENTS – SEPTEMBER 2020	11

7.4.1 ACCOUNTS FOR PAYMENT

FILE REFERENCE:	1.1.1
DATE OF REPORT:	10th October 2020
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 16th October 2020, 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 7.4.1

That Municipal Fund Cheques 21967 to 21984 inclusive totalling \$89,602.70, Municipal EFT payments numbered EFT21164 to EFT21285 inclusive totalling \$446,350.68, Trust Fund Cheques 2549 to 2557, totalling \$3,928.49, Direct Debit payments numbered GJ0303 to GJ0312 inclusive totalling \$241,907.82 be passed for payment and the items therein be declared authorised expenditure.

SHIRE OF NORTHAMPTON
FINANCE REPORT – 16 OCTOBER 2020

MUNICIPAL FUND CHEQUES

Chq #	Date	Name	Description	Amount
21967	18-09-2020	TELSTRA	TELEPHONE CHARGES	2901.99
21968	18-09-2020	SYNERGY	ELECTRICITY CHARGES	16402.95
21969	10-09-2020	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	19228.86
21970	10-09-2020	GERALDTON MOWER & REPAIR SPEC	ROAD SAW WATER TANK	203.80
21971	10-09-2020	KLEENHEAT GAS	FACILITY FEE GAS	85.80
21972	10-09-2020	MCLEODS BARRISTERS & SOLICITORS	LEGAL FEES	6811.63
21973	10-09-2020	GERALDTON SHEDS N HOMES	NCCA STORAGE SHED	3610.00
21974	10-09-2020	COLLEEN DRAGE	REFUND RSL HALL FEES	200.00
21975	11-09-2020	C & J DAWE	REFUND HOUSING BOND	5000.00
21976	15-09-2020	PETTY CASH - NORTHAMPTON	PETTY CASH RECOUP	175.55
21977		Cancelled		
21978	16-09-2020	RIGHT 4 THE ROAD	ANNUAL INSPECTION NTON BUS	194.85
21979	23-09-2020	TELSTRA	TELEPHONE CHARGES	774.88
21980	23-09-2020	SYNERGY	ELECTRICITY CHARGES	14359.38
21981	23-09-2020	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	3607.56
21982	23-09-2020	KLEENHEAT GAS	GAS	85.80
21983	29-09-2020	RIGHT 4 THE ROAD	ANNUAL INSPECTION KALBARRI BUS	194.85
21984	30-09-2020	SHIRE OF NORTHAMPTON	VEHICLE LICENSING SEPTMEBER 2021	15764.80
				\$89,602.70

ELECTRONIC FUND TRANSFERS – MUNICIPAL ACCOUNT

EFT #	Date	Name	Description	Amount
EFT21164	08-09-2020	HAYLEY R WILLIAMS DEVISE URBAN PLANNING	PLANNING SERVICES	4290.00
EFT21165	04-09-2020	SIMPLE LIFE PROJECTS	JAKES TOILETS CLAIM 2	48700.82
EFT21166	10-09-2020	ABCO PRODUCTS PTY LTD	SOAP DISPENSERS	225.19
EFT21167	10-09-2020	AW CRAGAN & ALLCAPRI PTY LTD	BOBCAT HIRE VARIOUS	1744.82
EFT21168	10-09-2020	ALL CLEANING AND MAINTENANCE	SALAMIT RES REPLACE FENCE	3052.50
EFT21169	10-09-2020	ANGIES CAFE	REFRESHMENTS	330.00
EFT21170	10-09-2020	BORAL CONSTRUCTION MATERIALS GROUP LIMITED	CRACKER DUST	382.10
EFT21171	10-09-2020	CAT WEST PTY LTD	GREY ST DUP/RED BLUFF WATER ASPHALT	25927.14
EFT21172	10-09-2020	CHAPMAN ANIMAL HOSPITAL	STERILISATION SUBSIDY	20.00
EFT21173	10-09-2020	CLAW ENVIRONMENTAL	DRUMMUSTER	4555.93
EFT21174	10-09-2020	CLEANAWAY OPERATIONS PTY LTD	RES/COMM REFUSE COLLECTION, SITE MTCE	45855.96
EFT21175	10-09-2020	COASTAL PLUMBING AND GAS FITTING	KAL DEPOT TEST WATER METER	231.00
EFT21176	10-09-2020	BOC GASES AUSTRALIA	INDUSTRY GASES	73.93
EFT21177	10-09-2020	WINC AUSTRALIA PTY LTD	P/COPIER MTCE	423.54
EFT21178	10-09-2020	TOLL TRANSPORT PTY LTD	FREIGHT	616.45
EFT21179	10-09-2020	DEPARTMENT OF TRANSPORT	KAL FSHORE WATER REIMBURSEMENT	128.91
EFT21180	10-09-2020	GARY DUNGATE	DUP PAVING REPAIRS	2002.00
EFT21181	10-09-2020	ECO-FLORA CRANE, TRUCK & EXCAVATOR SERVICES	KALBARRI MURCHISON HOUSE ACCESS RD MAINT GRADE	960.00
EFT21182	10-09-2020	ENVIRONMENTAL HEALTH AUSTRALIA (NEW SOUTH WALES) INCORPORATED	20/21 I'M ALERT SUBSCRIPTION	330.00
EFT21183	10-09-2020	FENN PLUMBING & GAS	JAKES ABLUTION/PEET PK PLUMBING	10120.00
EFT21184	10-09-2020	FIVE STAR BUSINESS EQUIPMENT AND COMMUNICATIONS	PHOTOCOPIER COUNT/MTCE	386.82
EFT21185	10-09-2020	FORPARK AUSTRALIA	HORROCKS PLAYGROUND - ROCKER	1194.93

SHIRE OF NORTHAMPTON
FINANCE REPORT – 16 OCTOBER 2020

EFT #	Date	Name	Description	Amount
EFT21186	10-09-2020	FREEMANS LIQUID WASTE PTY LTD	BINNU/OLD POLICE ST PUMP SEPTICS	4050.00
EFT21187	10-09-2020	GANTHEAUME BAY ELECTRICAL	CLOTWORTHY EXCAVATOR HIRE	550.00
EFT21188	10-09-2020	ATOM GERALDTON	SAFETY GLASSES	257.27
EFT21189	10-09-2020	GERALDTON & MIDWEST SECURITY SERVICES	SECURITY SYSTEM - QUARTER	394.28
EFT21190	10-09-2020	GERALDTON AUTO WHOLESALERS	PARTS	203.10
EFT21191	10-09-2020	GERALDTON AIR COMPRESSORS	NTON/KALB AIR COMPRESSOR TESTING	1155.00
EFT21192	10-09-2020	THE GREEN MAN TREE SERVICES	NTON OVAL TREE BRANCH REMOVAL	825.00
EFT21193	10-09-2020	GUARDIAN PRINT & GRAPHICS	RESIDENTS BROCHURE 20/21	2195.00
EFT21194	10-09-2020	HASLEBYS HARDWARE SUPPLIES	NCCA KEY CUTTING	15.00
EFT21195	10-09-2020	HANSON PLUMBING & GAS	FITZG HOUSE REPLACE DRAINS/OTHER PLUMB	6532.06
EFT21196	10-09-2020	JR & A HERSEY PTY LTD	PROTECTIVE CLOTHING	376.31
EFT21197	10-09-2020	HORROCKS BEACH CARAVAN PARK	REFUND TP APPLICATION FEE	241.00
EFT21198	10-09-2020	HOSEXPRESS	LOADER HOSE	220.37
EFT21199	10-09-2020	JCB CONSTRUCTION EQUIPMENT AUST (CFC, CEA, JCB)	LOADER PARTS	894.40
EFT21200	10-09-2020	KALBARRI EXPRESS FREIGHT	FREIGHT	133.10
EFT21201	10-09-2020	KALBARRI WAREHOUSE	NPK, POTTINGMIX, PEAT, MANURE, RETIC	710.30
EFT21202	10-09-2020	KALBARRI NEWSAGENCY	STATIONERY	29.90
EFT21203	10-09-2020	KALBARRI REFRIG & AIRCOND SERVICES	NCC REPAIR FREEZER	1828.16
EFT21204	10-09-2020	KALBARRI GRAVEL & SAND SUPPLIES	TRANSPORT GENSETS/GRAVEL SUPPLIES	935.00
EFT21205	10-09-2020	KALBARRI PROPERTY CARE	KCC REPAIR FLYSCREENS	271.70
EFT21206	10-09-2020	KOMATSU AUSTRALIA PTY LTD	PARTS	2259.32
EFT21207	10-09-2020	KALBARRI PEST CONTROL	VISUAL TERMITE INSP/ PEST CONTROL	810.00
EFT21208	10-09-2020	STATE LIBRARY OF WA	BETTER BEGINNINGS PROGRAM 20/21	170.50
EFT21209	10-09-2020	LIGHTBASE PTY LTD	NTON OVAL LIGHTS RELAMP & CLEAN	24475.00
EFT21210	10-09-2020	MELBOURNE BBQ CENTRE PTY LTD	HORROCKS BBQ ELEMENT	269.50
EFT21211	10-09-2020	LGRCEU	PAYROLL DEDUCTIONS	205.00
EFT21212	10-09-2020	GERALDTON TOYOTA	VEHICLE SERVICE	1023.73



SHIRE OF NORTHAMPTON
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EFT #	Date	Name	Description	Amount
EFT21213	10-09-2020	SHIRE OF MINGENEW	VELPIC ONLINE TRAINING PLATFORM	513.33
EFT21214	10-09-2020	MODERN TEACHING AIDS PTY LTD	NCCA CLEANING GOODS	285.90
EFT21215	10-09-2020	MIDWEST SOLAR POWER	NCC SOLAR PANEL INSTALLATION	22000.00
EFT21216	10-09-2020	NAPA	GOODS	349.43
EFT21217	10-09-2020	NORTHAMPTON IGA	GOODS	38.16
EFT21218	10-09-2020	NORTHAMPTON NEWSAGENCY	STATIONERY, NEWSPAPERS	550.50
EFT21219	10-09-2020	NORTHAMPTON TOURIST ASSOCIATION INC.	DONATION AUSTRALIA DAY 2021	500.00
EFT21220	10-09-2020	NORTHAMPTON FAMILY STORE	UNIFORMS	683.29
EFT21221	10-09-2020	GERALDTON CLEANPAK TOTAL SOLUTIONS	20L SENTINEL	98.07
EFT21222	10-09-2020	RAC BUSINESSWISE	BUSINESSWISE ASSIST	742.00
EFT21223	10-09-2020	SPORT AND RECREATION SURFACES PTY LTD	KAL ACRYLIC SPORTS SURFACES TREATMENT	12196.80
EFT21224	10-09-2020	STAR TRACK EXPRESS	FREIGHT	407.60
EFT21225	10-09-2020	2V NET IT SOLUTIONS	COMPTER MTCE	574.00
EFT21226	10-09-2020	DATATRAX PTY LTD	TOUCHSCREEN QUARTER	395.00
EFT21227	10-09-2020	LANDGATE	VALUATION EXPENSES	540.27
EFT21228	10-09-2020	IT VISION	COMPUTER EXPENSES SYNERGYSOFT	275.00
EFT21229	10-09-2020	WESTRAC EQUIPMENT PTY LTD	GRADER PARTS	535.45
EFT21230	10-09-2020	NORTHAMPTON TYRES	SUPPLY 1 TYRE/BALANCE, REPAIR	760.00
EFT21231	10-09-2020	WORK HEALTH PROFESSIONALS	DRUG & ALCOHOL TESTING	2480.50
EFT21232	10-09-2020	WURTH AUSTRALIA PTY LTD	PLANT REPAIRS	286.30
EFT21233	16-09-2020	AUSTRALIAN TAXATION OFFICE	BAS AUGUST 2020	22166.00
EFT21234	16-09-2020	FLICK ANTICIMEX PTY LTD	SANITARY SERVICE	8994.70
EFT21235	16-09-2020	WEIRDO'S CARPENTRY & MAINTENANCE	CHINAMANS TOILET BLOCK REROOF	7550.00
EFT21236	17-09-2020	GLENN BANGAY	REIMB TELEPHONE/INTERNET	47.97
EFT21237	23-09-2020	KALBARRI IGA	GOODS, REFRESHMENTS	182.08
EFT21238	23-09-2020	AUSTRALIA POST	POSTAGE	2510.72
EFT21239	23-09-2020	BATAVIA TIMBER & SALVAGE	HORROCKS JETTY DECK TIMBER	100.00



SHIRE OF NORTHAMPTON
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EFT #	Date	Name	Description	Amount
EFT21240	23-09-2020	RUSSELL JOHN BROMLEY	NTON BOWLING CLUB PAINT EXTERIOR	4400.00
EFT21241	23-09-2020	SAMANTHA CALDWELL	NCCA FIRST AID TRAINING COURSES	398.00
EFT21242	23-09-2020	JUPPS CARPETS & CERAMICS PTY LTD	CALLION RES INSTALL BLINDS	3450.00
EFT21243	23-09-2020	CAT WEST PTY LTD	PREMIX EMULSION NPTN AND KAL	1988.80
EFT21244	23-09-2020	CLEANAWAY OPERATIONS PTY LTD	RES/COMM REFUSE COLLECTION, SITE MTCE	37688.77
EFT21245	23-09-2020	COASTAL ELECTRICAL & SOLAR	KALBARRI OVAL SWITCH FAULT PARTS	860.70
EFT21246	23-09-2020	CONCEPT MEDIA PTY LTD	KVC HAVE A GO NEWS	517.97
EFT21247	23-09-2020	TOLL TRANSPORT PTY LTD	SLWA FREIGHT	155.17
EFT21248	23-09-2020	HAYLEY R WILLIAMS DEVISE URBAN PLANNING	PLANNING SERVICES	4290.00
EFT21249	23-09-2020	ENGIN PTY LTD	ENGIN CHARGES	290.78
EFT21250	23-09-2020	FENN PLUMBING & GAS	PEET PARK FIX BBQ	297.00
EFT21251	23-09-2020	FIVE STAR BUSINESS EQUIPMENT AND COMMUNICATIONS	PHOTOCOPIER COUNT/MTCE	391.69
EFT21252	23-09-2020	GERALDTON COMMERCIAL LAWYERS	RATE REFUND ESTATE	6305.05
EFT21253	23-09-2020	GERALDTON LOCK & KEY SPECIALISTS	KEYS	33.00
EFT21254	23-09-2020	GERALDTON & MIDWEST SECURITY SERVICES	SECURITY SYSTEM - QUARTER	197.14
EFT21255	23-09-2020	GERALDTON FUEL COMPANY PTY LTD	FUEL CARD PURCHASES	692.67
EFT21256	23-09-2020	GHS SOLUTIONS	HORROCKS JETTY REPAIRS	11664.40
EFT21257	23-09-2020	GREAT SOUTHERN FUEL SUPPLY	DEPOTS FUEL, FUEL CARDS	16522.00
EFT21258	23-09-2020	PETER GROOM SETTLEMENTS	TITLES APPLIC LOTS 20,21& 9502 MIT ST HKS	178.20
EFT21259	23-09-2020	HASLEBYS HARDWARE SUPPLIES	SIGNS, HARDWARE	1054.34
EFT21260	23-09-2020	KALBARRI EXPRESS FREIGHT	FREIGHT	72.60
EFT21261	23-09-2020	KALBARRI WAREHOUSE	DEGREASER, HARDWARE	454.15
EFT21262	23-09-2020	KALBARRI CARRIERS	FREIGHT	63.26
EFT21263	23-09-2020	KALBARRI GRAVEL & SAND SUPPLIES	KALBARRI - GRAVEL CARTAGE	17600.00
EFT21264	23-09-2020	KOMATSU AUSTRALIA PTY LTD	PLANT PARTS	733.62

SHIRE OF NORTHAMPTON
FINANCE REPORT – 16 OCTOBER 2020

EFT #	Date	Name	Description	Amount
EFT21265	23-09-2020	LGISWA	PROPERTY INSURANCE (RSL)	520.59
EFT21266	23-09-2020	M A ELECTRICAL	KAL AIRPORT ELECTRICAL GENSETS, PALC	8238.45
EFT21267	23-09-2020	LGRCEU	PAYROLL DEDUCTIONS	102.50
EFT21268	23-09-2020	M L COMMUNICATIONS	BINNU VHF REPEATER REPAIR FAULT	389.84
EFT21269	23-09-2020	NAPA	PLANT PARTS	1003.20
EFT21270	23-09-2020	NORTHAMPTON COMMUNITY CENTRE	SPORTS ADMINISTRATION	650.00
EFT21271	23-09-2020	NORTHAMPTON AUTO ELECTRICS	VARIOUS PLANT AUTO ELECTRICAL MTCE	761.30
EFT21272	23-09-2020	NOVUS WINDSCREENS GERALDTON	GRADER TOP DOOR GLASS	1162.00
EFT21273	23-09-2020	PEMCO DIESEL PTY LTD	PLANT PARTS	112.53
EFT21274	23-09-2020	PURCHER INTERNATIONAL	PLANT PARTS	72.94
EFT21275	23-09-2020	ROAD RUNNER MECHANICAL SERVICES	TRUCK PARTS AND REPAIRS	646.51
EFT21276	23-09-2020	STAR TRACK EXPRESS	FREIGHT	5.27
EFT21277	23-09-2020	2V NET IT SOLUTIONS	NTON/KAL OFFICE SERVER PORT SWITCHES	3614.00
EFT21278	23-09-2020	IT VISION	MAPPING UPDATE	550.00
EFT21279	23-09-2020	WESTRAC EQUIPMENT PTY LTD	GRADER PARTS	8100.92
EFT21280	23-09-2020	WA LOCAL GOVERNMENT ASSOC (WALGA)	LG WEEK	270.00
EFT21281	23-09-2020	NORTHAMPTON TYRES	SUPPLY AND FIT 9 TYRES, TUBE	4410.00
EFT21282	23-09-2020	CT & L WOODCOCK & SON PTY LTD	FERTILISERS, HKS GARDENSHED, HARDWARE	14021.80
EFT21283	25-09-2020	DPT. OF WATER & ENVIRONMENT REGULATION	RENEW LICENCE NTON REFUSE SITE	1218.00
EFT21284	25-09-2020	JAGS FLOOR COVERING PTY LTD	RSL INSTALL BLINDS	999.06
EFT21285	29-09-2020	SIMON DRAGE	NCC/NTON REFUSE SITE MTCE	857.35
				\$446,350.68

TRUST FUND CHEQUES

Chq #	Date	Name	Description	Amount
2549	02-09-2020	NORTHAMPTON FOOTBALL CLUB	REFUND NTON COMMUNITY BUS BOND	200.00
2550	10-09-2020	DEPT FOR PLANNING & INFRASTRUCTURE	SPECIAL SERIES PLATES 64NR	200.00
2551	16-09-2020	SENIOR RECREATION COUNCIL NPTON	REFUND COMMUNITY BUS BOND	200.00
2552	16-09-2020	FLETCHER WILLIAMS	REFUND COMMUNITY BUS BOND	200.00
2553	16-09-2020	DEPT OF MINES INDUSTRY REG & SAFETY	BRB AUGUST 2020	1449.74
2554	16-09-2020	SHIRE OF NORTHAMPTON	BRB COMMISSION AUGUST 2020	60.00
2555	16-09-2020	BUILDING AND CONSTRUCTION INDUSTRY	BCTIF AUGUST 2020	1394.00
2556	16-09-2020	SHIRE OF NORTHAMPTON	BCTIF COMMISSION AUG 2020	24.75
2557	29-09-2020	DPT FOR PLANNING & INFRASTRUCTURE	SPECIAL SERIES PLATES 47NR	200.00
				\$3,928.49

SHIRE OF NORTHAMPTON
FINANCE REPORT – 16 OCTOBER 2020

DIRECT DEBITS

Jnl #	Date	Name	Description	Amount
	03-09-2020	PAYROLL	FN/E 02/09/2020	88970.00
	08-09-2020	SUPERCHOICE	SUPERANNUATION FN/E 02/09/2020	21130.71
	17-09-2020	PAYROLL	FN/E 16/09/2020	90819.00
	18-09-2020	SUPERCHOICE	SUPERANNUATION FN/E 16/09/2020	21741.52
GJ0303	30-09-2020	NATIONAL AUSTRALIA BANK	BANK FEES	122.33
GJ0304	30-09-2020	NATIONAL AUSTRALIA BANK	MERCHANT FEES	255.85
GJ0305	30-09-2020	COMMONWEALTH BANK	BPOINT FEES	57.42
GJ0306	30-09-2020	NATIONAL AUSTRALIA BANK	BPAY	792.96
GJ0308	30-09-2020	NAB CEO CORPORATE CARD	BANK CHARGES	9.00
			REFRESHMENTS	36.00
			FUEL NR1	141.00
			MEMBER FUEL	74.37
GJ0309	30-09-2020	NAB DCEO CORPORATE CARD	BANK CHARGES	9.00
			NCCA IINET	83.50
			KAL CHILD CARE IINET	80.44
			2V NET COMPUTER EXPS OFFICE 365	466.29
			MOBILE PHONE	39.00
GJ0311	30-09-2020	NATIONAL AUSTRALIA BANK	LOAN 152 PRINCIPAL 7SEPT20	9235.83
GJ0312	30-09-2020	NATIONAL AUSTRALIA BANK	LOAN 152 INTEREST 7SEPT20	7843.60
				\$241,907.82

7.4.2 MONTHLY FINANCIAL STATEMENTS – SEPTEMBER 2020

FILE REFERENCE:	1.1.1
DATE OF REPORT:	10 th October 2020
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton
APPENDICES:	Monthly Financial Report for September 2020

SUMMARY

Council to adopt the monthly financial reports as presented.

BACKGROUND:

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

The Monthly Statements of Financial Activity for the period ending 30 September 2020 are detailed from page 1 to page 26 per the attached Monthly Financial Report.

FINANCIAL & BUDGET IMPLICATIONS:

The 30 September 2020 financial position is comprised of the following:

Total operating revenue has a positive variance of \$308,962 and operating expenditure has a positive variance of \$177,574. The additional revenue and expenditure can be attributed to a variance between budget profiles and the actual revenue and income transacted to the end of September 2020. It is not anticipated that there will be any major revenue or expenditure variations this financial year.

Investing and Financing variances will reconcile as the year progresses with no major variances anticipated.

Further explanations of material variations are detailed by reporting program in Note 15 of the Monthly Financial Report.

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 7.4.2

That Council adopts the draft Monthly Financial Report for the period ending 30 September 2020.

SHIRE OF NORTHAMPTON
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 September 2020

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

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**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

SUMMARY INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 September 2020

BASIS OF PREPARATION

REPORT PURPOSE

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

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities and to the extent they are not inconsistent with the *Local Government Act 1995* and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 14.

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

SUMMARY INFORMATION - GRAPHS



Please refer to the compilation report

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

KEY TERMS AND DESCRIPTIONS	ACTIVITIES
<p>GOVERNANCE To provide a decision making process for the efficient allocation of scarce resources.</p>	<p>Includes the activities of members of council and the administrative support available to the Council for the provision of governance of the district.</p>
<p>GENERAL PURPOSE FUNDING To collect revenue to allow for the provision of services.</p>	<p>Rates, general purpose government grants and interest revenue.</p>
<p>LAW, ORDER, PUBLIC SAFETY To provide services to help ensure a safer and environmentally conscious community.</p>	<p>Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.</p>
<p>HEALTH To provide an operational framework for environmental and community health.</p>	<p>Inspection of food outlets and their control, administration of health local laws and maintenance</p>
<p>EDUCATION AND WELFARE To provide services to disadvantaged persons, the elderly, children and youth.</p>	<p>Maintenance of child minding centre's, operational costs associated with the Northampton Child Care Association and Kalbarri Aged Care Housing maintenance.</p>
<p>HOUSING To provide and maintain shire housing.</p>	<p>Provision and maintenance of shire housing.</p>
<p>COMMUNITY AMENITIES To provide services required by the community.</p>	<p>Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.</p>
<p>RECREATION AND CULTURE To establish and effectively manage infrastructure and resource which will help the social wellbeing of the community.</p>	<p>Maintenance of public halls and buildings, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, other cultural facilities.</p>
<p>TRANSPORT To provide safe, effective and efficient transport services to the community.</p>	<p>Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.</p>
<p>ECONOMIC SERVICES To help promote the shire and its economic wellbeing.</p>	<p>Tourism and area promotion including the maintenance and operation of camping facilities. Provision of Building Services and Port Gregory Water Supply.</p>
<p>OTHER PROPERTY AND SERVICES To monitor and control Shire's overhead operating accounts.</p>	<p>Private works operation, plant repair and operation costs and engineering operation costs.</p>

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	1,815,811	1,815,811	1,815,811	0	0.00%	
Revenue from operating activities							
Governance		81,900	17,346	48,684	31,338	180.66%	▲
General purpose funding	6	6,082,050	5,017,893	5,119,973	102,080	2.03%	▲
Law, order and public safety		75,621	18,894	2,174	(16,720)	(88.49%)	▼
Health		34,612	8,649	12,050	3,401	39.32%	
Education and welfare		216,658	54,156	123,809	69,653	128.62%	▲
Housing		77,836	19,455	19,227	(228)	(1.17%)	
Community amenities		868,847	759,786	768,860	9,074	1.19%	▲
Recreation and culture		30,065	7,509	20,461	12,952	172.49%	▲
Transport		233,646	178,648	228,215	49,567	27.75%	▲
Economic services		184,965	87,609	133,117	45,508	51.94%	▲
Other property and services		142,293	35,565	37,903	2,338	6.57%	
		8,028,493	6,205,510	6,514,472	308,962		▲
Expenditure from operating activities							
Governance		(857,374)	(218,402)	(221,077)	(2,675)	(1.22%)	
General purpose funding		(279,797)	(69,939)	(86,592)	(16,653)	(23.81%)	▼
Law, order and public safety		(364,629)	(91,085)	(106,284)	(15,199)	(16.69%)	▼
Health		(225,918)	(56,454)	(43,304)	13,150	23.29%	▲
Education and welfare		(265,537)	(66,357)	(62,856)	3,501	5.28%	
Housing		(77,979)	(19,443)	(21,116)	(1,673)	(8.60%)	
Community amenities		(1,621,783)	(405,279)	(355,351)	49,928	12.32%	▲
Recreation and culture		(1,754,968)	(438,507)	(402,416)	36,091	8.23%	▲
Transport		(3,756,978)	(939,204)	(877,938)	61,266	6.52%	▲
Economic services		(303,696)	(75,879)	(118,163)	(42,284)	(55.73%)	▼
Other property and services		(39,293)	(9,792)	82,330	92,122	940.79%	▲
		(9,547,952)	(2,390,341)	(2,212,767)	177,574		▲
Non-cash amounts excluded from operating activities	1(a)	2,190,000	571,859	544,025	(27,834)	(4.87%)	▼
Amount attributable to operating activities		670,541	4,387,028	4,845,730	458,702		▲
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions	13	682,484	611,589	91,600	(519,889)	(85.02%)	▼
Proceeds from disposal of assets	7	206,000	51,498	89,000	37,502	72.82%	
Proceeds from self supporting loans	9	34,126	10,755	7,487	(3,268)	(30.38%)	
Purchase of property, plant and equipment	8	(3,263,345)	(533,548)	(540,140)	(6,592)	(1.24%)	▼
Amount attributable to investing activities		(2,340,735)	140,294	(352,052)	(492,346)		
Financing Activities							
Transfer from reserves	10	100,000	16,667	100,000	83,333	500.00%	▲
Repayment of debentures	9	(190,417)	(31,736)	(37,910)	(6,174)	(19.45%)	▼
Transfer to reserves	10	(55,200)	(9,200)	(36,016)	(26,816)	(291.48%)	▼
Amount attributable to financing activities		(145,617)	(24,270)	26,074	50,343		▲
Closing funding surplus / (deficit)	1(c)	0	6,318,864	6,335,563			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to Note threshold. Refer to Note 15 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020-21 year is \$5,000 or 0.00% whichever is the greater.

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

Please refer to the compilation report

SHIRE OF NORTHAMPTON | 5

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

GRANT REVENUE

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

Assets that were acquired for consideration that was less than fair value principally to enable the Shire to further its objectives may have been measured on initial recognition under other Australian Accounting Standards at a cost that was significance less than fair value. Such assets are not required to be remeasured at fair value.

Volunteer Services in relation have not been recognised in revenue and expenditure as the fair value of the services cannot be reliably estimated and the services would not have been purchased if they had not been donated.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

EXPENSES

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

BY NATURE OR TYPE

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	1,815,811	1,815,811	1,815,811	0	0.00%	
Revenue from operating activities							
Rates	6	4,720,586	4,682,336	4,718,611	36,275	0.77%	▲
Operating grants, subsidies and contributions	12	2,000,206	627,076	835,358	208,282	33.21%	▲
Fees and charges		1,174,701	886,599	856,641	(29,958)	(3.38%)	▼
Interest earnings		82,500	21,249	9,065	(12,184)	(57.34%)	▼
Other revenue		0	0	45,682	45,682	0.00%	
Profit on disposal of assets	7	50,500	(11,750)	49,116	60,866	(518.01%)	
		8,028,493	6,205,510	6,514,472	308,962		▲
Expenditure from operating activities							
Employee costs		(3,675,853)	(918,768)	(845,396)	73,372	7.99%	▲
Materials and contracts		(2,513,572)	(628,116)	(380,218)	247,898	39.47%	▲
Utility charges		(346,790)	(86,634)	(55,671)	30,963	35.74%	▲
Depreciation on non-current assets		(2,240,500)	(560,109)	(593,141)	(33,032)	(5.90%)	▼
Interest expenses		(68,476)	(17,112)	(17,602)	(490)	(2.86%)	
Insurance expenses		(198,215)	(49,431)	(137,093)	(87,662)	(177.34%)	▼
Other expenditure		(504,546)	(130,171)	(183,648)	(53,477)	(41.08%)	▼
		(9,547,952)	(2,390,341)	(2,212,767)	177,574		▲
Non-cash amounts excluded from operating activities	1(a)	2,190,000	571,859	544,025	(27,834)	(4.87%)	▼
Amount attributable to operating activities		670,541	4,387,028	4,845,730	458,702		▲
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	13	682,484	611,589	91,600	(519,989)	(85.02%)	▼
Proceeds from disposal of assets	7	206,000	51,498	89,000	17,502	72.82%	▲
Proceeds from self-supporting loans	9	34,126	10,755	7,487	(3,268)	(30.38%)	
Payments for property, plant and equipment	8	(3,263,345)	(533,548)	(540,140)	(6,592)	1.24%	▼
Amount attributable to investing activities		(2,340,735)	140,294	(352,052)	(492,346)		
Financing Activities							
Transfer from reserves	10	100,000	16,667	100,000	83,333	500.00%	▲
Repayment of debentures	9	(190,417)	(31,736)	(37,910)	(6,174)	(19.45%)	▼
Transfer to reserves	10	(55,200)	(9,200)	(36,016)	(26,816)	(291.48%)	▼
Amount attributable to financing activities		(145,617)	(24,270)	26,074	50,343		
Closing funding surplus / (deficit)	1(c)	0	6,318,864	6,335,563			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 15 for an explanation of the reasons for the variance.

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

NOTE 1
STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Budget	YTD Actual (b)
Non-cash items excluded from operating activities				
		\$	\$	\$
Adjustments to operating activities				
Add/Deduct: Profit/Loss on asset disposals	7	(50,500)	11,750	(49,116)
Add: Depreciation on assets		2,240,500	560,109	593,141
Total non-cash items excluded from operating activities		2,190,000	571,859	544,025

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2020	This Year Opening 1 July 2020	Year to Date 30 September 2020
Adjustments to net current assets				
Less: Reserves - restricted cash	10	(965,039)	(965,039)	(901,055)
Less: Land Held for Resale		(235,000)	(235,000)	(235,000)
Add/Less: Adjustments				52,403
Add: Borrowings	9	190,417	190,417	152,507
Add: Provisions - Employee	11	735,158	735,158	787,109
Add: Movement in Provisions		22,806	22,806	0
Total adjustments to net current assets		(251,658)	(251,658)	(144,037)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	2,753,441	2,753,441	4,345,695
Rates receivables	3	325,425	325,425	2,581,557
Receivables	3	121,347	121,347	341,632
Other current assets	4	244,514	244,514	280,150
Less: Current liabilities				
Payables	5	(436,357)	(436,357)	(114,492)
Borrowings	9	(190,417)	(190,417)	(152,507)
Contract liabilities	11	(15,326)	(15,326)	(15,326)
Provisions	11	(735,158)	(735,158)	(787,109)
Less: Total adjustments to net current assets	1(b)	(251,658)	(251,658)	(144,037)
Closing funding surplus / (deficit)		1,815,811	1,815,811	6,335,564

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on hand								
Cash Deposits	Municipal	2,427,136		2,427,136		NAB		At call
Petty Cash	Cash on Hand	1,450		1,450				
Investment	Reserves	0	901,056	901,056		NAB	0.70%	02/03/2021
Cash Deposits	Trust	0	47,144	47,144	47,144	NAB		At Call
Retention	Term Deposit	16,053		16,053		NAB	1.47%	14/10/2020
Investment	Term Deposit	1,000,000		1,000,000		NAB	0.67%	22/03/2021
Total		3,444,640	948,200	4,392,840	47,144			
Comprising								
Cash and cash equivalents		3,444,640	948,200	4,392,840	47,144			
		3,444,640	948,200	4,392,840	47,144			

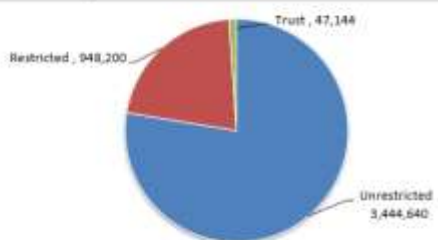
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Total Cash	Unrestricted
\$4.39 M	\$3.44 M

OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

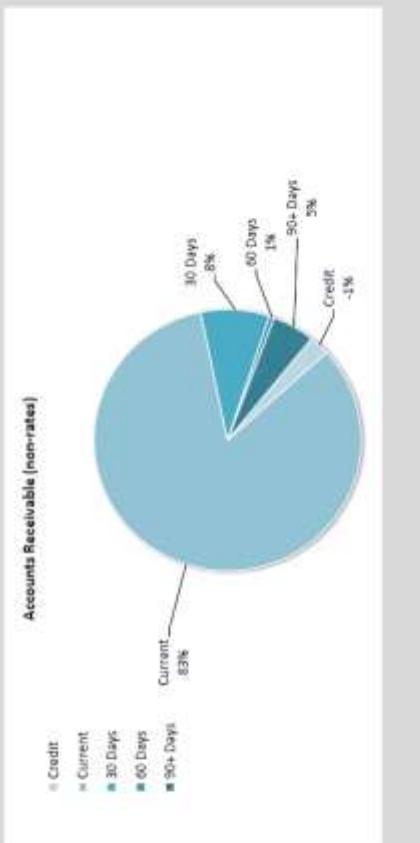
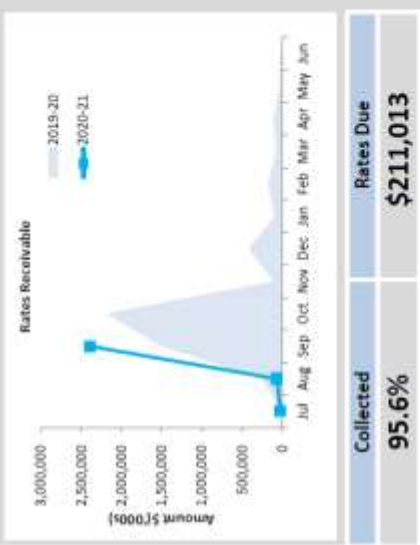
Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
Receivables - general	\$ (2,456)	\$ 83,184	\$ 8,329	\$ 594	\$ 5,121	\$ 94,772
Percentage	(2.6%)	87.8%	8.6%	0.6%	5.4%	
Balance per trial balance						
Sundry receivable	(2,456)	83,184	8,329	594	5,121	94,772
GST receivable						34,374
Rubbish Receivables						333,310
Accrued Income						(9,929)
Emergency Services Levy						(111,095)
Total receivables general outstanding						341,632

Amounts shown above include GST (where applicable)

	30-Sep-20	30 Jun 2020
Rates receivable	\$ 211,013	\$ 251,805
Opening arrears previous years	4,718,611	4,574,430
Levied this year	(2,348,057)	(4,615,252)
Less - collections to date	2,581,557	211,013
Equals current outstanding		
Net rates collectable	2,581,557	211,013
% Collected	47.6%	95.6%

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Debtors Due	\$341,632
Over 30 Days	15%
Over 90 Days	5.4%

Please refer to the compilation report

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS

	Opening Balance 1 July 2020	Asset Increase	Asset Reduction	Closing Balance 30 September 2020
	\$	\$	\$	\$
Other current assets				
Inventory				
Fuel & Materials	9,514	35,636	0	45,150
Land Held for Resale	235,000	0	0	235,000
Total other current assets				280,150
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

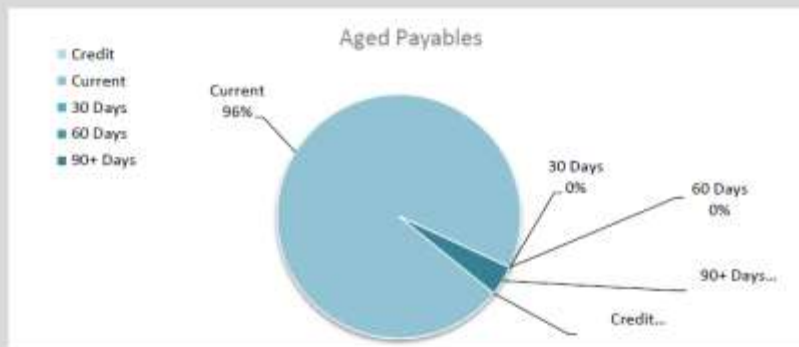
OPERATING ACTIVITIES
NOTE 5
Payables

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	3,000	0	0	(124)	2,875
Percentage	0%	104.3%	0%	0%	-4.3%	
Balance per trial balance						
Sundry creditors	0	3,000	0	0	(124)	2,875
Sundry/Payroll Deductions		9,703				9,703
ATO liabilities		66,587				66,587
Bonds and Deposits		35,328				35,328
Total payables general outstanding	0	114,617	0	0	(124)	114,492

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



Creditors Due

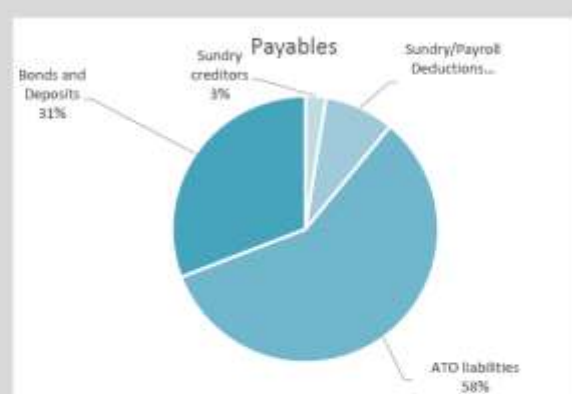
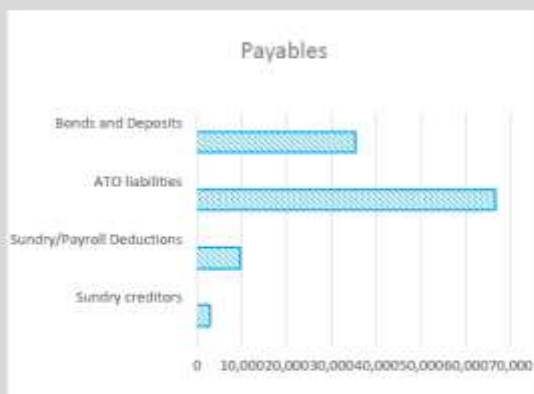
\$114,492

Over 30 Days

-4%

Over 90 Days

-4.3%



OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

RATE TYPE	Rate in \$ (cents)	Number of Properties	Budget			YTD Actual						
			Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Interim Rates	Back Rates	Total Revenue		
General rate revenue												
Gross rental value												
General GRV	0.079956	1,562	17,747,241	1,717,044	0	0	1,717,044	1,717,044	0	0	1,717,044	0
Unimproved value	0.011983	437	193,618,765	2,351,382	0	0	2,349,213	2,349,213	0	0	2,349,213	0
Sub-Total		1,999	211,366,006	4,068,426	0	0	4,068,426	4,066,257	0	0	4,066,257	0
Minimum payment												
Gross rental value												
General GRV	565	993	7,016,922	561,045	0	0	561,045	566,695	0	0	566,695	0
Unimproved value	565	71	3,347,659	40,115	0	0	40,115	34,465	0	0	34,465	0
Sub-total		1,064	10,364,581	601,160	0	0	601,160	601,160	0	0	601,160	0
Discount							0					(27)
Total general rates							4,669,586				4,667,390	
Specified area rates												
Rate in \$ (cents)												
Kalbarr Tourism	0.001721		17,443,404	30,000	0	0	30,000	30,221	0	0	30,221	0
Port Gregory Water Supply	0.036904		569,036	21,000	0	0	21,000	21,000	0	0	21,000	0
Total specified area rates			18,012,440	51,000	0	0	51,000	51,221	0	0	51,221	0
Total							4,720,586				4,718,611	

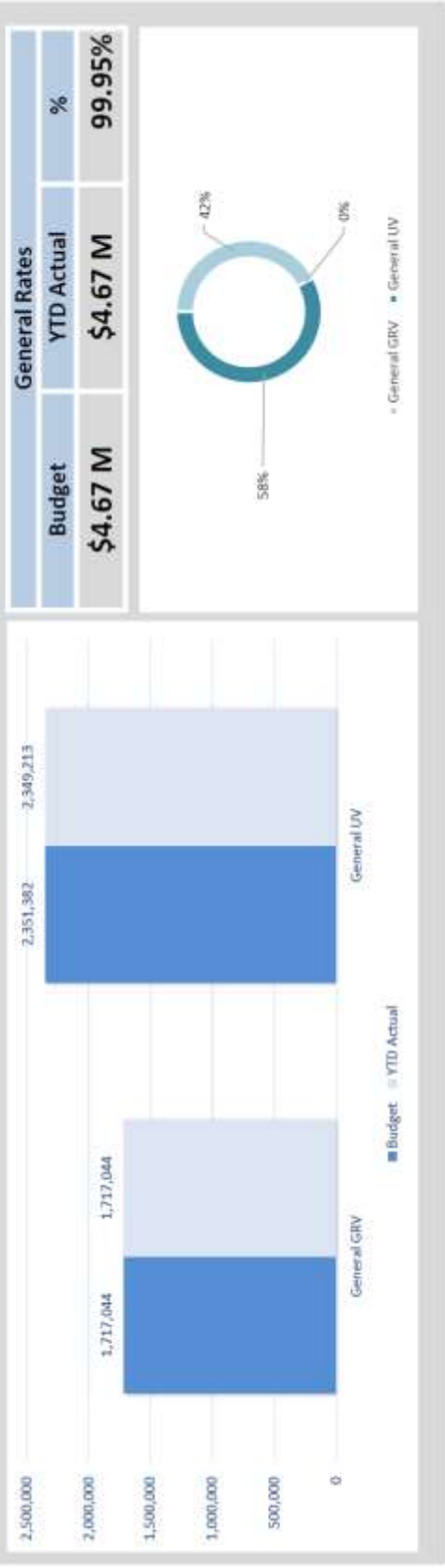
Please refer to the compilation report

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. From 1 July 2019, prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

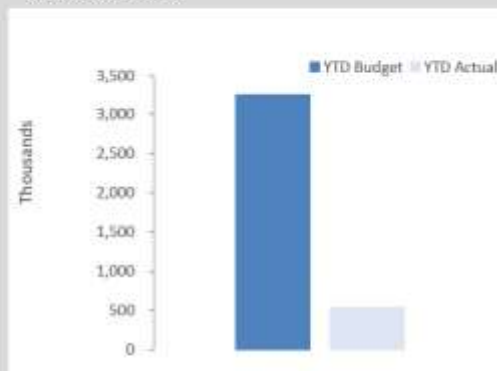
INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	334,090	0	156,923	156,923
Furniture and equipment	70,000	17,499	0	(17,499)
Plant and equipment	708,400	177,099	293,794	116,695
Infrastructure - Roads	1,366,195	298,858	34,888	(263,970)
Infrastructure - Footpaths & Carparks	538,520	33,093	33,864	771
Infrastructure - Parks & Ovals	218,140	0	0	0
Infrastructure - Other	28,000	6,999	20,671	13,672
Capital Expenditure Totals	3,263,345	533,548	540,140	6,592
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,500,386	1,500,386	994,023	(506,363)
Other (disposals & C/Fwd)	206,000	51,498	89,000	37,502
Cash backed reserves				
Leave Reserve	0	256,008	0	(256,008)
Roadworks Reserve	0	29,641	0	(29,641)
Kalbarri Airport Reserve	0	85,516	0	(85,516)
Building/Housing Reserve	0	121,865	0	(121,865)
Computer and Office Equipment Reserve	0	33,944	0	(33,944)
Land Development Reserve	0	364,161	0	(364,161)
Port Gregory Water Supply Reserve	0	36,500	0	(36,500)
Tourism Infrastructure Reserve	100,000	100,000	100,000	0
Contribution - operations	1,456,959	(2,045,971)	(642,883)	1,403,088
Capital funding total	3,263,345	533,548	540,140	6,592

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$3.26 M	\$0.54 M	17%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$1.5 M	\$0.99 M	66%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS (CONTINUED)



%	Account Description	Current Budget	Year to Date Budget	Year to Date Actual	Variance (Under)/Over
	Governance				
	LED Signage (FAG's LR&I Funding)	70,000	17,499	0	70,000
	DCEO Vehicle Replacement	43,000	10,749	0	43,000
	Governance Total	113,000	28,248	0	113,000
	Education and Welfare				
	NCCA Storage Shed	0	0	3,282	(3,282)
	Education and Welfare Total	0	0	3,282	(3,282)
	Communities Amenities				
	Jacques Point Ablutions	209,090	0	140,005	69,085
	Kings Park Point Ablutions	100,000	0	0	100,000
	Car Park for Jaques Point Ablutions	70,000	24,355	2,400	67,600
	Northampton Cemetery Fence	38,500	0	0	38,500
	Memorial Tree (FAG's LR&I Funding)	20,000	0	0	20,000
	Communities Amenities Total	437,590	24,355	142,405	295,185
	Recreation And Culture				
	Port Gregory Shelters	24,000	0	0	24,000
	Horrocks Shelter at Parkland BBQ	11,000	0	0	11,000
	Blue Holes Carpark Redevelopment R969	29,400	0	0	29,400
	Horrocks access steps from oval to HCC	7,500	0	0	7,500
	Northampton Bowling Club Synthetic Green	117,140	0	0	117,140
	Northampton Community Centre Solar Power	15,000	0	13,636	1,364
	Allen Centre Tourist Bus Park (FAG's LR&I Funding)	235,000	0	8,800	226,200
	Old School Roof Replacement (Seed Funding)	10,000	0	0	10,000
	Recreation And Culture Total	449,040	0	22,436	426,604
	Transport				
	Road Construction	1,366,195	298,858	34,888	1,331,307
	Footpath/Carpark Construction	204,120	8,738	22,664	181,456
	Tip Truck Northampton	225,200	56,300	228,594	(3,394)
	Small Tractor	83,000	20,750	0	83,000
	Maintenance Truck Northampton	140,000	35,000	0	140,000
	Truck and Trailer Tarpaulin	85,000	21,250	0	85,000
	Gardeners Tandem Tipping Trailer	7,000	1,750	0	7,000
	Works Manager Vehicle	60,000	15,000	0	60,000
	Airport - Install 2 x 22KVA Generators	28,000	6,999	20,671	7,329
	Transport Total	2,263,715	480,945	372,017	1,891,698
	Capital Expenditure by Program Total	3,263,345	533,548	540,140	2,726,487

Please refer to the compilation report

SHIRE OF NORTHAMPTON | 17

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

Repayments - borrowings

Information on borrowings

Particulars	1 July 2020		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Housing										
Loan 154 - Staff Housing	189,159	0	0	0	35,418	35,418	189,159	153,741	7,156	7,156
Recreation and culture										
Loan 156 - RSL Hall Extensions	454,484	0	0	0	46,459	46,459	454,484	408,025	12,210	12,210
Transport										
Loan 153 - Plant Purchases	133,684	0	0	0	21,187	42,800	112,497	90,884	2,687	5,789
Loan 157 - Plant Purchases	340,000	0	0	0	31,614	31,614	340,000	308,386	7,593	7,593
	1,117,327	0	0	0	21,187	156,291	1,096,140	961,036	2,687	32,748
Self supporting loans										
Education and welfare										
Loan 155 - Pioneer Lodge	358,026	0	0	0	7,487	15,122	350,538	342,904	7,071	16,435
Recreation and culture										
Loan 151 - Kalbarri Bowling Club	0	0	0	0	0	0	0	0	0	0
Other property and services										
Loan 152 - Staff Housing (CEO)	293,742	0	0	0	9,236	19,004	302,907	274,738	7,844	19,293
	651,768	0	0	0	16,723	34,126	653,446	617,642	14,915	35,728
Total	1,769,095	0	0	0	37,910	190,417	1,749,586	1,578,678	17,602	68,476
Current borrowings	190,417						152,507			
Non-current borrowings	1,578,678						1,597,079			
	1,769,095						1,749,586			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

Please refer to the compilation report

SHIRE OF NORTHAMPTON | 18

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

New borrowings 2020-21

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



Principal repayments	\$37,910
Interest earned	\$9,065
Reserves balance	\$9 M
Interest expense	\$17,602
Loans due	\$1.75 M

Please refer to the compilation report

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

OPERATING ACTIVITIES
NOTE 10
CASH RESERVES

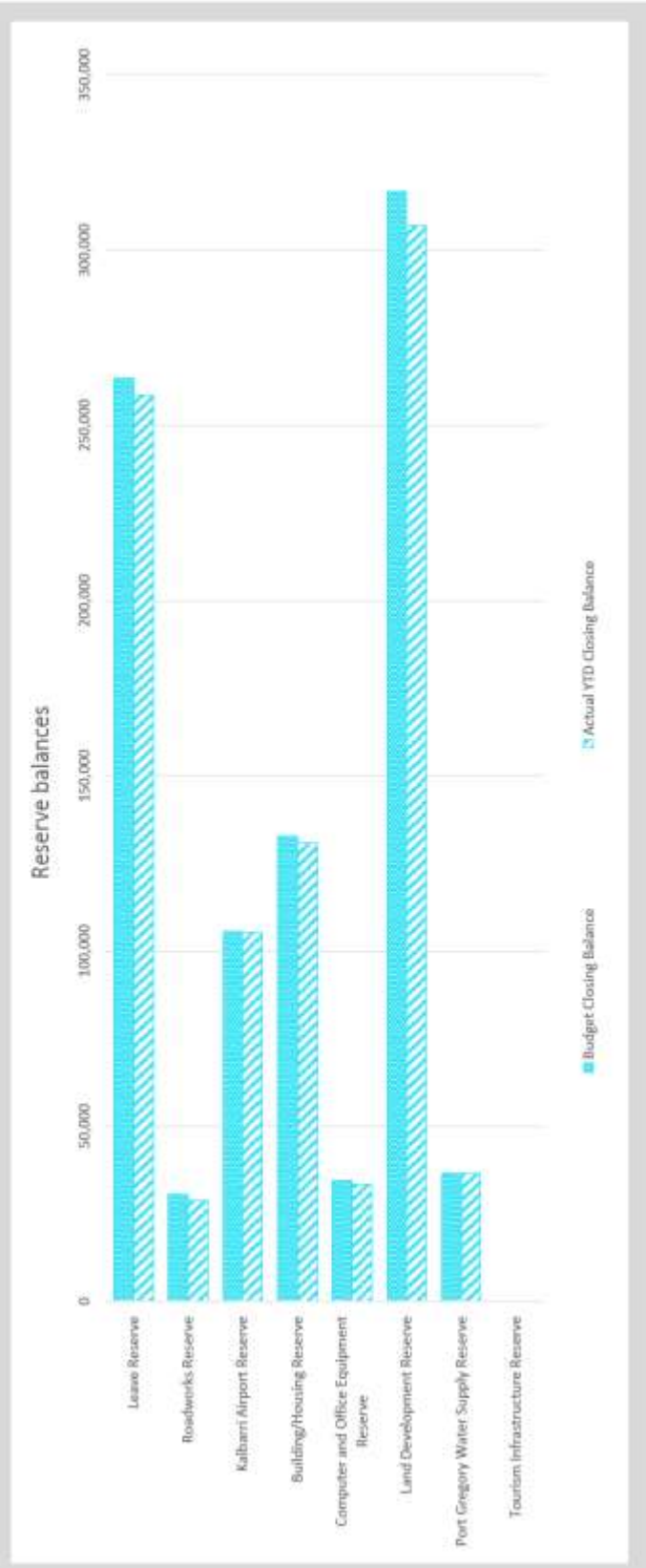
Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	253,511	5,000	250	5,000	5,000	0	0	263,511	258,761
Roadworks Reserve	28,639	2,000	100	0	0	0	0	30,639	28,739
Kalbarri Airport Reserve	85,422	200	10	20,000	20,000	0	0	105,622	105,432
Building/Housing Reserve	120,863	2,000	100	10,000	10,000	0	0	132,863	130,963
Computer and Office Equipment Reserve	33,446	1,000	50	0	0	0	0	34,446	33,496
Land Development Reserve	306,658	10,000	506	0	0	0	0	316,658	307,164
Port Gregory Water Supply Reserve	36,500	0	0	0	0	0	0	36,500	36,500
Tourism Infrastructure Reserve	100,000	0	0	0	0	(100,000)	(100,000)	0	0
	965,039	20,200	1,016	35,000	35,000	(100,000)	(100,000)	920,239	901,055

Please refer to the compilation report

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

OPERATING ACTIVITIES
NOTE 11
OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2020	Liability Increase	Liability Reduction	Closing Balance 30 September 2020
		\$	\$	\$	\$
Contract liabilities					
Unspent grants, contributions and reimbursements - non-operating	13	15,326	0	0	15,326
Total unspent grants, contributions and reimbursements		15,326	0	0	15,326
Provisions					
Annual leave		296,048			296,048
Long service leave		491,060			491,060
Total Provisions		787,109	0	0	787,109
Total other current assets		802,435			802,435
Amounts shown above include GST (where applicable)					

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

FINANCING ACTIVITIES

NOTE 9

BORROWINGS

Repayments - borrowings

Information on borrowings

Particulars	1 July 2020		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing										
Loan 154 - Staff Housing	189,159	0	0	35,418	189,159	153,741				7,156
Recreation and culture										
Loan 156 - RSL Hall Extensions	454,484	0	0	46,459	454,484	408,025				12,210
Transport										
Loan 153 - Plant Purchases	133,684	0	0	42,800	112,497	90,884			2,687	5,789
Loan 157 - Plant Purchases	340,000	0	0	31,614	340,000	308,386				7,593
	1,117,327	0	0	156,291	1,096,140	961,036			2,687	32,748
Self supporting loans										
Education and welfare										
Loan 155 - Pioneer Lodge	358,026	0	0	15,122	350,538	342,904			7,071	16,435
Recreation and culture										
Loan 151 - Kalbarri Bowling Club	0	0	0	0	0	0			0	0
Other property and services										
Loan 152 - Staff Housing (CEO)	293,742	0	0	19,004	302,907	274,738			7,844	19,293
	651,768	0	0	34,126	653,446	617,642			14,915	35,728
Total	1,769,095	0	0	190,417	1,749,586	1,578,678			17,602	68,476
Current borrowings	190,417				152,507					
Non-current borrowings	1,578,678				1,597,079					
	1,769,095				1,749,586					

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

Please refer to the compilation report

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

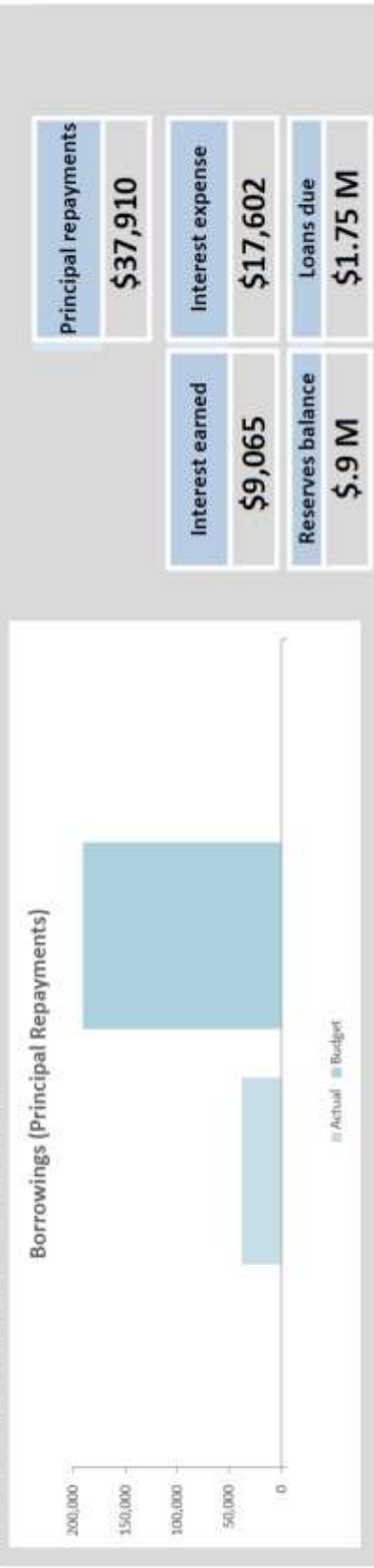
New borrowings 2020-21

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

Particulars	Amount Borrowed	Amount Borrowed	Interest Rate	Total Interest & Charges	Term Years	Loan Type	Institution	Balance Unspent
	Actual	Budget						
	\$	\$	%	\$				\$

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



Principal repayments	\$37,910
Interest expense	\$17,602
Reserves balance	\$0.9 M
Loans due	\$1.75 M

Please refer to the compilation report

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**NOTE 14
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 1 July 2020	Amount Received	Amount Paid	Closing Balance 30 Sep 2020
	\$	\$	\$	\$
Building Levies (BCITF & BRB)	183	5,331	(4,643)	871
Community Bus Bond	4,600	800	(1,000)	4,400
Unclaimed Monies - Rates	4,044	0	0	4,044
BROC - Management Funds	1	0	0	1
RSL Hall Key Bond	230	430	(230)	430
Special Series Plates	0	1,240	(800)	440
Northampton Child Care Association	16,547	0	0	16,547
Horrocks Memorial Wall	0	0	(148)	(148)
One Life	1,440	0	(500)	940
Rubbish Tip Key Bond	1,800	0	0	1,800
Horrocks - Skatepark	1,050	0	0	1,050
RSL - Kalbarri Memorial	17,326	0	(554)	16,772
DOT - Department of Transport	0	72,822	(72,822)	0
	47,220	80,623	(80,698)	47,145

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

NOTE 15
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 Actual materially.

The material variance adopted by Council for the 2020-21 year is \$5,000 or 0.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Governance	31,338	180.66%	▲ Permanent	Var due to insurance rebate/refunds
General purpose funding	102,080	2.03%	▲ Permanent	Var due to FAG's budget profile
Law, order and public safety	(16,720)	(88.49%)	▼ Permanent	Will reconcile, ESL budget profile only
Education and welfare	89,653	128.62%	▲ Timing	NCCA grant revenue budget profile issue
Community amenities	9,074	1.19%	▲ Timing	Var due to insurance reimbursement
Recreation and culture	12,952	172.49%	▲ Permanent	Minor variance, inc insurance reimb \$8,263 Actuals and budget will converge as the year progresses
Transport	49,567	27.75%	▲ Timing	
Economic services	45,508	51.94%	▲ Timing	Will reconcile, lease fees not raised
Expenditure from operating activities				
General purpose funding	(16,653)	(23.81%)	▼ Permanent	Var due to legal fees and add Rates salary
Law, order and public safety	(15,199)	(16.69%)	▼ Timing	Var due to the insurance payment budget profile
Health	13,150	23.29%	▲ Permanent	Will reconcile as year progresses
Community amenities	49,928	12.32%	▲ Timing	Var due to lag in rubbish collection invoices
Recreation and culture	36,091	8.23%	▲ Permanent	Short term var due to reduced parks and gardens exp
Transport	61,266	6.52%	▲ Permanent	Actuals & budget will converge as year progresses
Economic services	(42,284)	(55.73%)	▼ Timing	Will reconcile, budget timing situation only
Other property and services	92,122	940.79%	▲ Permanent	Var due to the insurance payment budget profile
Investing activities				
Non-operating grants, subsidies and contributions	(519,989)	(85.02%)	▼ Timing	Will reconcile, budget timing situation only
Capital acquisitions	(6,592)	(1.24%)	▼ Timing	Purchase of tip truck and dual axle pig trailer completed July 2020
Financing activities				
Transfer from reserves	83,333	500.00%	▲ Timing	Transfers processed August 2020
Repayment of debentures	(6,174)	(19.45%)	▼ Timing	Will reconcile, budget timing situation only
Transfer to reserves	(26,816)	(291.48%)	▼ Permanent	Transfers processed August 2020

ADMINISTRATION & CORPORATE REPORT

7.5.1	EMPLOYMENT CONTRACT RENEWAL – CHIEF EXECUTIVE OFFICER.....	2
7.5.2	REFURBISHMENT WORKS – HORROCKS COMMUNITY KITCHENS & ABLUTIONS	3
7.5.3	FINANCIAL ASSISTANCE – COMMUNITY BUS HIRE	7
7.5.4	EMPLOYEE ACCOMMODATION PROPOSAL - KALBARRI	9

7.5.1 EMPLOYMENT CONTRACT RENEWAL – CHIEF EXECUTIVE OFFICER

FILE REFERENCE:	17.2.2
DATE OF REPORT:	
REPORTING OFFICER:	Garry Keefe
APPENDICES:	1.

SUMMARY:

The consideration of the renewal of the Chief Executive Officers employment contract was deferred from the September 2020 meeting pending advice in relation to any implications on a proposal being put forward to Council by the CEO for consideration.

Due to the personal nature of this matter a separate report is provided to the main agenda.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 7.5.1

For Council determination.

7.5.2 REFURBISHMENT WORKS – HORROCKS COMMUNITY KITCHENS & ABLUTIONS

LOCATION:	Horrocks Foreshore
FILE REFERENCE:	10.2.3 & 11.1.4
DATE OF REPORT:	1 October 2020
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Photos of areas of work

SUMMARY:

Council to endorse additional expenditure incurred for refurbishment works to the Horrocks Community Kitchens and Ablutions.

BACKGROUND:

Within the 2020/21 Budget, Council approved the sandblasting, application of rust treatment and repainting of the steel structures of the Horrocks Community Kitchens and ablutions. The cost for the works was \$30,000.

During the works the removal of cladding on each end of the ablutions and the southern end of the kitchens was required due to the screws to fix the cladding to the metal framing becoming ceased/rusted, the cladding could not be removed without being damaged. In addition under each end roof capping for each building is a flat steel bar used to strengthen the ridge capping and this also requires replacement.

The above was brought to the attention of the CEO by the sand blasting contractor and they were authorised to remove the cladding and Council would arrange replacement.

COMMENT:

The cost to replace all cladding and repaint to original colours is \$5,928 (GST exclusive) as quoted by Geraldton Building Services and Cabinets who were the original contractors who constructed the ablutions and undertook the upgrade to the kitchens. As GBSC had all the specifications from the construction works they were engaged to undertake the cladding replacement (see Appendices 1).

Council endorsement for this additional expenditure and actions of the CEO to complete the refurbishment works to the facilities is required.

FINANCIAL & BUDGET IMPLICATIONS:

Additional expenditure of \$5,928 will now occur for the 2020/21 financial year.

STATUTORY IMPLICATIONS:

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

VOTING REQUIREMENT:

Absolute Majority Required: - As there is no provision for this additional expenditure within the 2020/2021 Budget for this project, Council needs to approve the expenditure by an absolute majority as per Section 6.8 of the Local Government Act 1995.

OFFICER RECOMMENDATION – ITEM 7.5.2

That Council endorse the decision of the CEO to engage Geraldton Building Services and Cabinets to replace cladding to the Horrocks Ablutions and Community Kitchens at a cost of \$5,928 GST exclusive.

APPENDICES 1 – Photos of areas of work required





7.5.3 FINANCIAL ASSISTANCE – COMMUNITY BUS HIRE

FILE REFERENCE:	10.2.8
CORRESPONDENT:	Northampton Active Seniors Group
DATE OF REPORT:	1 October 2020
REPORTING OFFICER:	Garry Keeffe

SUMMARY:

Request from the Northampton Active Seniors Group for Council to assist with the Northampton community bus hire to allow seniors to attend swimming exercise classes in Geraldton.

BACKGROUND:

The Northampton Seniors submitted a request for consideration within the Council 2020/21 Budget for consideration of a reduction in hire fees for use of the community bus as per above. Unfortunately, this request was not presented to Council for determination.

The group are seeking a reduction of the hire fee from 55 cents/kilometer to 25 cents/kilometer which will equate to approximately \$1,000 per annum for when the bus is used for the above purpose.

COMMENT:

The request is only for when the bus is used for the swimming exercise classes in Geraldton and not for other types of uses by the group. The swimming classes for 2020 have not occurred to date due to COVID-19 restrictions and therefore it is likely that the request will not reach the \$1,000 as being proposed for the current financial year.

It is recommended that Council approve the request to support the seniors within our shire to be active.

It is also recommended that should such a similar request be received from the Kalbarri Seniors Group or other senior groups within the shire for a similar use then the reduction in hire fees also apply.

FINANCIAL & BUDGET IMPLICATIONS:

It is considered that the additional cost of up to \$1,000 per annum is minimal and can be accommodated within the Councils annual 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 2020/2021 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 7.5.3

That Council approve a rate of 25 cents per kilometer for hire/use of the Northampton and/or Kalbarri Community buses when such use is used by Seniors groups within the Shire of Northampton for exercise programs such as swimming exercises in Geraldton or other venues.

All other conditions for hire of the community buses to apply.

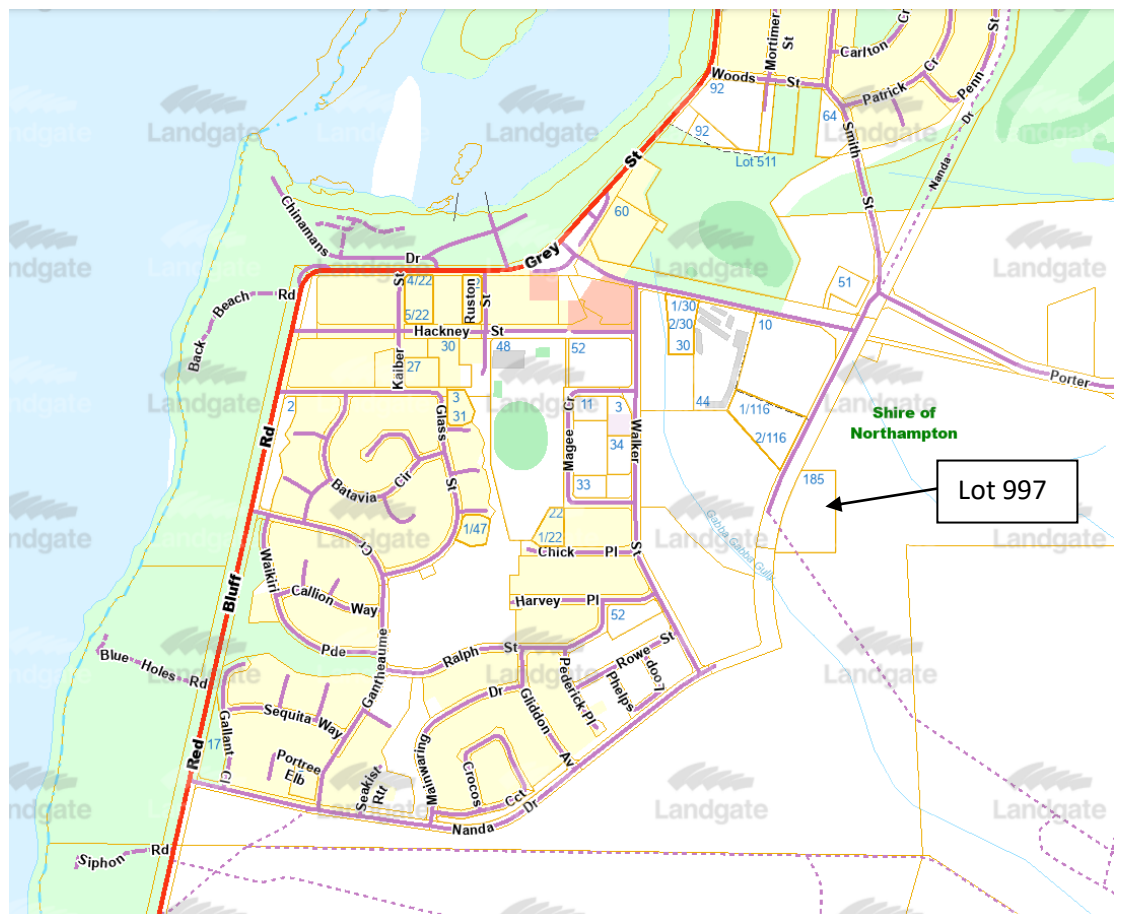
7.5.4 EMPLOYEE ACCOMMODATION PROPOSAL - KALBARRI

LOCATION:	Reserve 43170, Lot 997 Nanda Drive, Kalbarri
FILE REFERENCE:	9.2.3
DATE OF REPORT:	7 October 2020
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Resident designs

SUMMARY:

Council to request the Department of Planning Lands and Heritage to draw a Management Order in the favour of Council for Reserve 43170 for the purpose of employee housing for Kalbarri business employers.

LOCALITY PLANS:



BACKGROUND:

Some Councillors would be aware for the call from Kalbarri business owners seeking assistance to accommodate employees as they are unable to obtain and/or retain employees due to the lack of accommodation in Kalbarri.

From the initial inquires the CEO investigated options for land availability where a cluster of accommodation buildings could be located, and Lot 997 is the only lot that has been identified that could be suitable. The lot is considered as the best option as is isolated from dense residential areas as well as being relatively in close proximity to many businesses in Kalbarri that require employees that could possibly reside at the site.

Being accommodation for transient workers where noise from socializing can occur it is best that such grouped accommodation is not close to dense residential areas.

The Lot is currently a reserve under the control of the State Government for the purpose of “*Pharmaceutical Society*” and was the ex-photovoltaic site which has since been decommissioned and is now vacant.

Since the initial media releases on the difficulty of businesses getting staff due to the accommodation shortage, an inquiry from a private Perth based firm has been received who are interested in the possibility of providing accommodation units to resolve the accommodation shortage for employees being experienced.

Their proposal on the number and dimension of units, layout on the lot etc, unfortunately has not been received at the close of agenda’s and therefore when received it will be forwarded to Councillors prior to the Council meeting.

The firm indicated that their business model is on housing type units, not donga style, with three and two bedroom units all self-contained. They indicated that as an initial start and from research they have undertaken in contacting persons in Kalbarri on the matter that 20 housing units would be the initial development.

COMMENT:

The interest shown by the private firm is certainly welcoming as this Council does not have any financial resources to assist.

The first step in assisting the proponents is to secure land for theirs or others proposals.

An initial inquiry with the Department of Planning, Lands and Heritage has indicated that they would support, subject to the Minister for Lands approval, the amending of the purpose of the reserve (Lot 997) and issue a management order to the Shire of Northampton with power to lease for up to 21 years.

The proponents have indicated that they would support the lease option for 21 providing they can have a further option of 21 years to protect the investment they will make.

A condition of the lease agreement would be a strict definition for the use of the lot which is only for “*accommodating employers’ employees*” and not for general holiday accommodation unless otherwise approved by the Council and the Minister for Lands. The recommendation is to have the Management Order for the purpose of “*local businesses employee housing.*”

The only other option is for either Council or the proponents to purchase the lot from the state government at current market value. The proponents indicated that for them to purchase the lot at the initial early stage would not be achievable but an option in future years.

To make this proposal a reality the lease option is the best option in the initial stages.

Whether the proponents do or do not progress it is considered that for the best interest for this type of accommodation to occur now or in the future is the securing of a suitable site.

The remaining planning implications/approvals and building approvals would be presented at a later date when a formal proposal from the proponents has been received.

TOWN PLANNING IMPLICATIONS

As per the Shire's Local Planning Scheme No. 11, the lot is zoned as a ‘*Public Purposes*’ Reserve with the objective being ‘to provide for a range of essential physical and community infrastructure. The above proposal could fit that objective, however only if it is deemed temporary accommodation.

Generally, having an area for temporary accommodation services specifically provided for workers would reduce the pressure currently being experienced by local accommodation providers to make their holiday units available for this purpose. This ‘change of use’ from short term accommodation in the tourism

precinct presents increased pressure and challenges on accommodation providers by nature of the inherit 'conflict of use' - tourists versus workers.

The Strategy doesn't have anything further to add, although it does note its use for Western Power. Western Power have indicated that they no longer require the lot and when they decommissioned the site, they made an inquiry to the CEO if Council wished to take responsibility of the management of the reserve. As at the time there was no identified need for Council to take control of the reserve Western Power were advised that it was not required by Council.

The location of the lot is considered to be situated appropriately for this purpose due to its locality - it is not located on a main arterial road, nor is it located within the residential area of the townsite of Kalbarri and the potential amenity impacts to the overall area are considered to be minimal. There may be some amenity impact by way of noise/vehicular movement on the adjacent Sunsea Villa's, but this would be dependent upon how many accommodation units are provided.

FINANCIAL & BUDGET IMPLICATIONS:

Apart from staff time to amend the reserve and liaise with the proponents there are no other known costs to Council for this project.

STATUTORY IMPLICATIONS:

State: Local Government Act 1995 –

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Community Strategic Plan 2020-2030

The CSP under "Our Economy" identifies areas for business growth and tourism growth however there is nothing specific in regard to provision of housing for employees.

	Key Outcomes	Objectives	Success Measures
1.1.1	Population maintenance and growth through diversity in land zoning reflecting the diverse nature of residential needs	Population remains stable or increases	Population Data School Enrolments
1.1.2	Provision of effective town planning scheme to support visitor expectations or needs and appropriate business development support for local business initiatives	Maintained or increased businesses across towns and locations of the Shire for economic and employment benefits	Trends and the Number of businesses at each Census period
1.1.3	To maintain a tourism strategy within budget possibilities to have tourist facilities of the highest standard that the Council can afford.	Increase in numbers of visitors accessing local businesses and tourist attractions	Trends in visitor numbers and tourist enterprises operating

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 7.5.1

That Council request the Department of Planning, Lands and Heritage to approve a Management Order in favour of the Shire of Northampton for Reserve 43170 for the purpose of *business's employee housing with power to lease for a period of 21 years.*