



MINUTES

COUNCIL MEETING

18 AUGUST 2023

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## SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Northampton Council Chambers, Hampton Street, Friday, 21 July 2023.

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

The Shire President declared the meeting open at 1.00pm.

**2. ANNOUNCEMENTS BY THE PRESIDENT:**

The Shire President made the following announcements: Nil

Councillor Sudlow made the acknowledgement to country

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

**3. ATTENDANCE:**

**PRESENT:**

**Councillors**

Cr Liz Sudlow  
Cr Richard Burges  
Cr Trevor Gibb  
Cr Tim Hay  
Cr Des Pike  
Cr Roslyn Suckling

**Staff**

Mr Andrew Campbell (Chief Executive Officer)  
Mr Grant Middleton (Deputy Chief Executive Officer)  
Mr Neil Broadhurst (Manager of Works and Technical Services)  
Mrs Michelle Allen (Planning Officer)  
Ms Sonya Hasleby (Executive Support Officer)

**Gallery Nil**

**3.1 Apologies:**

Cr Rob Horstman is an apology for the Council Meeting held 18<sup>th</sup> August 2023.

**3.2 Leave Of Absence: Nil**

**4. DECLARATIONS OF INTEREST:**

Cr Richard Burges – Impartiality Interest in 9.3.2 Proposed Repurposed Single Dwelling as he has a close friendship with the applicant.

Cr Sudlow – Impartiality Interest in 9.3.4 Proposed Single Dwelling as she has a relationship with the owner.

Cr Hay – Financial Interest in 9.2.3 (C1) as he owns a business and property in Port Gregory where a special area rate applies.

Cr Sudlow – Financial Interest in 9.2.3 (C2) as she is a part owner in a tourism accommodation business where the special area rate applies.

**5. PUBLIC QUESTION TIME:**

5.1 Response to public questions taken on notice: Nil

5.2 Public Question Time: Nil

**6. PRESENTATIONS:**

6.1 Petitions: Nil

6.2 Presentations: Nil

6.3 Deputations: Nil

6.4 Councillor reports:

- Cr Sudlow (Shire President)
  - 25/07/2023 – Meeting with Murchison Hydrogen Renewables Energy with Shohan Seneviratne CEO, Amanda Le Moine and Maddy Carville (Stakeholder Engagement)
  - 29/07/2023 – Farewell Dinner for Garry Keeffe
  - 15 & 16/08/2023 - Networking opportunity with Kerry White (President) and Kenn Donohue (CEO), Shire of Ashburton.
- Cr Burges
  - 15 & 16/08/2023 – Networking opportunity with Kerry White (President) and Kenn Donohue (CEO), Shire of Ashburton.
- Cr Gibb
  - 31/07/2023 – Kalbarri Visitor Centre meeting
  - 16/08/2023 – Meeting with Valuation Committee held at Kalbarri IGA.
  - 16/08/2023 – Meeting with Melissa Price MLC held at Kalbarri Community Centre regarding Evacuation Centre.
- Cr Hay
  - 29/07/2023 – Farewell Dinner for Garry Keeffe
- Cr Pike
  - 26/07/2023 – Kalbarri Development Association Meeting
  - 29/07/2023 – Farewell Dinner for Garry Keeffe
  - 15 & 16/08/2023 – Networking opportunity with Kerry White (President) and Kenn Donohue (CEO), Shire of Ashburton.
- Cr Suckling
  - 29/07/2023 – Farewell Dinner for Garry Keeffe

6.5 Conference reports: Nil

**7. CONFIRMATION OF MINUTES:**

**MOVED: SUDLOW, L      SECONDED: HAY, T**

**08/23-01**

**That the Minutes of the Ordinary Meeting of the Council held on  
21 July 2023 be confirmed.**

**CARRIED: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling  
Against: Nil**

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

**9. COUNCIL OFFICERS' REPORTS:**

**ITEM 9.1.1: Request to Reconsider Council Decision to Relinquish Lot 91  
(144) Grey Street, Kalbarri**

|                                 |   |
|---------------------------------|---|
| <b>PROPONENT:</b>               | Chief Executive Officer   |
| <b>OWNER:</b>                   | State of Western Australia  |
| <b>LOCATION / ADDRESS:</b>      | Lot 91 (144) Grey Street, Kalbarri,<br>(Reserve 27637)                  |
| <b>WARD:</b>                    | Kalbarri  |
| <b>ZONE:</b>                    | Residential / Tourist Use   |
| <b>BUSINESS AREA:</b>           | Office of CEO   |
| <b>FILE REFERENCE:</b>          | 9.1.4   |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i><br><i>Land Administration Act 1997</i> |
| <b>AUTHOR:</b>                  | Andrew Campbell   |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell   |
| <b>DATE OF REPORT:</b>          | 2 August 2023   |
| <b>DECLARATION OF INTEREST:</b> | Nil   |

**BACKGROUND:**

The Department of Lands, Planning and Heritage (DPLH) have recently contacted the Chief Executive Officer (CEO) requesting additional information to assist them with implementing an open market sale of Lot 91 (144) Grey Street, Kalbarri.

Lot 91 (144) Grey Street, Kalbarri is a 1,693m<sup>2</sup> piece of Reserve land currently vested in the Shire of Northampton (Shire) with a purpose of Parks and Recreation. A site plan is attached.

**ATTACHMENT 9.1.1(1)**

At the Council meeting 18 June 2021 in response to adjoining landowners expressing interest in the land for a tourist development, Council resolved:

**Moved Cr SUCKLING, Seconded Cr PIKE**

**That Council**

- 1. Supports the relinquishment of the Management Order for Crown Reserve 27637 to allow for the sale of Lot 91 Grey Street, Kalbarri and advise the proponent accordingly.**
- 2. Request the Department of Planning, Lands and Heritage that proceeds from the sale be provided to the Shire of Northampton to assist in recovery from the impacts of Cyclone Seroja.**

**CARRIED 8/0**

A copy of the agenda report presented to Council that informed this decision is appended.

**APPENDIX 9.1.1(1)**

The newly appointed CEO of the Shire has explored this matter further as a result of the recent DPLH query and now requests Council give further consideration to their decision of 18 June 2021.

**PUBLIC CONSULTATION UNDERTAKEN:**

The adjoining landowners who previously expressed an interest in Lot 91 (144) Grey Street, Kalbarri have been made aware of this item being presented to Council at the meeting of 18 August 2023.

**COMMENT (Includes Options):**

After undertaking a site inspection, the CEO considers that Lot 91 (144) Grey Street, Kalbarri to be a strategically important piece of public land currently under direct control of the Shire via a Management Order from the State of Western Australia. The strategically important characteristics of the land are:

- Located immediately adjacent to the Murchison River;
- Located on the main thoroughfare of Kalbarri being the corner of Grey Street and Clotworthy Street;
- Vacant and fully cleared land with no apparent encumbrance that may impact future development;
- Water, sewerage, electricity and communications infrastructure available or in close proximity;
- Mixed use land use capability comprising Residential and Tourist Use under the Shire of Northampton Local Planning Scheme No:11; and
- Confirmation from DPLH that the vesting purpose potentially could be changed upon request to suit a future Shire initiative.

Whilst undertaking a site inspection the CEO also noted that the two properties owned by the adjoining landowners who expressed interest in the site for a tourist redevelopment were listed for sale by the local Real Estate agent.

On 31 July 2023 the CEO met with DPLH to discuss the process of relinquishment of Lot 91 (144) Grey Street, Kalbarri. DPLH indicated the following about the matter:

1. If the land was to be created as a freehold lot and sold, it would be the subject of an open market process, not just offered to those who expressed an interest;
2. Interested parties in the sale of the freehold lot can express formal interest to DPLH at any stage of the process and then be notified when the property becomes available for disposal. It is understood that past enquiry had been made but no formal expression of interest has been made;
3. The process so far has not cost DPLH too much due to the individual site circumstances. If it had, this would possibly be a significant constraint on halting the process of disposal;
4. It is highly unlikely that the proceeds of sale of the land would be able to be returned to the Shire to assist with Cyclone Seroja recovery; and
5. A future request by the Shire to change the vesting purpose of the Reserve under the Management Order would be given due consideration by DPLH.

On the basis above it is recommended that Council rescind its decision of 18 June 2021 with a view to retaining Lot 91 (144) Grey Street, Kalbarri and requesting a change of the Management Order vesting purpose from "Parks and Recreation" to "Municipal Purposes".

If Council determines to rescind a previous decision it is required to follow a specific process required under r.10 of the *Local Government (Administration) Regulations 1996*. This process is set out in the officer recommendation below.

### STATUTORY ENVIRONMENT:

The process to rescind or substantially change a decision of Council is established by the *Local Government (Administration) Regulations 1996*. Land related matters are dealt with under the *Land Administration Act 1997*.

### POLICY / STRATEGIC IMPLICATIONS:

The CEO considers Lot 91 (144) Grey Street, Kalbarri to be of future strategic importance to the Shire for a number of prospective municipal uses. Suitable land for the Shire to access to provide community benefit is limited and it is recommended that Council retain this land for future use. To relinquish this land is considered to be an opportunity lost for public infrastructure provided to the Kalbarri community.

### ORGANISATIONAL RISK MANAGEMENT:

There is limited risk associated with this item and is primarily tied to reputational damage. Risk rating is considered Level 2 – Minor.

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

### FINANCIAL IMPLICATIONS:

Nil.

### SUSTAINABILITY:

Environmental: Nil.

Economic: Community infrastructure commissioned by the Shire often supports the economic development of communities.

Social: Potentially the land may be suitable to provide specific Shire services.

**VOTING REQUIREMENTS: ABSOLUTE (STEP 2) / SIMPLE (STEP 3) MAJORITY**

**OFFICER RECOMMENDATION:**

**STEP 1**

That in accordance with the *Local Government (Administration) Regulations 1996* the following three Councillors agree (by signature) to rescind resolution 6.11.6 of the Council meeting 18 June 2021.

Councillor \_\_\_\_\_

Councillor \_\_\_\_\_

Councillor \_\_\_\_\_

**STEP 2 (Must be carried by Absolute Majority of Council)**

That Council rescind resolution 6.11.6 of the Council meeting 18 June 2021.

*“That Council*

- 1. Supports the relinquishment of the Management Order for Crown Reserve 27637 to allow for the sale of Lot 91 Grey Street, Kalbarri and advise the proponent accordingly.*
- 2. Request the Department of Planning, Lands and Heritage that proceeds from the sale be provided to the Shire of Northampton to assist in recovery from the impacts of Cyclone Seroja.”*

**STEP 3 (Simple Majority required if Step 2 is supported)**

That, in relation to land at Lot 91 (144) Grey Street, Kalbarri, Council:

1. Agree to retain a Management Order over the land for strategic future purposes;
2. Advise the Department of Lands, Planning and Heritage that the Shire of Northampton has reconsidered the previous decision to relinquish land and has rescinded that decision on the basis of requiring the land for future strategic purposes;
3. Requests the Department of Lands, Planning and Heritage that they change the Management Order vesting purpose from “Parks and Recreation” to “Municipal Purposes”; and
4. Request the Chief Executive Officer advise the adjoining landowners who expressed interest in the land as to this decision.

**COUNCIL RESOLUTION****STEP 1**

That in accordance with the *Local Government (Administration) Regulations 1996* the following three Councillors agree (by signature) to rescind resolution 6.11.6 of the Council meeting 18 June 202

Councillor Pike  
Councillor Gibb  
Councillor Suckling

**STEP 2 (Must be carried by Absolute Majority of Council)**

**MOVED: Pike, D   SECONDED: Suckling, R**

**08/23-02**

That Council rescind resolution 6.11.6 of the Council meeting 18 June 2021.

*“That Council*

1. *Supports the relinquishment of the Management Order for Crown Reserve 27637 to allow for the sale of Lot 91 Grey Street, Kalbarri and advise the proponent accordingly.*
2. *Request the Department of Planning, Lands and Heritage that proceeds from the sale be provided to the Shire of Northampton to assist in recovery from the impacts of Cyclone Seroja.”*

**CARRIED BY ABSOLUTE MAJORITY 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**STEP 3 (Simple Majority required if Step 2 is supported)**

**MOVED: Pike, D   SECONDED: Suckling, R**

**08/23-03**

That, in relation to land at Lot 91 (144) Grey Street, Kalbarri, Council:

1. Agree to retain a Management Order over the land for strategic future purposes;
2. Advise the Department of Lands, Planning and Heritage that the Shire of Northampton has reconsidered the previous decision to relinquish land and has rescinded that decision on the basis of requiring the land for future strategic purposes;
3. Requests the Department of Lands, Planning and Heritage that they change the Management Order vesting purpose from “Parks and Recreation” to “Municipal Purposes”; and
4. Request the Chief Executive Officer advise the adjoining landowners who expressed interest in the land as to this decision

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENTS**

1. Site plan of Lot 91 (144) Grey Street, Kalbarri.

**APPENDICES**

**AGENDA REPORT TO COUNCIL 18 JUNE 2023**

### ITEM 9.1.2: Proposal for Shire of Northampton Employee Structural Change

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>PROPONENT:</b>               | Chief Executive Officer          |
| <b>OWNER:</b>                   | Shire of Northampton             |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire                   |
| <b>WARD:</b>                    | Northampton and Kalbarri         |
| <b>ZONE:</b>                    | All                              |
| <b>BUSINESS AREA:</b>           | Office of CEO                    |
| <b>FILE REFERENCE:</b>          | 4.2.4                            |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Andrew Campbell                  |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell                  |
| <b>DATE OF REPORT:</b>          | 2 August 2023                    |
| <b>DECLARATION OF INTEREST:</b> | Nil                              |

#### BACKGROUND:

The Chief Executive Officer (CEO) has been employed by the Shire of Northampton (Shire) since 22 May 2023. In the time since, the CEO has observed the organisational structure and how processes, systems, compliance, and approvals are delivered.

It has become apparent to the CEO that there are some significant operational gaps in the organisation that require priority consideration in the organisation, particularly associated with the CEO's and Council's recent discussions, and the decision to seek grant funding for new community development employee resources. The existing organisational structure is generally indicated in the attachment.

#### ATTACHMENT 9.1.2(1)

The purpose of this report is for Council to consider a proposed new organisational structure. The proposed organisational structure is attached for Council's consideration.

#### ATTACHMENT 9.1.2(2)

#### PUBLIC CONSULTATION UNDERTAKEN:

Nil.

#### COMMENT (Includes Options):

The proposed changes to the organisational structure are summarised in the table below:

| Proposed Change   | Comment  |
|---|--|
| Inclusion of Senior Employee being Executive Manager Community, Development and Regulation (EMCDR) (1.0 FTE). | This is a new Senior Employee proposed for the organisation. Rationale for the position is provided in the commentary below. Funding of the new position is discussed in the Financial Implications section. |
| Removal of the title Deputy Chief Executive Officer and replacement with Executive Manager Corporate          | The title of Deputy Chief Executive Officer is considered not to be a contemporary approach to an  |

|  |   |
|--|---|
| Services.  | executive structure in a local government organisation. All Senior employees are expected to be able to step up in the absence of the Chief Executive Officer thus creating a nimble executive workforce.       |
| Adding the word “Executive” in front of the Manager of Works and Technical Services.                       | The Manager of Works and Technical Services is already a designated Senior Employee and this should be recognised in the position title.  |
| Addition of a Community Development Officer (CDO) (1.0 FTE).   | This is a proposed new three-year fixed term grant funded position for the organisation. Rationale for the position is provided in the commentary below.  |
| Addition of Administration Officer - Works and Technical Services (1.0 FTE).                               | This is a proposed fulltime position specifically designed to reduce the administration burden for the Manager of Works and Technical Services. Rationale for the position is provided in the commentary below. |
| Implementation of a clear management control hierarchy to replace multiple reporting chains in some areas. | Changes reflect contemporary human resource practices focussing on clear chain of command requirements for employees.   |

#### Executive Manager Community, Development and Regulation

The CEO’s observations of the existing organisational structure have clearly indicated a deficiency in leadership and management control particularly in some business areas. Whilst designated Senior Employees (as per definition under the *Local Government Act 1995*) exist to lead the corporate services, and works and technical services business of the organisation, other business areas appear to be, to a degree, uncoordinated and lacking direct leadership and management control. Town planning expertise is primarily delivered through an offsite planning consultant at considerable cost to the organisation and the development, regulation and compliance employees would undoubtedly benefit from direct onsite management and leadership from an appropriately qualified Town Planning professional based onsite.

In addition to the CEO’s observations of the existing organisational structure, it is also now apparent that it is probable that there could be billions of dollars of renewable energy projects being explored in the region by multiple large companies, which if the projects go ahead will most likely result in very significant change to local communities in the Shire. Any development/s of this magnitude necessitates specific focus not only on ensuring development systems, policies and processes are correct and will pass intense statutory scrutiny, but also should focus on the need to strategically plan for communities as they evolve under expected expansion pressure.

Finally, it is expected that the new role would significantly contribute by participating in, and providing oversight to, community development. Tasks aligned to community development are not only associated with core operational

matters such as providing advice and assistance for community groups for example, but also extend to strategic planning and economic development initiatives.

On the basis above it is recommended that Council endorse the proposed organisational structure that includes a permanent Executive Manager of Community, Development and Regulation position commencing in January 2024.

#### Community Development Officer

At the Council meeting 21 July 2023 Council resolved to:

**“Endorse an application to the Community Benefit Fund for additional human resources that focusses on connecting community, community events, infrastructure initiatives, and assisting to source grant funding.”**

The previous discussion between the CEO and Council centred around not only using part of this grant opportunity to assist in the employment of a Senior Employee as indicated above, but also to ensure an “operational” level Community Development Officer could be employed to support all the communities in the Shire. Under the proposed organisational structure, a full time (job share) Community Development Officers (1.0 FTE) would be employed for a fixed term three-year period specifically using grant funding provided under the Community Benefit Fund.

At this point Council should be aware if it chooses to go ahead with this position, when the grant funding runs out, it is quite probable that the position will be embedded in the organisation and community to the point where Council will seriously contemplate funding the role itself on a permanent basis.

It is recommended that Council endorse the proposed organisational structure that includes a full time (1.0) Community Development Officer (split into a job share arrangement) position for a three-year fixed term period commencing in July 2024. It is expected the job share arrangement will operate out of both Kalbarri and Northampton Shire offices and cover the entire Shire district.

#### Administration Officer Works and Technical Services

Since commencement it has come as some surprise to the CEO that there was no direct administrative support provided for the Manager of Works and Technical Services. The bureaucracy burden being placed on local government in this area is already substantial and seemingly increasing on a regular basis. It is considered that administrative support provided directly to the Manager Works and Technical Services would create many efficiencies that could significantly benefit the Manager and the organisation generally. This proposal is intended to be funded by a structural adjustment to one of the longer-term vacant Works area positions which will have no further financial impost on the organisation in the interim.

#### Other Potential Structural Adjustments

It is likely that the CEO will give further consideration to other structural adjustments depending on circumstances as the organisation further evolves.

Any structural adjustment proposals will be brought to Council for determination at future meetings if required.

### STATUTORY ENVIRONMENT:

The endorsement of a Senior Employee must be made by Council under the requirements of the *Local Government Act 1995*. Employment is a core function of the CEO prescribed in the *Local Government Act 1995*.

### POLICY / STRATEGIC IMPLICATIONS:

Aside from the employment of Senior Employees, organisational structural changes can be implemented directly by the Chief Executive Officer subject to approved budget allocations. However, the CEO considers that collaboration with Council on these type of matters is important informing and setting the strategic direction for the organisation.

It is considered that the proposal will address existing deficiencies and some future demands in the organisation.

### ORGANISATIONAL RISK MANAGEMENT:

Potentially there is major risk associated with this item as if organisational business accelerates as anticipated, the organisation could be caught out with insufficient resources to address operational demands. Risk rating is considered Level 4 – Major.

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

### FINANCIAL IMPLICATIONS:

The proposed Executive Manager Community, Development and Regulation position is likely to have the most significant financial consequence to the Shire. By applying a combination of the existing Town Planning Consultancy budget allocation and grant funding from the Community Benefit Fund, the proposed position will have no bearing on the 23/24 annual budget. After this time, Council will need to supplement the Community Benefit Fund contribution to sustain the

contracted Senior Employee position. The Senior Employee package is expected to comprise salary, superannuation contribution, housing, vehicle, professional memberships and training/development/memberships and be competitive in the current marketplace to attract a suitable employee.

After the Community Benefit Grant of \$400,000 is factored into the proposal, the following impact on municipal funding is shown in the table below. The municipal cost in the table is the additional cost each financial year incurred by the organisation after the accumulated budget cost is taken into account.

|                | <b>23/24</b>                     | <b>24/25</b>    | <b>25/26</b>    | <b>26/27</b>    | <b>27/28</b>     |
|----------------|----------------------------------|-----------------|-----------------|-----------------|------------------|
| Municipal Cost | <b>\$0</b>                       | <b>\$38,300</b> | <b>\$74,967</b> | <b>\$39,833</b> | <b>(\$2,612)</b> |
| Employee       | EMCDR<br>(50% - Jan<br>24 start) | EMCDR<br>CDO    | EMCDR<br>CDO    | EMCDR<br>CDO    | EMCDR            |

If Council agrees to the proposed Executive Manager Community, Development and Regulation, the position will be advertised and if a suitable applicant is identified, brought back to Council for endorsement as a Senior Employee in accordance with specific provisions of the *Local Government Act 1995*.

#### **SUSTAINABILITY:**

Environmental: Additional Shire resources may create environmental opportunities and compliance environmental protection initiatives.

Economic: Local economies in the Shire are expected to prosper particularly with renewable energy projects proposed in the district. It is important that the Shire has sufficient resources to manage this change to maximise economic benefit.

Social: A focus on Community Development will assist in connecting the community in times of change.

#### **VOTING REQUIREMENTS: SIMPLE MAJORITY**

#### **OFFICER RECOMMENDATION:**

**That Council:**

- 1. Endorse the proposal to appoint a new Senior Employee being the Executive Manager Community, Development and Regulation for up to a five-year contract period subject to complying with all requirements of the *Local Government Act 1995*;**
- 2. Endorse the proposal to employ a Community Development Officer (1.0 FTE) for a fixed term period from 1 July 2024 to 30 June 2027;**
- 3. Endorse the organisational structure as proposed in ATTACHMENT 9.1.2(2) including all of the amendments to the existing organisational structure; and**
- 4. Note that points 1. and 2. above are subject to receiving the Community Benefit Fund grant to assist with the employment cost.**

**COUNCIL RESOLUTION**

**MOVED: Sudlow, L SECONDED: Pike, D**

**08/23-04**

**That Council:**

- 1. Endorse the proposal to appoint a new Senior Employee being the Executive Manager Community, Development and Regulation for up to a five-year contract period subject to complying with all requirements of the *Local Government Act 1995*;**
- 2. Endorse the proposal to employ a Community Development Officer (1.0 FTE) for a fixed term period from 1 July 2024 to 30 June 2027;**
- 3. Endorse the organisational structure as proposed in ATTACHMENT 9.1.2(2) including all of the amendments to the existing organisational structure; and**
- 4. Note that points 1. and 2. above are subject to receiving the Community Benefit Fund grant to assist with the employment cost.**

**CARRIED: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENTS**

- 1. Existing Organisational Structure.**
- 2. Proposed Organisational Structure August 2023.**

**APPENDICES**

- 1. Nil.**

### ITEM 9.1.3: Proposed Blue Holes Reinstatement Concept Plan for Council's Determination

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>PROPONENT:</b>               | Shire of Northampton             |
| <b>OWNER:</b>                   | Shire of Northampton             |
| <b>LOCATION / ADDRESS:</b>      | Blue Holes Road, Kalbarri        |
| <b>WARD:</b>                    | Kalbarri                         |
| <b>ZONE:</b>                    | Parks and Recreation             |
| <b>BUSINESS AREA:</b>           | Office of CEO                    |
| <b>FILE REFERENCE:</b>          | 5.1.8                            |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Andrew Campbell                  |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell                  |
| <b>DATE OF REPORT:</b>          | 7 August 2023                    |
| <b>DECLARATION OF INTEREST:</b> | Nil                              |

#### **BACKGROUND:**

On 11 April 2021 Severe Tropical Cyclone Seroja (cyclone) crossed the Western Australian coastline just south of Kalbarri at approximately 8pm bringing extreme conditions with damaging winds and heavy rainfall resulting in widespread and significant damage to private and public infrastructure across the region in the order of hundreds of millions of dollars.

Since the cyclone event the Shire of Northampton (Shire) has been systematically addressing public infrastructure damage under its direct control through insurance and Disaster Relief Funding Arrangements Western Australia (DRFAWA) initiated after a natural disaster. Consultants GHD have recently been engaged to assist the Shire with addressing the significant public infrastructure damage resulting from the cyclone in Kalbarri including Chinamans Drive, Blue Holes, Jacques Point and to a much lesser extent, Red Bluff. In addition to this GHD are also engaged by the Shire to assist with the creation of a Temporary Construction Workers Accommodation site off Anchorage Lane, Kalbarri as an ancillary project funded by the State Government.

At the meeting held 21 July 2023 Council agreed to progress with the concept plans for Chinamans Drive and the Temporary Construction Workers Accommodation. At this Council meeting both Blue Holes and Jacques Point Reinstatement Concept Plans are presented to Council for determination.

The purpose of this report is for Council to consider the endorsement of the Blue Holes Reinstatement Concept Plan that aligns to the DRFAWA requirements and enable detailed design, approval, procurement and works completion to occur.

#### **ATTACHMENT 9.1.3(1)**

#### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil. The DRFAWA process and works should not be confused with the Kalbarri Foreshore Masterplan consultation work completed by Tourism WA as they are totally separate matters.

**COMMENT (Includes Options):**

The requirements of DRFAWA essentially have the approach of providing funding for the “like for like” infrastructure replacement with some discretion to modify previous infrastructure to cater for changing conditions. Such as in the case for the cyclone impact at Blue Holes, DRFAWA may allow for a coastal retreat approach where the coastal landscape has significantly changed. In this case the carpark will be retained in a similar form to what it is currently but will be protected by a limestone wall and rock revetment. In addition, a concrete footpath in front of the parking will be added and a shade structure replaced.

More than two years on from the cyclone the Shire must immediately move ahead with public infrastructure replacement under the DRFAWA process before the project completion deadline in the second half of 2024. On this basis it is recommended that Council endorse GHD’s Blue Holes Reinstatement Concept Plan and thus enable project completion within deadlines.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY / STRATEGIC IMPLICATIONS:**

As a procurement strategy it is likely that the Shire will package all cyclone impact public infrastructure works together to maximise economies of scale and scope by attracting large competent contract companies, whilst also reducing the administration burden required to oversee multiple projects at the same time.

**ORGANISATIONAL RISK MANAGEMENT:**

The risk rating is considered Level 5 – Catastrophic as there would likely be substantial reputational damage, financial embarrassment, and retention of severe infrastructure damage for the Shire.

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

**FINANCIAL IMPLICATIONS:**

The Blue Holes Reinstatement project will be predominantly funded under DRFAWA with an additional amount of external discretionary funding provided by the State Government to complete works. Final funding provided is likely to be known in 2023 and included as an amendment to the 2023/24 budget.

**SUSTAINABILITY:**

Environmental: The Blue Holes Reinstatement project will stabilise the current coastal landscape in that location leading to improved resident and visitor outcomes.

Economic: Proposed works should provide additional protections for the built coastal environment reducing potential future economic loss resulting from natural disasters.

Social: Community infrastructure such as found at Blue Holes is extremely important to the community and the Shire should do whatever it can to reinstate the infrastructure.

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

**That Council:**

- 1. Endorse the Blue Holes Reinstatement Concept Plan in accordance with ATTACHMENT 9.1.3(1);**
- 2. Agree for the Chief Executive Officer to proceed with the Blue Holes Reinstatement project procurement when appropriate in accordance with the requirements of the *Local Government Act 1995* and Council Policy; and**
- 3. Publicly advertise the Blue Holes Reinstatement Concept Plan to the Kalbarri community for information purposes only.**

**COUNCIL RESOLUTION**

**MOVED: Burges, R SECONDED: Gibb, T**

**08/23-05**

**That Council:**

- 1. Endorse the Blue Holes Reinstatement Concept Plan in accordance with ATTACHMENT 9.1.3(1);**
- 2. Agree for the Chief Executive Officer to proceed with the Blue Holes Reinstatement project procurement when appropriate in accordance with the requirements of the *Local Government Act 1995* and Council Policy;**
- 3. Publicly advertise the Blue Holes Reinstatement Concept Plan to the Kalbarri community for information purposes only; and**
- 4. Endorse relocation of the shade shelter to be situated behind the carpark.**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENTS**

- 1. Blue Holes Reinstatement Concept Plan.**

**APPENDICIES**

- 1. Nil.**

### ITEM 9.1.4: Proposed Jacques Point Reinstatement Concept Plan for Council's Determination

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>PROPONENT:</b>               | Shire of Northampton             |
| <b>OWNER:</b>                   | Shire of Northampton             |
| <b>LOCATION / ADDRESS:</b>      | Jacques Point, Kalbarri          |
| <b>WARD:</b>                    | Kalbarri                         |
| <b>ZONE:</b>                    | Parks and Recreation             |
| <b>BUSINESS AREA:</b>           | Office of CEO                    |
| <b>FILE REFERENCE:</b>          | 5.1.8                            |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Andrew Campbell                  |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell                  |
| <b>DATE OF REPORT:</b>          | 7 August 2023                    |
| <b>DECLARATION OF INTEREST:</b> | Nil                              |

#### **BACKGROUND:**

On 11 April 2021 Severe Tropical Cyclone Seroja (cyclone) crossed the Western Australian coastline just south of Kalbarri at approximately 8pm bringing extreme conditions with damaging winds and heavy rainfall resulting in widespread and significant damage to private and public infrastructure across the region in the order of hundreds of millions of dollars.

Since the cyclone event the Shire of Northampton (Shire) has been systematically addressing public infrastructure damage under its direct control through insurance and Disaster Relief Funding Arrangements Western Australia (DRFAWA) initiated after a natural disaster. Consultants GHD have recently been engaged to assist the Shire with addressing the significant public infrastructure damage resulting from the cyclone in Kalbarri including Chinamans Drive, Blue Holes, Jacques Point and to a much lesser extent, Red Bluff. In addition to this GHD are also engaged by the Shire to assist with the creation of a Temporary Construction Workers Accommodation site off Anchorage Lane, Kalbarri as an ancillary project funded by the State Government.

At the meeting held 21 July 2023 Council agreed to progress with the concept plans for Chinamans Drive and the Temporary Construction Workers Accommodation. At this Council meeting both Blue Holes and Jacques Point Reinstatement Concept Plans are presented to Council for determination.

The purpose of this report is for Council to consider the endorsement of the Jacques Point Reinstatement Concept Plan that aligns to the DRFAWA requirements and enable detailed design, approval, procurement and works completion to occur.

#### **ATTACHMENT 9.1.4(1)**

#### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

#### **COMMENT (Includes Options):**

The requirements of DRFAWA essentially have the approach of providing funding for the "like for like" infrastructure replacement with some discretion to

modify previous infrastructure to cater for changing conditions. Such as in the case for the cyclone impact at Jacques Point, DRFAWA may allow for a coastal retreat approach where the coastal landscape has significantly changed. In this case the proposed carpark will replace the destroyed bottom carpark with approximate capacity similar to what was provided prior to the cyclone. In addition, a retaining wall installed for parking safety, beach access will be provided, a shade structure replaced, repairs made to an existing shelter and a general tidy up undertaken.

More than two years on from the cyclone the Shire must immediately move ahead with public infrastructure replacement under the DRFAWA process before the project completion deadline in the second half of 2024. On this basis it is recommended that Council endorse the Jacques Point Reinstatement Concept Plan and thus enable project completion within deadlines.

### STATUTORY ENVIRONMENT:

Nil.

### POLICY / STRATEGIC IMPLICATIONS:

As a procurement strategy it is likely that the Shire will package all cyclone impact public infrastructure works together to maximise economies of scale and scope by attracting large competent contract companies, whilst also reducing the administration burden required to oversee multiple projects at the same time.

### ORGANISATIONAL RISK MANAGEMENT:

The risk rating is considered Level 5 – Catastrophic as there would likely be substantial reputational damage, financial embarrassment, and retention of severe infrastructure damage for the Shire.

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

**FINANCIAL IMPLICATIONS:**

The Jacques Point Reinstatement project will be predominantly funded under DRFAWA with an additional amount of external discretionary funding provided by the State Government to complete works. Final funding provided is likely to be known in 2023 and included as an amendment to the 2023/24 budget.

**SUSTAINABILITY:**

Environmental: The Jacques Point Reinstatement project will stabilise the current coastal landscape in that location leading to improved resident and visitor outcomes.

Economic: Proposed works should provide additional protections for the built coastal environment reducing potential future economic loss resulting from natural disasters.

Social: Community infrastructure such as found at Jacques Point is extremely important to the community and the Shire should do whatever it can to reinstate the infrastructure.

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

**That Council:**

- 1. Endorse the Jacques Point Reinstatement Concept Plan in accordance with ATTACHMENT 9.1.4(1);**
- 2. Agree for the Chief Executive Officer to proceed with the Jacques Point Reinstatement project procurement when appropriate in accordance with the requirements of the *Local Government Act 1995* and Council Policy; and**
- 3. Publicly advertise the Jacques Point Reinstatement Concept Plan to the Kalbarri community for information purposes only.**

**COUNCIL RESOLUTION**

**MOVED: Burges, R SECONDED: Suckling, R**

**08/23-06**

**That Council:**

1. Endorse the Jacques Point Reinstatement Concept Plan in accordance with ATTACHMENT 9.1.4(1);
2. Agree for the Chief Executive Officer to proceed with the Jacques Point Reinstatement project procurement when appropriate in accordance with the requirements of the *Local Government Act 1995* and Council Policy;
3. Publicly advertise the Jacques Point Reinstatement Concept Plan to the Kalbarri community for information purposes only; and
4. Endorse angle parking as part of the conceptual plan.

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENTS**

1. Jacques Point Reinstatement Concept Plan.

**APPENDICIES**

1. Nil.

**ITEM 9.1.5: 2023 Review of Western Australian Electoral Boundaries**

|                                 |                           |
|---------------------------------|---------------------------|
| <b>PROPONENT:</b>               | Chief Executive Officer   |
| <b>OWNER:</b>                   | N/A                       |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire            |
| <b>WARD:</b>                    | Northampton and Kalbarri  |
| <b>ZONE:</b>                    | All                       |
| <b>BUSINESS AREA:</b>           | Office of CEO             |
| <b>FILE REFERENCE:</b>          | 4.1.12                    |
| <b>LEGISLATION:</b>             | <i>Electoral Act 1907</i> |
| <b>AUTHOR:</b>                  | Andrew Campbell           |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell           |
| <b>DATE OF REPORT:</b>          | 2 August 2023             |
| <b>DECLARATION OF INTEREST:</b> | Nil                       |

**BACKGROUND:**

Since 2005, the Office of the Electoral Distribution Commissioners routinely conducts a review of electoral boundaries two years after the previous State general election. The current review is being undertaken in preparation for the 2025 State election.

State electoral boundaries are reviewed using a number of prescribed factors not to dissimilar to the way local government Ward boundaries are reviewed. The prescribed factors are:

- Community of interest;
- Land use patterns;
- Means of communication, means of travel and distance from capital
- Physical features;
- Existing boundaries of regions and districts;
- Existing local government boundaries; and
- The trend of demographic changes.

There are three phases of public submission available during a State electoral boundary review, those being:

1. Suggestions invited (commenced 1 April 2023, closed 1 May 2023);
2. Comments on suggestions (commenced 1 May 2023, closed 15 May 2023); and
3. Objections to the proposed boundaries are invited upon publishing of the proposed boundaries (commenced 21 July 2023, closes on 21 August 2023).

Currently the Shire of Northampton is split into two electoral districts being North West Central and Moore. Geraldton is the third electorate in the overall region.

**ATTACHMENT 9.1.5(1)**  
**ATTACHMENT 9.1.5(2)**

Under the proposed electoral boundaries the Shire of Northampton is still split into two electoral districts being Mid West and Geraldton. There are only two electorates proposed as part of this review in the overall region.

**ATTACHMENT 9.1.5(3)**  
**ATTACHMENT 9.1.5(4)**

The purpose of this report is for Council to determine if they wish to lodge an objection to the 2023 State electoral boundary review.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil by the Shire however this item is part of a public submission period for the review of State electoral boundaries.

**COMMENT (Includes Options):**

The proposed changes to the to the State electoral boundaries are generally summarised by the following (please refer to the attachments for accurate representation):

North West Central (current electorate) to Mid West (proposed new electorate)

- Loses the Shire of Ashburton and Shire of Exmouth to the north;
- Loses the Shire of Wiluna and Shire of Ngaanyatjaraku to the east;
- Gains portion of the Shire of Menzies to the southeast;
- Gains the Shire of Irwin, Shire of Mingenew, Shire of Morawa, Shire of Perenjori, Shire of Dalwallinu, Shire of Three Springs, Shire of Carnamah, Shire of Coorow, Shire of Dandaragan, Shire of Moora, Shire of Gingin, Shire of Chittering, and portion of the Shire of Victoria Plains to the south; and
- Retains portion of the Shire of Northampton, Shire of Carnarvon, Shire of Upper Gascoyne, Shire of Meekatharra, Shire of Shark Bay, Shire of Murchison, Shire of Cue, Shire of Sandstone, Shire of Mount Magnet, and Shire of Yalgoo.

Moore (current electorate) to Geraldton (existing electorate expanded under the proposal)

- Loses the Shire of Irwin, Shire of Mingenew, Shire of Morawa, Shire of Perenjori, Shire of Dalwallinu, Shire of Three Springs, Shire of Carnamah, Shire of Coorow, Shire of Dandaragan, Shire of Moora, Shire of Gingin, Shire of Chittering, Shire of Victoria Plains, Shire of Goomalling, and Shire of Toodyay and
- Gains portion of the Shire of Northampton, Shire of Chapman Valley, and portion of the City of Greater Geraldton.

Geraldton (current electorate) to Geraldton (proposed electorate)

- Retains portion of the City of Greater Geraldton.

The proposed changes to the State electoral boundaries create a situation whereby the seats of North West Central, Moore and Geraldton are rationalised into the Geraldton electorate and a new electorate called Mid West, effectively reducing State representation from three to two Members of Parliament (MP's). It is considered that less representation by reducing three MP's to two MP's over the vast areas covered by the two new electorates will be detrimental to the regional communities generally.

A reduction in MP representation for regional areas should concern all people living and working in regional communities. Regional services, infrastructure and unique needs of regional communities will be more difficult to advocate for if MP representation is reduced. In addition, the obligation for a MP particularly in the

Mid West electorate to adequately represent the electorate is onerous particularly given the limitation on air transport in the region and the vast distances involved.

Communities of interest and physical characteristics across the proposed Mid West electorate are disparate and range from mining, pastoral, large broad acre farming and tourism, right through to lifestyle properties, small landholdings, smaller farming activities and niche commercial enterprise particularly the closer to the Perth metropolitan area you get. Given that the proposed Mid West electorate now extends from what currently is the North West Central electorate right into the southern portions of the current electorate of Moore, shows a disregard of Communities of Interest and Physical Feature parameters.

Finally, the Shire of Northampton is currently separated into two different electorates, and this is not proposed to change under the review proposal. It is understood that historically the Shire of Northampton has found it more difficult to be represented by two different MP's, in two different electorates. The prescribed feature premising this review of "Local Government Boundaries" does not appear to have been taken into consideration. The Shire of Northampton is currently subject to a Local Government reform provision whereby Shire Wards are to be abolished by the State Government in part of what is understood to assist in uniting the district, so the argument can be made that State electoral boundaries should do the same. It is considered that the business of the Shire of Northampton would be much simpler to conduct if there was one MP in one electorate representing the overall Shire district.

On the basis above it is recommended that Council object to parts proposed review of the State electoral boundaries

#### **STATUTORY ENVIRONMENT:**

The review is conducted by the State under the *Electoral Act 1907*.

#### **POLICY / STRATEGIC IMPLICATIONS:**

A reduction in MP representation across the region at a State level will make it more difficult to have a regional voice in Parliament. Unifying the Shire of Northampton under one State electorate is considered appropriate particularly with changes being made under local government reform.

#### **ORGANISATIONAL RISK MANAGEMENT:**

This decision of Council is an advocacy position that carries little risk directly to the organisation. Risk rating is considered Level 1 – insignificant.

| Measures of Consequence |                     |                    |   |  |  |   |   |
|-------------------------|---------------------|--------------------|---|--|--|---|---|
| Rating (Level)          | Health              | Financial Impact   | Service Interruption  | Compliance                                   | Reputational   | Property  | Environment   |
| Insignificant (1)       | Negligible injuries | Less than \$1,000  | No material service interruption                            | No noticeable regulatory or statutory impact | Unsubstantiated, low impact, low profile or 'no news' item | Inconsequential or no damage.                             | Contained, reversible impact managed by on site response  |
| Minor (2)               | First aid injuries  | \$1,001 - \$10,000 | Short term temporary interruption – backlog cleared < 1 day | Some temporary non compliances               | Substantiated, low impact, low news item                   | Localised damage rectified by routine internal procedures | Contained, reversible impact managed by internal response |

| Measures of Consequence |                                |                      |   |  |   |  |   |
|-------------------------|--------------------------------|----------------------|---|--|---|--|---|
| Rating (Level)          | Health                         | Financial Impact     | Service Interruption  | Compliance   | Reputational  | Property   | Environment   |
| Moderate (3)            | Medical type injuries          | \$10,001 - \$50,000  | Medium term temporary interruption – backlog cleared by additional resources < 1 week     | Short term non-compliance but with significant regulatory requirements imposed             | Substantiated, public embarrassment, moderate impact, moderate news profile   | Localised damage requiring external resources to rectify   | Contained, reversible impact managed by external agencies                               |
| Major (4)               | Lost time injury               | \$50,001 - \$150,000 | Prolonged interruption of services – additional resources; performance affected < 1 month | Non-compliance results in termination of services or imposed penalties                     | Substantiated, public embarrassment, high impact, high news profile, third party actions                                    | Significant damage requiring internal & external resources to rectify                                      | Uncontained, reversible impact managed by a coordinated response from external agencies |
| Catastrophic (5)        | Fatality, permanent disability | More than \$150,000  | Indeterminate prolonged interruption of services – non-performance > 1 month              | Non-compliance results in litigation, criminal charges or significant damages or penalties | Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions | Extensive damage requiring prolonged period of restitution<br>Complete loss of plant, equipment & building | Uncontained, irreversible impact  |

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**Environmental: Nil.Economic: Nil.Social: Nil.**VOTING REQUIREMENTS: SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

**That Council resolves for the Shire of Northampton to object to the 2023 Review of the Western Australian Electoral Boundaries on the following basis:**

- 1. The reduction in electorates in the region from three to two is not supported on the basis it decreases the number of Members of Parliament and adequate representation in the region;**
- 2. Means of Communication, Means of Travel and Distance from Capital: The proposed Mid West electorate is vast in area and will not possibly allow a Member of Parliament to adequately represent the electorate due to extreme distance and the lack of air transport options. As an example, to drive from one end of the electorate to the other by road would take up to 14 hours;**
- 3. Communities of Interest: The proposed Mid West electorate has a clear divergence of Communities of Interest due to the size of the electorate particularly in the activities undertaken in various areas. To group all of these different communities into the same electorate will potentially create division between regional communities making adequate electorate representation from the Member of Parliament complex and difficult; and**
- 4. Local Government Boundaries: The Shire of Northampton remains divided into two electorates and this should be altered to include the entire Shire district incorporated into either the proposed Geraldton electorate or the proposed Mid West**

**electorate to enable all communities of the Shire of Northampton to be unified under one electorate.**

## **COUNCIL RESOLUTION**

**MOVED: Sudlow, L   SECONDED: Suckling, R**

**08/23-07**

### **OFFICER RECOMMENDATION:**

**That Council resolves for the Shire of Northampton to object to the 2023 Review of the Western Australian Electoral Boundaries on the following basis:**

- 1. The reduction in electorates in the region from three to two is not supported on the basis it decreases the number of Members of Parliament and adequate representation in the region;**
- 2. Means of Communication, Means of Travel and Distance from Capital: The proposed Mid West electorate is vast in area and will not possibly allow a Member of Parliament to adequately represent the electorate due to extreme distance and the lack of air transport options. As an example, to drive from one end of the electorate to the other by road would take up to 14 hours;**
- 3. Communities of Interest: The proposed Mid West electorate has a clear divergence of Communities of Interest due to the size of the electorate particularly in the activities undertaken in various areas. To group all of these different communities into the same electorate will potentially create division between regional communities making adequate electorate representation from the Member of Parliament complex and difficult; and**
- 4. Local Government Boundaries: The Shire of Northampton remains divided into two electorates and this should be altered to include the entire Shire district incorporated into either the proposed Geraldton electorate or the proposed Mid West electorate to enable all communities of the Shire of Northampton to be unified under one electorate.**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

### **ATTACHMENTS**

- 1. North West Central electorate map.**
- 2. Moore electorate map.**
- 3. Mid West electorate map.**
- 4. Geraldton electorate map.**

### **APPENDICES**

- A. Nil.**

**ITEM 9.1.6: Shire of Northampton Policy Naming Convention**

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>PROPONENT:</b>               | Chief Executive Officer          |
| <b>OWNER:</b>                   | N/A                              |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire                   |
| <b>WARD:</b>                    | Northampton and Kalbarri         |
| <b>ZONE:</b>                    | All                              |
| <b>BUSINESS AREA:</b>           | Office of CEO                    |
| <b>FILE REFERENCE:</b>          | 4.3.1                            |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Andrew Campbell                  |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell                  |
| <b>DATE OF REPORT:</b>          | 8 August 2023                    |
| <b>DECLARATION OF INTEREST:</b> | Nil                              |

**BACKGROUND:**

With the Chief Executive Officer (CEO) being recently employed by the Shire of Northampton, a preliminary review of Council Policies has been undertaken to establish a baseline for improvement if required. From the preliminary review the CEO has clearly determined that existing Council Policies require major overhaul to be brought into line with contemporary local government practice and statutory obligations.

Whilst this will be a significant body of work to be undertaken over some time, to facilitate the overhaul it requires a clearly defined naming convention and templated document consistency which is the purpose of this report.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The major deficiencies in the current Council Policy system have been identified as:

- No separation between Council Policies (strategic) and Management Policies (operational);
- No Policy numbering system;
- No Policy review dates;
- No allocation of Policy responsibility; and
- Inconsistent Policy structure.

Council Policies

Council Policies are generally Policies that Council uses to guide strategic process. They operate in both statutory and non-statutory forms in various functional areas and require review in periods between one and five years.

It is proposed that the Council Policy naming convention consists of the following sequence:

Council 1.x

Corporate 2.x

Administration Services 3.x

Finance Services 4.x

Community Development 5.x

Planning and Development 6.x  
 Building Services 7.x  
 Environmental Health Services 8.x  
 Waste Management 9.x  
 Works and Technical Services 10.x

A standard proposed Council Policy template is provided in the attachment.

**ATTACHMENT 9.1.6(1)**

#### Management Policies

Management Policies are generally Policies that are used to guide the operational activities of the organisation. These types of Policies provide the separation between the Council and the Administration and cover the operational areas that Council is prohibited from becoming involved with in accordance with the requirements of the *Local Government Act 1995*. Management Policies are not brought to Council for endorsement but are approved by the Chief Executive Officer, and in this instance, the entire Executive Management Team.

It is proposed that the Management Policy naming convention consists of the following sequence to reflect organisational structure:

Chief Executive Officer 1.x  
 Corporate Services 2.x  
 Community Development and Regulation 3.x  
 Works and Technical Services 4.x

As Management Policies are further developed sub-areas of the different categories may be utilised.

A standard proposed Management Policy template is provided in the attachment.

**ATTACHMENT 9.1.6(2)**

#### **STATUTORY ENVIRONMENT:**

Policies are created and guided by the requirements of the *Local Government Act 1995*.

#### **POLICY / STRATEGIC IMPLICATIONS:**

A contemporary Policy structure will assist the Shire of Northampton to ensure that Policies are kept current and provide necessary opportunity for revision that ensure business and community obligations can be delivered.

#### **ORGANISATIONAL RISK MANAGEMENT:**

A contemporary Policy system enables organisational risk to be effectively managed. Risk rating is considered Level 3 – moderate based on anticipated Policy failure outcomes.

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

### FINANCIAL IMPLICATIONS:

Nil.

### SUSTAINABILITY:

Environmental: Policy will guide environmental practices of the Shire.

Economic: Local Planning Policies guide land use throughout the Shire.

Social: Community development Policies are important for communities.

### VOTING REQUIREMENTS: SIMPLE MAJORITY

#### OFFICER RECOMMENDATION:

##### That Council:

1. Endorse the following Council Policy Numbering System for future Council Policy review:
  - Council 1.x
  - Corporate 2.x
  - Administration Services 3.x
  - Finance Services 4.x
  - Community Development 5.x
  - Planning and Development 6.x
  - Building Services 7.x
  - Environmental Health Services 8.x
  - Waste Management 9.x
  - Works and Technical Services 10.x
2. Endorse the Council Policy template as per ATTACHMENT 9.1.6(1);

3. Endorse the following Management Policy Numbering System:
  - Chief Executive Officer 1.x
  - Corporate Services 2.x
  - Community Development and Regulation 3.x
  - Works and Technical Services 4.x
4. Endorse the Management Policy template as per ATTACHMENT 9.1.6(2); and
5. Acknowledge that the existing Council Policies approved by Council remain in place until they are replaced by Council decision during review.

## COUNCIL RESOLUTION

**MOVED: Burges, R   SECONDED: Suckling, R**

**08/23-08**

**That Council:**

1. Endorse the following Council Policy Numbering System for future Council Policy review:
    - Council 1.x
    - Corporate 2.x
    - Administration Services 3.x
    - Finance Services 4.x
    - Community Development 5.x
    - Planning and Development 6.x
    - Building Services 7.x
    - Environmental Health Services 8.x
    - Waste Management 9.x
    - Works and Technical Services 10.x
  2. Endorse the Council Policy template as per ATTACHMENT 9.1.6(1);
  3. Endorse the following Management Policy Numbering System:
    - Chief Executive Officer 1.x
    - Corporate Services 2.x
    - Community Development and Regulation 3.x
    - Works and Technical Services 4.x
  4. Endorse the Management Policy template as per ATTACHMENT 9.1.6(2); and
  5. Acknowledge that the existing Council Policies approved by Council remain in place until they are replaced by Council decision during review.
- CARRIED 6/0**
- For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**  
**Against: Nil**

**ATTACHMENTS**

1. Council Policy template.
2. Management Policy template.

**APPENDICES**

1. Nil.

**ITEM 9.2.1 Accounts for Endorsement**

|                                 |   |
|---------------------------------|---|
| <b>PROPONENT:</b>               | Shire of Northampton  |
| <b>OWNER:</b>                   | N/A   |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire  |
| <b>WARD:</b>                    | Northampton and Kalbarri  |
| <b>ZONE:</b>                    | All   |
| <b>BUSINESS AREA:</b>           | Corporate and Financial Services  |
| <b>FILE REFERENCE:</b>          | 1.1.1   |
| <b>LEGISLATION:</b>             | <i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Leanne Rowe   |
| <b>APPROVING OFFICER:</b>       | Grant Middleton   |
| <b>DATE OF REPORT:</b>          | 9 August 2023   |
| <b>DECLARATION OF INTEREST:</b> | Nil   |

**BACKGROUND:**

A list of payments submitted to Council on 18<sup>th</sup> August 2023, for confirmation in respect of accounts already paid or for the authority to those unpaid.

A copy of the Payment Listing is attached.

**ATTACHMENT 9.2.1(1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

Council is requested to endorse the payments as presented.

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulation 1996 Section 13  
Local Government Act 1995 Section 6.10

**POLICY / STRATEGIC IMPLICATIONS:**

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

**ORGANISATIONAL RISK MANAGEMENT:**

The associated risk would be the failure to comply with Financial Management Regulation 13 (1) is considered moderate as the presentation of payments forms part of the Shires due diligence to ensure payments are presented as required. Risk rating is considered Level 3- Moderate

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

#### **FINANCIAL IMPLICATIONS:**

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

#### **SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

#### **VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

#### **OFFICER RECOMMENDATION:**

**That Council note Municipal Fund Cheques 22397 to 22399 inclusive totalling \$398.90, Municipal EFT payments numbered EFT25144 to EFT25225 totalling \$1,409,705.10, Direct Debit payments numbered GJ0102 to GJ01010 inclusive totalling \$256,162.98 be passed for payment and the items therein be declared authorised expenditure.**

**COUNCIL RESOLUTION**

**MOVED: Suckling, R SECONDED: Hay, T**

**08/23-09**

**That Council note Municipal Fund Cheques 22397 to 22399 inclusive totalling \$398.90, Municipal EFT payments numbered EFT25144 to EFT25225 totalling \$1,409,705.10, Direct Debit payments numbered GJ0102 to GJ01010 inclusive totalling \$256,162.98 be passed for payment and the items therein be declared authorised expenditure.**

**CARRIED: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling  
Against: Nil**

**ATTACHMENTS**

- 1. Payments list to 18<sup>th</sup> August 2023**

**APPENDICIES**

- 1. Nil**

**ITEM 9.2.2 Monthly Financial Statements for the Period Ending 31 July 2023**

|                                 |   |
|---------------------------------|---|
| <b>PROPONENT:</b>               | Shire of Northampton  |
| <b>OWNER:</b>                   | N/A   |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire  |
| <b>WARD:</b>                    | Northampton and Kalbarri  |
| <b>ZONE:</b>                    | All   |
| <b>BUSINESS AREA:</b>           | Corporate and Financial Services  |
| <b>FILE REFERENCE:</b>          | 1.1.1   |
| <b>LEGISLATION:</b>             | <i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Leanne Rowe   |
| <b>APPROVING OFFICER:</b>       | Grant Middleton   |
| <b>DATE OF REPORT:</b>          | 9 August 2023   |
| <b>DECLARATION OF INTEREST:</b> | Nil   |

**BACKGROUND:**

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

The Monthly Statements of Financial Activity for the period ending 31 July 2023 are detailed from page 1 to page 22 per the attached Monthly Financial report.

A copy of the Monthly Finance Report is attached.

**ATTACHMENT 9.2.2(1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

Council to adopt the monthly Financial Report as presented.

**STATUTORY ENVIRONMENT:**

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

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**ORGANISATIONAL RISK MANAGEMENT:**

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

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

### FINANCIAL IMPLICATIONS:

The 31 July 2023 financial position is comprised of the following:

- Total operating revenue has a deficit position of \$188,319 and operating expenditure has a surplus position of \$574,892 to the end of July 2023. It is anticipated that operating revenue and operating expenditure variances will be temporary and converge with the budget as the year progresses.
- Depreciation for the month of July excludes depreciation costs associated with Infrastructure Roads and Other Infrastructure assets such as parks and gardens due to the delay in the revaluation process being finalised. All depreciation costs will be posted and presented in the August monthly Financial Statements.
- Investing and Financing variances will reconcile as the year progresses and it is anticipated there will be no significant budget variations.

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

### SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

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

That Council receives the Monthly Financial Report for the period ending 31 July 2023.

**COUNCIL RESOLUTION:****MOVED: Hay, T seconded: Gibb, T****08/23-10**

That Council receives the Monthly Financial Report for the period ending 31 July 2023.

**CARRIED: 6/0****For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling****Against: Nil****ATTACHMENTS**

1. Monthly Financial Statements to 31<sup>st</sup> July 2023

**APPENDICIES**

1. Nil

**ITEM 9.2.3 Proposed Budget Adoption 2023/2024**

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>PROPONENT:</b>               | Shire of Northampton             |
| <b>OWNER:</b>                   | N/A                              |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire                   |
| <b>WARD:</b>                    | Northampton and Kalbarri         |
| <b>ZONE:</b>                    | All                              |
| <b>BUSINESS AREA:</b>           | Corporate and Financial Services |
| <b>FILE REFERENCE:</b>          | 4.1.1                            |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Grant Middleton                  |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell                  |
| <b>DATE OF REPORT:</b>          | 9 August 2023                    |
| <b>DECLARATION OF INTEREST:</b> | Nil                              |

**BACKGROUND:**

The 2023/2024 Annual Statutory Budget Document is tabled for Council's consideration and adoption.

**PUBLIC CONSULTATION UNDERTAKEN:**

The public advertising period for the lodgement of Budget submissions for projects to be considered in the 2023/2024 budget closed on 31st March 2023. The document was advertised and available on Council's website with hardcopy forms at both the Northampton and Kalbarri Offices.

**COMMENT:**

Council has provided input and review of the 2023/24 Annual Budget through the Budget workshop process, adoption of the Corporate Business Plan and Community input via the budget submission process.

At the Budget workshop held on the 21<sup>st</sup> July 2023 Council considered a draft version of the 2023/2024 Budget and facilitated a balanced budget which required the removal of items that were unable to be funded or considered lower in priority than items retained in the Draft 2023/2024 Budget. Following that meeting the 2023/2024 budget computations were finalised and the statutory budget documentation completed. There have been no significant changes made to the final Budget document presented to Council at the Budget Workshop.

The Statutory Budget format for the 2023/2024 financial year is presented as a balanced budget for Council's consideration with a net current assets surplus position at the start of the 2023/2024 financial year (b/fwd) of \$3,094,009.

The 2023/2024 B/FWD position contains the following items of restricted and unrestricted cash:

Prepaid Financial Assistance Grant \$2,494,171

Unspent Bicycle Network Grant \$20,000

Sports Federation Grant – NCC Women's Change Rooms \$10,000

As per the Local Government Act 1995 and associated regulations, Council is requested to adopt the budget by absolute majority as per the officer recommendation.

A copy of the Statutory Budget 2023/2024 is attached.

### **ATTACHMENT 9.2.3 (1)**

The detailed “Schedule Budget 2023/2024” document will be tabled at the meeting.

### **TABLED DOCUMENT**

#### **STATUTORY ENVIRONMENT:**

##### Adoption of the budget

Section 6.2 of the *Local Government Act 1995* requires a Local Government to prepare and adopt an annual budget for the financial year 1 July to 30 June each year but with the adoption being no later than the 31 August in that financial year.

##### Granting of a discount for early payment

Section 6.46 of the *Local Government Act 1995* “Discounts” is applicable. As with previous years, it is proposed that for the 2023/24 budget, no early payment discounts apply.

##### Granting of rate concessions

Section 6.47 of the *Local Government Act 1995* “Concessions” prescribes circumstances where concessions and waivers can be applied. Concessions are proposed for properties that are situated on leased Shire land or other properties that are exempt or considered for exemption for rates Council Resolution per item 9.2.4.

#### **POLICY / STRATEGIC IMPLICATIONS:**

Various strategic initiatives identified in the Shire of Northampton’s Strategic Community Plan and underlying documents are included in the 2023/24 Annual Budget.

#### **ORGANISATIONAL RISK MANAGEMENT:**

Adoption of the 2023/24 Annual Budget reduces financial risk to the organisation by clearly articulating what the Shire of Northampton’s priorities are for the coming 12 months and how rates money is to be expended in achieving those priorities. Risk rating is considered Level 4 – Major.

| Measures of Consequence |                     |                    |   |  |  |   |   |
|-------------------------|---------------------|--------------------|---|--|--|---|---|
| Rating (Level)          | Health              | Financial Impact   | Service Interruption  | Compliance                                   | Reputational   | Property  | Environment   |
| Insignificant (1)       | Negligible injuries | Less than \$1,000  | No material service interruption                            | No noticeable regulatory or statutory impact | Unsubstantiated, low impact, low profile or ‘no news’ item | Inconsequential or no damage.                             | Contained, reversible impact managed by on site response  |
| Minor (2)               | First aid injuries  | \$1,001 - \$10,000 | Short term temporary interruption – backlog cleared < 1 day | Some temporary non compliances               | Substantiated, low impact, low news item                   | Localised damage rectified by routine internal procedures | Contained, reversible impact managed by internal response |

| Measures of Consequence |                                |                      |   |  |   |   |   |
|-------------------------|--------------------------------|----------------------|---|--|---|---|---|
| Rating (Level)          | Health                         | Financial Impact     | Service Interruption  | Compliance   | Reputational  | Property  | Environment   |
| Moderate (3)            | Medical type injuries          | \$10,001 - \$50,000  | Medium term temporary interruption – backlog cleared by additional resources < 1 week     | Short term non-compliance but with significant regulatory requirements imposed             | Substantiated, public embarrassment, moderate impact, moderate news profile   | Localised damage requiring external resources to rectify  | Contained, reversible impact managed by external agencies                               |
| Major (4)               | Lost time injury               | \$50,001 - \$150,000 | Prolonged interruption of services – additional resources; performance affected < 1 month | Non-compliance results in termination of services or imposed penalties                     | Substantiated, public embarrassment, high impact, high news profile, third party actions                                    | Significant damage requiring internal & external resources to rectify                                   | Uncontained, reversible impact managed by a coordinated response from external agencies |
| Catastrophic (5)        | Fatality, permanent disability | More than \$150,000  | Indeterminate prolonged interruption of services – non-performance > 1 month              | Non-compliance results in litigation, criminal charges or significant damages or penalties | Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions | Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building | Uncontained, irreversible impact  |

### FINANCIAL IMPLICATIONS:

The Annual Budget has been prepared as a balanced budget and incorporates items from the Corporate Business Plan (CBP) process plus other budget requests from the community and additional items identified by staff.

The financial implications of the 2023/2024 budget are summarised below with further details provided in the “Statutory Budget 2023/2024” document.

The Statutory Budget detail for 2023/2024 is presented on pages 1 to 25 including the Schedule of Fees and Charges from page 26. The Budget comprises projected “Total Comprehensive Income for the period” of (\$2,185,844) on page 2 and “Cash and cash equivalents at the end of the year” of \$1,896,166 per page 3. The “Statement of Financial Position” on Page 4 details the balanced budget position of “0” with total Rates of \$5,103,928 being raised for the year.

The brought forward position of \$3,094,909 shown on page 4 of the “Statement of Financial Activity” does not include any associated provisions for current long service leave, this deficiency will be address via the Annual Financial Report process.

### Rate Rise

It is proposed that the average general rate rise across the district of 6.0%. This will result in increased rate revenue of \$285,473 compared to the rate revenue raised during 2022/2023.

The Valuer General assessed Shire of Northampton Unimproved Value (UV) properties as at 1 July 2023. This revaluation has seen an overall increase to the UV data base of approximately 23.39%. The Shire of Northampton’s 2023/24 UV rate in the dollar has been adjusted down to reflect these value changes to facilitate an average 6.0% rates change across the UV data base in 2023/24.

The Valuer General did not undertake a revaluation of Shire of Northampton Gross Rental Value (GRV) properties. GRV properties are due for review in

preparation for 2024/25. The only variations to GRV valuations will be due to individual development on properties or some form of significant change that would affect the overall valuation.

Total Rates to be raised 2023/24 Annual Budget \$5,047,928

### General Rates

That the rate in the dollar for all rateable Gross Rental Value properties be set at \$0.08693 (8.6903¢) and the rate in the dollar for all rateable Unimproved Value properties be set at \$0.008487 (0.8487¢).

### Minimum Rates

The minimum rate on rateable Gross Rental Value and Unimproved Value properties is proposed at \$615.00 per assessment. This represents an increase of \$15 above the figure presented to Council at the June Meeting, the increase was required to align the minimum charge with the rates increase and ensure all rate payers bear the increase for the medical service allocation.

### Specified Area Rates

#### Port Gregory Specified Area Rate

Each year Council raises a specified area rate on properties located in the Port Gregory townsite to assist with the cost to operate and maintain the Port Gregory Water supply. The specified area rate to be raised is based on the cost of operating the supply the previous financial year which has been estimated at approximately \$26,000 for 2022/2023 excluding major repair works and upgrades.

To raise the \$26,000 for 2023/2024 all rateable Port Gregory Gross Rental Value properties within the Port Gregory Townsite will be levied a Specified Area Rate of \$0.045713 (4.5713¢).

#### Kalbarri Tourism Specified Area Rate

Each year Council raises a Specified Area Rate on Kalbarri Properties for TV, digital and print media campaigns and attendance at tourism trade shows. The amount to be raised for 2023/2024 is \$30,000, this allocation was approved at the April Meeting of Council.

To raise the \$30,000 for 2023/2024 all rateable Kalbarri Gross Rental Value properties zoned Residential, Residential Development, Places of Public Assembly, Special Site, Special Rural, Commercial, Tourist Accommodation, Service Industry, Light Industry, Composite Light Industry, within the Kalbarri Town Planning Scheme No. 9 be set at \$0.001785 (0.1785¢).

Refuse Charge

The following charges have been incorporated into the 2023/2024 Budget;

- Kalbarri Residential Collection\$400
- Kalbarri Business Collection (Double)\$800
- Northampton & Other Residential Collection\$400
- Northampton & Other Business Collection (Double)\$800
- Half Way Bay Cottages\$290.00 inc GST

Fees & Charges

For the 2023/2024 Fees & Charges are proposed to have a 4.0% increase. This increase only represents a portion of the CPI figure of 5.8% to the March 2023 quarter. The 4.0% increase excludes statutory based fees determined by external State departments, however at this point there have only been minor increases to those Fees & Charges.

Loan Funds

The 2023/24 Annual Budget proposes a 10 year \$250,000 loan for the purchase of a backhoe.

Bonds and Deposits and Reserve Fund

The Bonds and Deposits (Ex Trust) and Reserve Fund Budgets for 2023/2024 are included in the 2023/2024 Budget for adoption. The 2023/24 Annual Budget includes the creation of a new reserve account titled "Health Services Reserve" for the provision of future health costs within the Shire.

Tenders for Plant, Vehicles, Bitumen, Goods & Services

Management, as per previous years, seeks authorisation from Council to commence calling tenders for material items over \$250,000. Purchases required under this amount are now dealt with in accordance with Councils Purchasing Policy.

Material Variance

Council is required annually to adopt what it considers to be material variances that are required to be reported to Council. These are as a percentage and/or dollar value. Council's current policy is that the materiality levels be set as \$5,000 for the 2022/2023 financial year.

**SUSTAINABILITY:**

Environmental: The proposed 2023/24 Annual Budget endeavours to financially support key environmental initiatives and components of the operations of the Shire of Northampton.

Economic: Sound financial management and accountability is the fundamental component of economic sustainability. The proposed 2023/24 Annual Budget delivers a sustainable and responsible economic outcome on behalf of Council.

Social: Local Government is a foundation of local community governance in Australia and sound financial management is required to execute responsibilities to the social betterment of the district.

**VOTING REQUIREMENTS:**

**ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council**

**1. Adopt the 2023/2024 Annual Budget as tabled and set the following rates, discounts, instalments and interest for the 2023/2024 financial year:**

**a. General Rates**

- (i)Gross Rental Value \$0.086903 (8.6903¢) cents in the dollar**
- (ii)Unimproved Value \$0.008487 (0.8487¢) cents in the dollar**

**b. Minimum Rates**

- (i)Gross Rental Value \$615.00**
- (ii)Unimproved Value \$615.00**

**c. Specified Area Rates**

- (i)Port Gregory Specified Area Rate \$0.045713 (4.5713¢)**
- (ii)Kalbarri Tourism Specified Area Rate \$0.001785 (0.1785¢)**

**d. Discounts**

**That no rate discount be provided on 2023/2024 rates.**

**e. Due Date and Instalments**

**The due date for payment of rates shall be 6 October 2023.**

**Ratepayers will be offered the option of paying their general rates only by four instalments, and that the following additional charges will apply on the second (2nd), third (3rd), and fourth (4th) instalments:**

**Interest 5.0%**

**Administration Charge - \$5.00 for each instalment.**

**Further that the instalment due dates are as follows:**

|                       |                       |
|-----------------------|-----------------------|
| <b>1st instalment</b> | <b>Due 6-10-2023</b>  |
| <b>2nd instalment</b> | <b>Due 8-12-2023</b>  |
| <b>3rd instalment</b> | <b>Due 9-02 2024</b>  |
| <b>4th Instalment</b> | <b>Due 12-04 2024</b> |

**f. Late Payment Interest**

**That a late payment interest charge of 7.0% be applied to outstanding moneys to Council as follows:**

- Commence accruing daily (simple interest calculation) thirty five (35) days after the date stated on the account as being the due date the account was issued.**
- Late payment interest is to apply to all general rates, rubbish and waste management rates, and sundry debtors.**  
**\*Pensioners and Seniors are exempt from penalty interest.**

2. **Adopt the following waste collection fees and charges for the 2023/2024 financial year:**

| <b>Rubbish Bin Collection Service</b>                 |                          |
|---|--------------------------|
| <b>240 Litre Bin Collection - Residential per bin</b> | <b>\$400.00</b>          |
| <b>240 Litre Bin collection - Business per bin</b>    | <b>\$800.00</b>          |
| <b>Half Way Bay Cottages – per property</b>           | <b>\$290.00 inc GST.</b> |

3. **Creation of Reserve Account**  
That Council approve the creation of a new reserve for the provision of future health services titled “Health Services Reserve”.
4. **Bonds and Deposits and Reserve Fund**  
That the Bonds and Deposits and Reserve Fund Budgets for 2023/2024 be adopted.
5. **Tenders**  
That the Chief Executive Officer be authorised to call tenders, as per the requirements and provisions of the Local Government Act 1995, for the provision of goods and services as approved within the 2023/2024 Budget.
6. **Material Variance**  
That the Budget Variance parameters for the 2023/2024 financial year be set at \$5,000 as per FM Reg 34 (5).

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R SECONDED: Hay, T**

**08/23-11**

**PART A**

**That Council**

1. **Adopt the 2023/2024 Annual Budget as tabled and set the following rates, discounts, instalments and interest for the 2023/2024 financial year:**
  - a. **General Rates**
    - (i)Gross Rental Value \$0.086903 (8.6903¢) cents in the dollar
    - (ii)Unimproved Value \$0.008487 (0.8487¢) cents in the dollar
  - b. **Minimum Rates**
    - (i)Gross Rental Value \$615.00
    - (ii)Unimproved Value \$615.00
  - c. **Specified Area Rates**
    - (i)Port Gregory Specified Area Rate \$0.045713 (4.5713¢)
    - (ii)Kalbarri Tourism Specified Area Rate \$0.001785 (0.1785¢)
  - d. **Discounts**  
That no rate discount be provided on 2023/2024 rates.

**e. Due Date and Instalments**

The due date for payment of rates shall be 6 October 2023.

Ratepayers will be offered the option of paying their general rates only by four instalments, and that the following additional charges will apply on the second (2nd), third (3rd), and fourth (4th) instalments:

Interest 5.0%

Administration Charge - \$5.00 for each instalment.

Further that the instalment due dates are as follows:

|                |                |
|----------------|----------------|
| 1st instalment | Due 6-10-2023  |
| 2nd instalment | Due 8-12-2023  |
| 3rd instalment | Due 9-02 2024  |
| 4th Instalment | Due 12-04 2024 |

**f. Late Payment Interest**

That a late payment interest charge of 7.0% be applied to outstanding moneys to Council as follows:

- Commence accruing daily (simple interest calculation) thirty five (35) days after the date stated on the account as being the due date the account was issued.
- Late payment interest is to apply to all general rates, rubbish and waste management rates, and sundry debtors.  
\*Pensioners and Seniors are exempt from penalty interest.

**2. Adopt the following waste collection fees and charges for the 2023/2024 financial year:**

| Rubbish Bin Collection Service                 |                   |
|--|-------------------|
| 240 Litre Bin Collection - Residential per bin | \$400.00          |
| 240 Litre Bin collection - Business per bin    | \$800.00          |
| Half Way Bay Cottages – per property           | \$290.00 inc GST. |

**3. Creation of Reserve Account**

That Council approve the creation of a new reserve for the provision of future health services titled “Health Services Reserve”.

**4. Bonds and Deposits and Reserve Fund**

That the Bonds and Deposits and Reserve Fund Budgets for 2023/2024 be adopted.

**5. Tenders**

That the Chief Executive Officer be authorised to call tenders, as per the requirements and provisions of the Local Government Act 1995, for the provision of goods and services as approved within the 2023/2024 Budget.

**6. Material Variance**

That the Budget Variance parameters for the 2023/2024 financial year be set at \$5,000 as per FM Reg 34 (5).

With the exception of the following items:

- All capital and operational items relating to the Port Gregory Non Potable Water supply;
- All revenue associated with the Port Gregory Specified Area Rate;
- All revenue associated with the Kalbarri Specified Area Rate; and
- The Land Development Reserve.

**CARRIED BY ABSOLUTE MAJORITY: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**PART B**

Councillor Hay declared a financial interest in this item. Cr Hay did not speak or vote on the matter and left the meeting at 1.30pm.

**COUNCIL RESOLUTION:**

**MOVED: Burges, R SECONDED: Pike, D**

**08/23-12**

**That Council adopt all capital and operational items relating to the Port Gregory Non Potable Water supply: and the Port Gregory Specified Area Rate \$0.045713 (4.5713¢)**

**CARRIED BY ABSOLUTE MAJORITY: 5/0**

**For: Cr Sudlow, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

Councillor Hay returned to the meeting at 1.31pm.

**PART C**

Councillor Sudlow declared a financial interest in this item. Cr Sudlow did not speak or vote on the matter and left the meeting at 1.32pm.

No councillor wished to take the chair so Mr Andrew Campbell, the CEO chaired the meeting in Councillor Sudlow's absence.

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R SECONDED: Gibb, T**

**08/23-13**

**That Council adopt the Kalbarri Tourism Specified Area Rate \$0.001785 (0.1785¢)**

**CARRIED BY ABSOLUTE MAJORITY: 5/0**

**For: Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

Councillor Sudlow returned to the meeting at 1.33pm and resumed the chair

**PART D**

**COUNCIL RESOLUTION:**

**MOVED: Gibb, T    SECONDED: Pike, D**

**08/23-14**

**That Council change the name and purpose of the “Land Development Reserve” to the “Strategic Opportunities Reserve”. The purpose of the reserve will be “For the purpose of progressing strategic initiatives including land development”.**

**CARRIED BY ABSOLUTE MAJORITY: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ITEM 9.2.4 Waiver of Rates 2023/2024**

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>PROPONENT:</b>               | Shire of Northampton             |
| <b>OWNER:</b>                   | N/A                              |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire                   |
| <b>WARD:</b>                    | Northampton and Kalbarri         |
| <b>ZONE:</b>                    | All                              |
| <b>BUSINESS AREA:</b>           | Corporate and Financial Services |
| <b>FILE REFERENCE:</b>          | 4.1.1                            |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Grant Middleton                  |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell                  |
| <b>DATE OF REPORT:</b>          | 7 July 2023                      |
| <b>DECLARATION OF INTEREST:</b> | Nil                              |

**BACKGROUND:**

Each year Council presents a list of properties that are situated on leased Shire land or other properties that are exempt or considered for exemption for rates. Historically these Clubs/Organisations have not been levied rates. Council is requested to waive the rates for the following properties in accordance, with section 6.47 of the Local Government Act 1995.

- Northampton Bowling Club – Northampton Town lot 39 (255) Hampton Road, (A2175);
- Northampton Golf Club – Portion of Reserve 23432 (A1974) and Crown Grant in Trust Volume 1620 Folio 052, (A1852);
- Northampton Community Centre – Portion of Reserve 23432, (A1974);
- Kalbarri Camp and Community Hall – Kalbarri Town Lot 500 Reserve No 35559, (A2457);
- Kalbarri Golf and Bowling Club – part of Reserve No 30953, (A2628);
- Kalbarri Sport and Recreation Club – part of Reserve No 25447, (A4824).
- Regional Early Education and Development inc (REED) – Lot 233 (A1877) and 232 (A1878) Smith Street, Kalbarri,
- Regional Early Education and Development inc (REED) (Edna Bandy Centre) – Reserve 2038, Stephen Street Northampton, (A1693);
- Old School Community Centre – Lot 31, Robinson Street Northampton, (A4899;)
- Binu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binu, (A3721);

- Northampton Doctors Surgery at 51 (lot 10) Robinson Street, Northampton, (A1594);
- Kalbarri Doctors Surgery at 24 (lot 833) Hackney Street, Kalbarri, (A2398);
- LIA Units 4 Kitson Circuit Northampton, Unit 1, Unit 2, Unit 3, Unit 4, (A5039).
- Kalbarri Town Talk at 5 (lot 175) Kaiber Street, Kalbarri, (A2450);
- Horrocks Community Centre at lot 9503 North Court, Horrocks, (A4932).

### Aged Care Facilities

- Pioneer Lodge Inc situated at Lot 7 (A2642) Robinson Street & 52 (A1894) Essex Street, Northampton;
- Kalbarri Aged Care (Department of Housing) - Lot 1001 Hackney Street, (A2941).

### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil

### **COMMENT (Includes Options):**

Council considers the waiving of rates each year for various clubs, organisations and community groups.

### **STATUTORY ENVIRONMENT:**

Local Government Act 1995 Section 6.47

### **POLICY / STRATEGIC IMPLICATIONS:**

Rate waivers provide much needed financial assistance to community groups and clubs which enables them to continue providing valuable services and support to the local community.

### **ORGANISATIONAL RISK MANAGEMENT:**

The associated Risk Rating of not approving the rate concession is considered moderate. Level 3

| Measures of Consequence |                       |                     |   |  |   |   |   |
|-------------------------|-----------------------|---------------------|---|--|---|---|---|
| Rating (Level)          | Health                | Financial Impact    | Service Interruption  | Compliance   | Reputational  | Property  | Environment   |
| Insignificant (1)       | Negligible injuries   | Less than \$1,000   | No material service interruption  | No noticeable regulatory or statutory impact                                   | Unsubstantiated, low impact, low profile or 'no news' item                  | Inconsequential or no damage.                             | Contained, reversible impact managed by on site response  |
| Minor (2)               | First aid injuries    | \$1,001 - \$10,000  | Short term temporary interruption – backlog cleared < 1 day                           | Some temporary non compliances   | Substantiated, low impact, low news item                                    | Localised damage rectified by routine internal procedures | Contained, reversible impact managed by internal response |
| Moderate (3)            | Medical type injuries | \$10,001 - \$50,000 | Medium term temporary interruption – backlog cleared by additional resources < 1 week | Short term non-compliance but with significant regulatory requirements imposed | Substantiated, public embarrassment, moderate impact, moderate news profile | Localised damage requiring external resources to rectify  | Contained, reversible impact managed by external agencies |

| Measures of Consequence |                                      |                         |   |  |   |   |   |
|-------------------------|--------------------------------------|-------------------------|---|--|---|---|---|
| Rating (Level)          | Health                               | Financial Impact        | Service Interruption  | Compliance   | Reputational  | Property  | Environment   |
| Major<br>(4)            | Lost time<br>injury                  | \$50,001 -<br>\$150,000 | Prolonged<br>interruption of<br>services – additional<br>resources;<br>performance<br>affected<br>< 1 month | Non-compliance<br>results in<br>termination of<br>services or<br>imposed penalties                           | Substantiated, public<br>embarrassment,<br>high impact, high<br>news profile, third<br>party actions  | Significant damage<br>requiring internal<br>& external<br>resources to<br>rectify   | Uncontained,<br>reversible impact<br>managed by a<br>coordinated<br>response from<br>external<br>agencies |
| Catastrophic<br>(5)     | Fatality,<br>permanent<br>disability | More than<br>\$150,000  | Indeterminate<br>prolonged<br>interruption of<br>services – non-<br>performance<br>> 1 month                | Non-compliance<br>results in<br>litigation, criminal<br>charges or<br>significant<br>damages or<br>penalties | Substantiated, public<br>embarrassment,<br>very high multiple<br>impacts, high<br>widespread multiple<br>news profile, third<br>party actions | Extensive damage<br>requiring<br>prolonged period<br>of restitution<br>Complete loss of<br>plant, equipment<br>& building | Uncontained,<br>irreversible<br>impact  |

### FINANCIAL IMPLICATIONS:

There will be no impact to the Shires financial position associated with the rate concession as the properties have not been rated in prior years and are not included in the 2023/2024 Rates Budget.

### SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: The approval of rates waivers facilitates the provision of support to the community which enhances the Shires social environment.

### VOTING REQUIREMENTS:

**SIMPLE MAJORITY**

### OFFICER RECOMMENDATION:

That Council in accordance with section 6.47 of the Local Government Act 1995 waive the rates on the following properties for the 2023/2024 Financial Year;

- Northampton Bowling Club – Lot 39 (255) Hampton Road Northampton;
- Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;
- Northampton Community Centre – Portion of Reserve 23432;
- Kalbarri Camp and Community Hall – Kalbarri Town Lot 500 Reserve No 35559;
- Kalbarri Golf and Bowling Club – part of Reserve No 30953;
- Kalbarri Sport and Recreation Club – part of Reserve No 25447;
- Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri;
- Northampton Child Care Centre (Edna Bandy Centre) – Reserve 2038,

**Stephen Street Northampton;**

- **Old School Community Centre – Lot 475, Stephen Street Northampton;**
- **Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu;**
- **Doctors Surgery – 51 (lot 10) Robinson Street, Northampton;**
- **Doctors Surgery – 24 (lot 833) Hackney Street, Kalbarri;**
- **LIA Units 1 – 4 lot 83 (4) Kitson Circuit, Northampton;**
- **Kalbarri Town Talk - Lot 175 Kaiber Street, Kalbarri;**
- **Horrocks Community Centre - Lot 9503 North Court Horrocks;**
- **Pioneer Lodge Inc – Lot 7 Robinson Street & 52 Essex Street, Northampton; and**
- **Department of Housing (Kalbarri Aged Care Units) - Lot 1001 Hackney Street, Kalbarri.**

**COUNCIL RESOLUTION:**

**MOVED: Burges, R   SECONDED: Suckling, R**

**08/23-15**

**That Council in accordance with section 6.47 of the Local Government Act 1995 waive the rates on the following properties for the 2023/2024 Financial Year;**

- **Northampton Bowling Club – Lot 39 (255) Hampton Road Northampton;**
- **Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;**
- **Northampton Community Centre – Portion of Reserve 23432;**
- **Kalbarri Camp and Community Hall – Kalbarri Town Lot 500 Reserve No 35559;**
- **Kalbarri Golf and Bowling Club – part of Reserve No 30953;**
- **Kalbarri Sport and Recreation Club – part of Reserve No 25447;**

- **Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri;**
- **Northampton Child Care Centre (Edna Bandy Centre) – Reserve 2038, Stephen Street Northampton;**
- **Old School Community Centre – Lot 475, Stephen Street Northampton;**
- **Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu;**
- **Doctors Surgery – 51 (lot 10) Robinson Street, Northampton;**
- **Doctors Surgery – 24 (lot 833) Hackney Street, Kalbarri;**
- **LIA Units 1 – 4 lot 83 (4) Kitson Circuit, Northampton;**
- **Kalbarri Town Talk – Lot 175 Kaiber Street, Kalbarri;**
- **Horrocks Community Centre – Lot 9503 North Court Horrocks;**
- **Pioneer Lodge Inc – Lot 7 Robinson Street & 52 Essex Street, Northampton; and**
- **Department of Housing (Kalbarri Aged Care Units) – Lot 1001 Hackney Street, Kalbarri.**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**  
**Against: Nil**

**ATTACHMENTS**

**1. Nil**

**APPENDICIES**

**1. Nil**

**ITEM 9.3.1: Mobile Food Vehicle Application and Commercial Vehicle Parking Application – ‘Kat-A-Chino’**

|                                 |   |
|---------------------------------|---|
| <b>PROPONENT:</b>               | K Deadman   |
| <b>OWNER:</b>                   | K Deadman, Department of Planning, Lands and Heritage, Shire of Northampton |
| <b>LOCATION / ADDRESS:</b>      | Lot 766 (No.46) Glass Street, Kalbarri, Reserve 25307 sealed carpark        |
| <b>WARD:</b>                    | Kalbarri  |
| <b>ZONE:</b>                    | Public Open Space/Residential   |
| <b>DIRECTORATE:</b>             | Planning Services   |
| <b>FILE REFERENCE:</b>          | 10.6.1.3 / 10.6.4 / KAC-MFV (A2135)/R25307 (A3731)/                         |
| <b>LEGISLATION:</b>             | <i>Planning and Development Act 2005 Local Government Act 1995</i>          |
| <b>AUTHOR:</b>                  | Michelle Allen  |
| <b>DATE OF REPORT:</b>          | 7 August 2023   |
| <b>DECLARATION OF INTEREST:</b> | Nil   |

**BACKGROUND:**

Council is in receipt of an application to operate a mobile food vehicle (Kat-A-Chino) for an annual period from Reserve 25307 (in the north-west corner of the Boat Hire carpark) on Grey Street, Kalbarri.

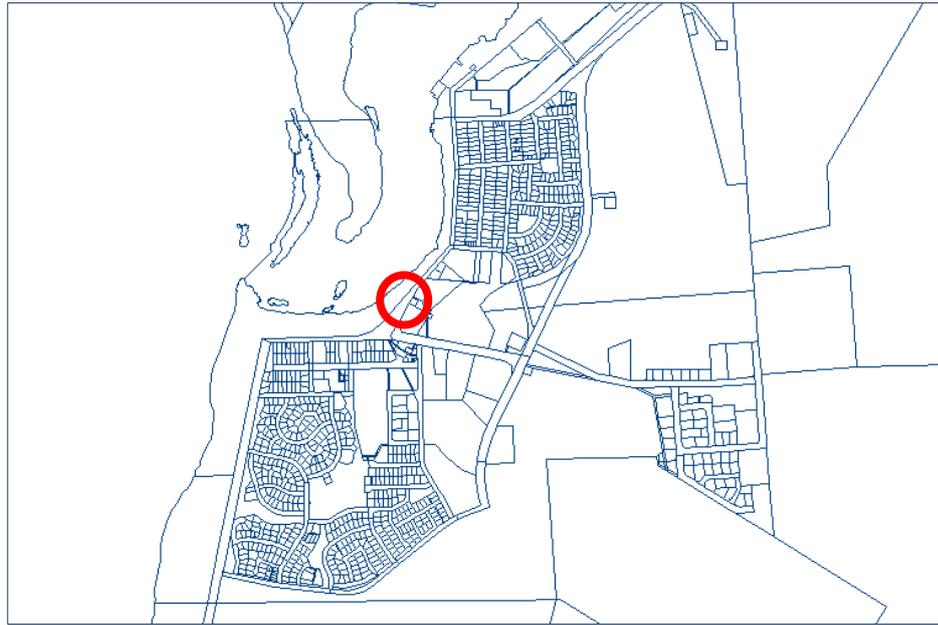
The applicant is currently approved to operate the mobile food vehicle in the location serving food items such as coffee, toasted sandwiches, doughnuts and cakes from the hours of 6-00am to 2-00pm seven (7) days a week. When not in operation the food van is parked at Lot 844 (No. 15) Sutherland Street, Kalbarri.

This current application is seeking an extension to trading hours from 5-00pm to 8-30pm three days per week on Friday, Saturday and Sunday to serve a variety of hot and cold food for evening meals. The applicant is also seeking approval to store the food van within the residential area at Lot 766 (No. 46) Glass Street, Kalbarri during the hours of 2-00pm and 5-00pm and overnight on Friday and Saturday nights following closure of the trading period earlier on those days so as to restock the vehicle for the following days trade.

Advertising of the proposal was undertaken for 14 days allowing for submissions to be made in respect of the application with 13 submissions being received supporting and raising no objections to the application.

This report recommends conditional approval of the application to utilise Reserve 25307 for the extended trading period and times of three days per week and to park the food van for conditional times at Lot 766 (No. 46) Glass Street, Kalbarri.

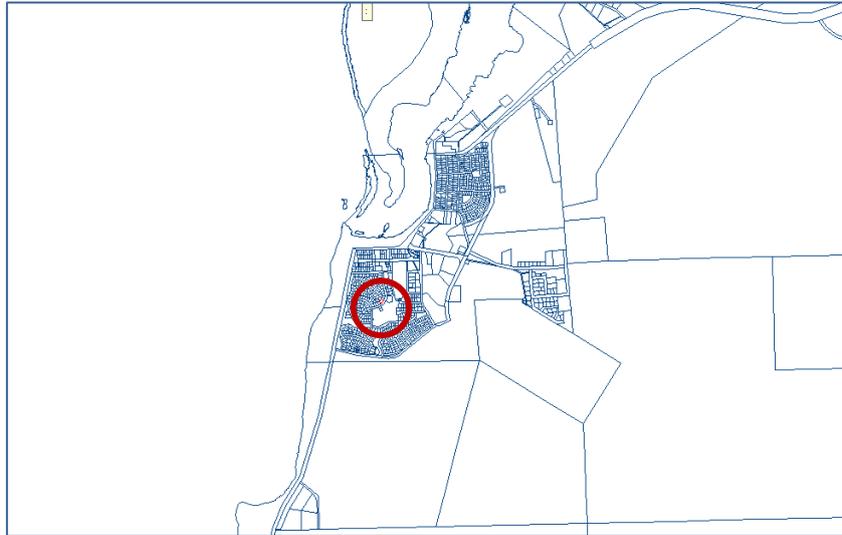
**Figure 1. Location plan of Reserve 25307 Grey Street, Kalbarri (north-west corner of the boat Hire carpark)**



**Figure 2. Site plan of Reserve 25307 Grey Street, Kalbarri (north-west corner of the boat Hire carpark)**



**Figure 3. Location of Lot 766 (No. 46) Glass Street, Kalbarri - Storage of van when for conditional periods on Friday, Saturday and Sunday.**



### The Proposal

The Applicant has been operating the mobile food vehicle, known as 'Kat-A-Chino', on an annual permit basis upon Reserve 25307 in the north-west corner of the Boat Hire carpark area on Grey Street, Kalbarri (see **Figures 1 and 2**) serving coffee and light take-away food since February 2022 with the latest annual renewal being granted on 13 February 2023.

This application is seeking to extend trading hours and to offer a different selection of hot and cold food three evenings per week on Friday, Saturday and Sunday evenings. The variety of food is outlined within the application information document. All food preparation is to be served from the van, with some food being prepared on-site within the van and some food being purchased from commercial retailers.

### **ATTACHMENT 9.3.1 (1)**

Whilst the applicant proposes to utilise the same signage previously approved, being a tear drop banner and an A-frame sign, this application seeks to utilise an additional tear drop/feather banner for placement on the front of the tow vehicle during evening trading hours to identify the location of the food van more clearly. One banner sign and the A-frame sign will be used when the food van is open for business between 6-00am and 2-00pm and the second feather/banner flag will be used during evening trading hours between 5-00pm and 8-30pm. All signage will be removed daily at the close of business.

Public liability insurance cover will be obtained to cover the extended trading hours, should approval be granted to operate the mobile food van for the extended evening hours.

Storage of the food van will be primarily at Lot 844 (No. 15) Sutherland Street, Kalbarri and approval is sought to store the van in the residential zone at Lot

766 (No. 46) Glass Street, Kalbarri between 2-00pm and 5-00pm on Friday, Saturday and Sunday afternoons so as to restock the vehicle prior to trading again those same days in the evening. It is also proposed to store the vehicle at Lot 766 Glass Street overnight on Friday and Saturday nights in preparation for opening the following day at 6-00am.

**PUBLIC CONSULTATION UNDERTAKEN:**

In accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in consideration of the Shire of Northampton's *Local Planning Policy – Consultation for Planning Proposals*, a Level C 'Consultation with Owners and Occupiers of Nearly Land' was undertaken.

During the advertising period the following actions were undertaken:

- Letters forwarded to relevant governmental agencies and adjacent landowners;
- Notice on the Shire website;
- Notice in local newsletter publications, 'Kalbarri Town Talk' and 'Northampton News'; and
- Notice of the development advertised at each of the Shire's administration buildings.

The application was advertised for a 14-day period to adjacent landowners and relevant government agencies with 13 submissions being received in support of the application.

**COMMENT:**

It is considered that the proposed development complies with the requirements of the *Local Planning Scheme No. 11* and the *Local Planning Policy Mobile Food Vehicles*.

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

Matters to be considered.

In determining an application for Development Approval, the local government is required to have regard to various matters as outlined in Part 4 of the Scheme and the *Mobile Food Vehicles Local Planning Policy*. These matters include, but are not limited to:

- *Provide guidance on the requirements for the operation of mobile food vehicles within the Shire of Northampton;*
- *Allow mobile food vehicles to operate in locations which support the activation of underutilised public spaces;*
- *Ensure mobile food vehicles operate in a way which complements existing food businesses within townsites;*
- *Ensure mobile food vehicles are of a temporary nature;*
- *Ensure mobile food vehicles do not unreasonably compromise the amenity of the surrounding residential area; and*

- *Ensure mobile food vehicle operators practice safe food handling in accordance with the Food Act 2008.*

#### Location

Whilst the application is consistent with the Local Planning Policy – *Mobile Food Vehicles*, it does not strictly meet provisions associated with ‘approved locations within the LPP. Clause 3.4.2 of the LPP does provide opportunity for applicants to nominate an alternative location and as such the applicant was approved to operate in the north west corner of the Boat Hire carpark located on Grey Street, Kalbarri in February 2022.

#### Current application

This application is seeking to extend trading hours to 5-00pm to 8-30pm for three evenings per week on Friday, Saturday and Sunday in the same location. No objection was received during the advertising period, regarding the potential impact the proposal might have upon existing businesses.

#### Signage

The applicant proposes to utilise the same signage previously approved, being a tear drop banner and an A-frame sign and is seeking to utilise an additional tear drop/feather banner for placement on the front of the tow vehicle during evening trading hours.

#### Parking of Mobile Food Vehicle

Outside of trading hours, the food van is currently stored within the Industrial area of the townsite, being Lot 844 (No. 15) Sutherland Street, Kalbarri.

The application, seeking to store the food van (commercial vehicle) intermittently at Lot 766 (No.46) Glass Street when not in use during the hours mentioned earlier within the report, was advertised with 1 submission being received in support of the application.

Therefore, conditional support for storage of the van at this location is considered appropriate.

#### Conclusion

Given the application’s compliance with the requirements of the Scheme and Policy, it is recommended that Council approve this application. Furthermore, all future permit renewals managed on an annual basis will be for the period 1 July to 30 June each year.

#### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Shire of Northampton Local Planning Scheme No. 11 – Kalbarri*

**APPENDIX 9.3.1(1)**

**POLICY / STRATEGIC IMPLICATIONS:**

Applications for Development Approval must be assessed against requirements of the Scheme and Local Planning Policies that have been adopted in accordance with the Scheme. These policies include Local Planning Policy *Mobile Food Vehicles*.

**APPENDIX 9.3.1(2)****ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

Previous approval was granted to the applicant under the mobile food vehicle annual renewal process and this application will be dealt with under the *Mobile Food Vehicles* Local Planning Policy with a total application fee being paid of \$672 (being \$297 application fee and \$375 advertising fee).

All future permit renewals managed on an annual basis will be for the period 1 July to 30 June each year, with renewal applications required to be submitted well before the expiry date. Whilst new application fees have been paid in respect of this application, should Council grant approval for the current application, the approvals for the 'Kat-A-Chino' mobile food vehicle will be merged and include both daily and evening trading times.

Therefore, to synchronise the expiry date of both approvals to 30 June 2024, an amount of \$333 will be sought from the applicant.

**SUSTAINABILITY:**

Environmental:

Nil.

Economic: Nil.

Social: Nil.

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

That Council grant development approval for the Applicant to operate the 'Kat-A-Chino' Mobile Food Vehicle, subject to the following conditions:

1. Development/use shall be in accordance with the attached approved plans dated 18 August 2023 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without prior written approval of the local government;
2. Any additions to, or change to, the approved use (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
3. This Development Approval and Mobile Food Vehicle Permit is valid until 30 June 2024, after which further renewal of the approval by the local government is required annually. It is the responsibility of the operator to apply in good time before expiration, and the local government will not automatically re-issue approvals;

4. That Council determines the application renewal fee in accordance with the Shire of Northampton's *Schedule of Fees and Charges*;
5. That it is the responsibility of the operator to pay the appropriate mobile food vehicle permit fee in good time before the expiration, and the local government will not automatically issue renewal notices;
6. Should payment of the permit fee not be received by the due date, the current application will become void and no longer valid;
7. The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;
8. This approval is for one (1) Mobile Food Vehicle only;
9. The Mobile Food Vehicle and associated services shall at no time interfere or obstruct the operations and activities of Reserve 25307 or any approved users of the Reserve and shall at no time cause obstruction to the access or traffic flow of the car parking area to the satisfaction of the local government;
10. Should substantiated ongoing complaints be received in relation to Condition No. 9 the Shire of Northampton reserves the right to review and/or revoke this Development Approval;
11. This approval is issued only to K Deadman and is NOT transferable to any other person or to any other land parcel, without further further application and approval of the Shire of Northampton. Should there be any change in respect of which this development approval is issued this approval shall no longer be valid;
12. The Application shall obtain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton to comply with the provisions of the Shire of Northampton's Local Planning Policy – *Mobile Food Vehicles*;
13. The Mobile Food Vehicle is ONLY to be operated upon Reserve 25307 in the north-west corner of the Boat Hire carparking area on Grey Street Kalbarri;
14. That the Mobile Food Vehicle shall ONLY operate at the location defined at Condition 13 as follows:
  - i) between the hours of 6-00am and 2-00pm seven days per week; and
  - ii) between the hours of 5-00pm and 8-30pm three nights per week on Friday, Saturday and Sunday evenings.
15. The Mobile Food Vehicle is approved to sell the following items only between 6-00am and 2-00pm:
  - coffee, doughnuts, sandwiches, cakes, croissants (bakery items) and cool drinks;
16. The Mobile Food Vehicle is approved to sell the following items between 5-00pm and 8-30pm;
  - hot and cold meal options, as outlined in the approved attached plans dated 18 August 2023;

17. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibrations, waste product or otherwise;
18. The Applicant is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times;
19. The Mobile Food Vehicle is required to be removed from the area at the close of business each day. The Mobile Food Vehicle is not permitted to be stored within the approved operating areas;
20. The parking and storage of the commercial vehicle (mobile food vehicle upon Lot 844 (No. 15) Sutherland Street, Kalbarri shall be provided for within the property boundary and the street verge areas are to be kept free of such vehicles;
21. The Mobile Food Vehicle is permitted to be stored at Lot 766 (No.46) Glass Crescent, Kalbarri subject to the vehicle being stored within the property boundaries and the vehicle not causing injury to or prejudicially affecting the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
22. The vehicle is permitted to be stored at Lot 766 during the hours of 2-00pm to 5-00pm on Friday, Saturday and Sunday and overnight on Friday and Saturday nights;
23. The approval allows for signage as follows:
  - i) One (1) A-frame sign and one teardrop banner sign to be located immediately adjacent to the food van upon Reserve 25307 during the hours of 6-00am and 2-00pm each day; and
  - ii) One (1) A-frame sign and two teardrop banner signs to be located immediately adjacent to the food van upon Reserve 25307 during the hours of 5-00pm and 8-30pm on Friday, Saturday and Sunday evenings.
24. The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The Mobile Food Vehicle shall at all times comply with the Environmental Protection (Noise) Regulations 1997;
25. The parking of the Mobile Food Vehicle is not permitted upon road reserves, road verges or other carriageways with the exception of those approved areas indicated upon the approved plans dated 18 August 2023;
26. The use of a generator upon Reserve 25307 is only allowed during power outages or when the on-site power source is not accessible (as approved by the Local Government). At all other times, the Applicant shall utilise an onsite power connection and source, which shall be to the approval of the Local Government;
27. The Applicant shall be wholly financially responsible for the connection and/or use of electricity accessed via metred outlet(s) upon Reserve 25307.
28. The Shire of Northampton reserves the right to reposition the mobile food

vehicle's permitted trading area to be undertaken in consultation with the Applicant so as to improve the efficiency and effectiveness of the site's use, if required.

**Advice Notes:**

1. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
2. The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business.
3. The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to the Health Act and Regulations, the Food Act and Regulations and the Environmental Protection (Noise) Regulations, is required at all times;
4. If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.
5. Should a new food premise be established within 500m of any of the approved locations the applicant is advised that the future approval and use of the said location would be unlikely.
6. If a commercial vehicle owner/driver, who has been granted approval to park a vehicle on a lot, wishes to replace the vehicle in a different location to that approved, a new application is required to be lodged with that local government.

**COUNCIL RESOLUTION:**

**MOVED: Gibb, T    SECONDED: Sudlow, L**

**08/23-16**

**That Council grant development approval for the Applicant to operate the 'Kat-A-Chino' Mobile Food Vehicle, subject to the following conditions:**

1. Development/use shall be in accordance with the attached approved plans dated 18 August 2023 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without prior written approval of the local government;
2. Any additions to, or change to, the approved use (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
3. This Development Approval and Mobile Food Vehicle Permit is valid until 30 June 2024, after which further renewal of the approval by the local government is required annually. It is the responsibility of the

operator to apply in good time before expiration, and the local government will not automatically re-issue approvals;

4. That Council determines the application renewal fee in accordance with the Shire of Northampton's *Schedule of Fees and Charges*;
5. That it is the responsibility of the operator to pay the appropriate mobile food vehicle permit fee in good time before the expiration, and the local government will not automatically issue renewal notices;
6. Should payment of the permit fee not be received by the due date, the current application will become void and no longer valid:
7. The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;
8. This approval is for one (1) Mobile Food Vehicle only;
9. The Mobile Food Vehicle and associated services shall at no time interfere or obstruct the operations and activities of Reserve 25307 or any approved users of the Reserve and shall at no time cause obstruction to the access or traffic flow of the car parking area to the satisfaction of the local government;
10. Should substantiated ongoing complaints be received in relation to Condition No. 9 the Shire of Northampton reserves the right to review and/or revoke this Development Approval;
11. This approval is issued only to K Deadman and is NOT transferable to any other person or to any other land parcel, without further further application and approval of the Shire of Northampton. Should there be any change in respect of which this development approval is issued this approval shall no longer be valid;
12. The Application shall obtain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton to comply with the provisions of the Shire of Northampton's Local Planning Policy – *Mobile Food Vehicles*;
13. The Mobile Food Vehicle is ONLY to be operated upon Reserve 25307 in the north-west corner of the Boat Hire carparking area on Grey Street, Kalbarri.
14. That the Mobile Food Vehicle shall ONLY operate at the location defined at Condition 13 as follows:
  - i) between the hours of 6-00am and 2-00pm seven days per week; and
  - ii) between the hours of 5-00pm and 8-30pm three nights per week on Friday, Saturday and Sunday evenings.
15. The Mobile Food Vehicle is approved to sell the following items only between 6-00am and 2-00pm:
  - coffee, doughnuts, sandwiches, cakes, croissants (bakery items) and

cool drinks;

16. **The Mobile Food Vehicle is approved to sell the following items between 5-00pm and 8-30pm; hot and cold meal options, as outlined in the approved attached plans dated 18 August 2023;**
17. **The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibrations, waste product or otherwise;**
18. **The Applicant is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times;**
19. **The Mobile Food Vehicle is required to be removed from the area at the close of business each day. The Mobile Food Vehicle is not permitted to be stored within the approved operating areas;**
20. **The parking and storage of the commercial vehicle (mobile food vehicle upon Lot 844 (No. 15) Sutherland Street, Kalbarri shall be provided for within the property boundary and the street verge areas are to be kept free of such vehicles;**
21. **The Mobile Food Vehicle is permitted to be stored at Lot 766 (No.46) Glass Crescent, Kalbarri subject to the vehicle being stored within the property boundaries and the vehicle not causing injury to or prejudicially affecting the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.**
22. **The vehicle is permitted to be stored at Lot 766 during the hours of 2-00pm to 5-00pm on Friday, Saturday and Sunday and overnight on Friday and Saturday nights;**
23. **The approval allows for signage as follows:**
  - i) **One (1) A-frame sign and one teardrop banner sign to be located immediately adjacent to the food van upon Reserve 25307 during the hours of 6-00am and 2-00pm each day; and**
  - ii) **One (1) A-frame sign and two teardrop banner signs to be located immediately adjacent to the food van upon Reserve 25307 during the hours of 5-00pm and 8-30pm on Friday, Saturday and Sunday evenings.**
24. **The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The Mobile Food Vehicle shall at all times comply with the Environmental Protection (Noise) Regulations 1997;**
25. **The parking of the Mobile Food Vehicle is not permitted upon road reserves, road verges or other carriageways with the exception of those approved areas indicated upon the approved plans dated 18**

**August 2023;**

26. The use of a generator upon Reserve 25307 is only allowed during power outages or when the on-site power source is not accessible (as approved by the Local Government). At all other times, the Applicant shall utilise an onsite power connection and source, which shall be to the approval of the Local Government;
27. The Applicant shall be wholly financially responsible for the connection and/or use of electricity accessed via metred outlet(s) upon Reserve 25307.
28. The Shire of Northampton reserves the right to reposition the mobile food vehicle's permitted trading area to be undertaken in consultation with the Applicant so as to improve the efficiency and effectiveness of the site's use, if required.

**Advice Notes:**

1. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
2. The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business.
3. The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to the Health Act and Regulations, the Food Act and Regulations and the Environmental Protection (Noise) Regulations, is required at all times;
4. If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.
5. Should a new food premise be established within 500m of any of the approved locations the applicant is advised that the future approval and use of the said location would be unlikely.
6. If a commercial vehicle owner/driver, who has been granted approval to park a vehicle on a lot, wishes to replace the vehicle in a different location to that approved, a new application is required to be lodged with that local government.

**CARRIED: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling  
Against: Nil**

**ATTACHMENTS**

**1.Application Information.**

**APPENDICES**

- 1. Shire of Northampton Local Planning Scheme No. 11 - Kalbarri**
- 2. Kalbarri Townsite Strategy and Local Planning Policy *Mobile Food Vehicles.***

**ITEM 9.3.2: Proposed Repurposed Single Dwelling and Relocation of**

## Building Envelope Lot 13 (No. 4) Ranch Court, Kalbarri

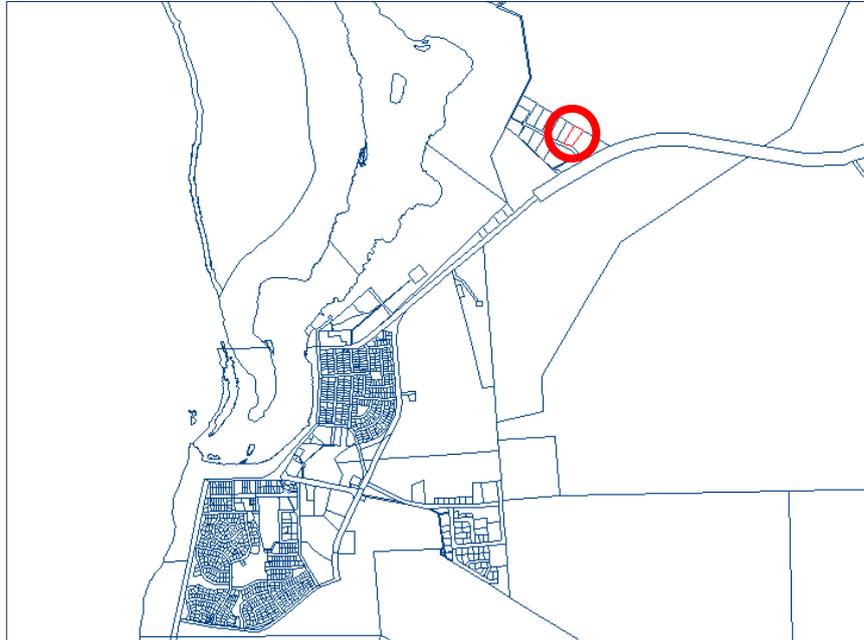
|                                 |  |
|---------------------------------|--|
| <b>PROPONENT:</b>               | SJ & A Timms   |
| <b>OWNER:</b>                   | SJ & A Timms   |
| <b>LOCATION / ADDRESS:</b>      | Lot 13 (No. 4) Ranch Court, Kalbarri                               |
| <b>WARD:</b>                    | Kalbarri   |
| <b>ZONE:</b>                    | Rural Residential  |
| <b>DIRECTORATE:</b>             | Planning Services  |
| <b>FILE REFERENCE:</b>          | 10.6.1.1 / (A4772)   |
| <b>LEGISLATION:</b>             | <i>Planning and Development Act 2005 Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Michelle Allen   |
| <b>DATE OF REPORT:</b>          | 7 August 2023  |
| <b>DECLARATION OF INTEREST:</b> | Nil  |

### BACKGROUND:

Council is in receipt of an application for additions to a repurposed single house to be placed upon Lot 13 (No. 4) Ranch Court, Kalbarri for the purpose of residential accommodation (see **Figures 1 and 2**). The property is located within the Big River Ranch Subdivision Guide Plan area and has an existing envelope setback 88m from the front boundary, 15m and 26m from side boundaries and 30m from the rear. A plan showing the approved envelope is appended.

### APPENDIX 9.3.2 (1)

**Figure 1. Location plan of Lot 13 (No. 4) Ranch Court, Kalbarri**



**Figure 2. Site plan of Lot 13 (No. 4) Ranch Court, Kalbarri**



The current application is seeking to extend the structure of the repurposed second-hand single dwelling to include a new transportable dwelling structure. The original application for the repurposed second-hand dwelling was approved by Council at their 20 August 2021 meeting subject to conditions of approval which included the provision of a Statutory Declaration and payment of a bond, to be repaid to the Applicant when modifications were deemed to be completed. The applicant's intention was for the repurposed second-hand dwelling to become 'ancillary accommodation' in the future following construction of a larger more substantial home within 18 months. It is noted that Shire Officers provided advice at the time that the chosen placement position was problematic and could be an impediment in the future when seeking reclassification of the development from 'single house' to 'single house and ancillary' development.

Following submission of documentation recently the applicant is now proposing to incorporate the previously approved structure into a single house development omitting the 'ancillary accommodation' component.

Furthermore, in considering the application, the previously approved structure has not been placed in the position proposed in previous application documentation and now sits outside the building envelope of Lot 13 Ranch Court. The Applicant has therefore requested to modify the building envelope so that it has the following setbacks:

Front (S):92m

Side (W):22m

Side (E):22m

Rear (S):25m

Approval is also being sought to retrospectively relocate the approved building envelope with a copy of the site plan showing existing and proposed building envelope locations at Attachment: 9.3.2(1).

**ATTACHMENT 9.3.2 (1)**

Detailed plans showing the proposed development are shown at Attachment: 9.3.2(2) and floor plan and elevation of new transportable structure shown at Attachment: 9.3.2 (3).

**ATTACHMENT 9.3.2 (2)**  
**ATTACHMENT 9.3.2 (3)**

Whilst conditions of Development Approval (D/A) 2021-075 have largely been met, provisions requiring payment of a bond and a Statutory Declaration have not been met to meet Council's previous conditions of approval.

Council is requested to consider the application as Shire Officers do not have the delegated authority to approve the application and it involves the granting of a retrospective approval in relation to relocation of the building envelope.

**PUBLIC CONSULTATION UNDERTAKEN:**

In accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in consideration of the Shire of Northampton's *Local Planning Policy – Consultation for Planning Proposals*, a Level C 'Consultation with Owners and Occupiers of Nearly Land' was undertaken.

The application was advertised for a 14-day period to adjacent landowners and relevant government agencies with two (2) submissions being received citing no objections to the proposal.

**COMMENT:**

The property is zoned Rural Residential according to *Local Planning Scheme No. 11 – Kalbarri* (the Scheme). The proposed development is required to comply with the Scheme and the *Local Planning Policy Repurposed and Second-hand Dwellings*.

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

Matters to be considered.

In determining an application for Development Approval, the local government is required to have regard to various matters as outlined in Part 4 of the Scheme and the *Repurposed and Second-hand Dwellings Local Planning Policy* (the Policy). These matters include, but are not limited to:

- *To ensure that any development proposing to use a repurposed or second-hand building meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.*
- *To ensure that any repurposed or second-hand dwelling does not detract from an existing (or reasonably desired) streetscape.*
- *To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.*

Clause 4.8.6 Development in Special Residential, Rural Residential and Rural Smallholdings of the Scheme states:

- *Where defined on a structure plan, all buildings on a lot shall be erected within the building envelope.*
- *All building shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, building height, materials and cladding colours. The local government may specify roof and wall materials and colours where, in the opinion of the local government, it is necessary so as not to prejudice the landscape amenity of the surrounding area.*

#### Impact on Amenity

In 2021, the applicant's intention was for the repurposed second-hand dwelling to become 'ancillary accommodation' in the future following construction of a larger more substantial home. However, the position of the structure at the front of the building envelope contravenes provisions that require ancillary accommodation structures to be 'secondary' to the main house on the property. Therefore, the application is seeking to include the structure of the existing repurposed structure with the new transportable dwelling to become one single dwelling development.

Whilst conditions of Development Approval (D/A) 2021-075 have largely been met, provisions requiring payment of a bond and a Statutory Declaration have not been met to meet Council's previous conditions of approval. These provisions according to the Shire's Local Planning Policy *Repurposed and Second-hand Dwellings* are imposed to enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved and to ensure that any development proposing to use a second-hand buildings meets acceptable aesthetic and amenity requirements in the locality.

Therefore, the imposition of these conditions is recommended and aim to reduce the visual impact of the proposed development upon the amenity of the area and place appropriate control measures over the proposed development.

#### Location

Whilst the development is proposed to be located within the Rural Residential area on the northern outskirts of the Kalbarri townsite, it is in keeping with the objective "to provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land".

#### Retrospective Approval of Relocation of Building Envelope

This application is seeking to relocate the current building envelope following assessment by Shire Officers that the previous approved structure had not been placed in the position as approved in 2021 thereby, a portion of the structure extends outside the current envelope.

Advertising to adjacent landowners and relevant government authorities, including the Department of Biodiversity, Conservation and Attractions, raised no objections to the application to relocate the envelope.

Conclusion

Given the requirement for the application to comply with the requirements of the Scheme and Policy, it is recommended that Council approve this application subject to conditions including the provision of the required Statutory Declaration and payment of bond in accordance with provisions.

**STATUTORY ENVIRONMENT:**

*State: Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Local: Shire of Northampton Local Planning Scheme No. 11 – Kalbarri*

**APPENDIX 9.3.2 (2)**

**POLICY / STRATEGIC IMPLICATIONS:**

Applications for Development Approval must be assessed against requirements of the Scheme and Local Planning Policies that have been adopted in accordance with the Scheme. These policies include Local Planning Policy *Repurposed and Second-hand Dwellings*.

**APPENDIX 9.3.2 (3)**

**ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

An application fee of \$1020-80 has been in respect of the current application together with the application fee of \$147 in respect of the retrospective relocation of building envelope application. A further payment of \$147 is to be sought from the applicant to meet the retrospective charge as per the Schedule of Fees and Charges.

**SUSTAINABILITY:**

Environmental:

Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council grant development approval to the proposed Single Dwelling upon Lot 13 (No. 4) Ranch Court, Kalbarri subject to the following conditions;**

- 1. Development shall be in accordance with the attached approved plan(s) dated 18 August 2023 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. If the development/use the subject of this approval is not substantially completed within a period of two (2) years after the date of this determination the approval shall lapse and be of no further effect;**
- 3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development**

approval for that use/addition;

4. A building permit shall be issued by the local government prior to the commencement of any work on site;
5. All stormwater is to be disposed of on-site to the specifications and approval of the local government;
6. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
7. A wastewater apparatus shall be provided and maintained in accordance with the *Health (Treatment of Sewerage & Disposal of Effluent & Liquid Waste) Regulations 1974* to the approval of the Shire of Northampton's Environmental Health Officer;
8. A vehicle access driveway shall be constructed and drained to a compacted gravel standard, and thereafter maintained to the approval of the local government;
9. Bin storage and clothes drying areas shall be provided to the rear of the dwelling, or screened from the view of the street, to the approval of the local government;
10. The storage of building materials associated with the relocated dwelling shall be to the rear of the dwelling or screened from public view. No long term storage of building materials shall be located forward of the dwelling;
11. The space between the ground level and the floor level of the relocated dwelling shall be suitably enclosed to the approval of the local government;
12. A materials and colour schedule for the dwelling shall be submitted prior to construction of the dwelling, and be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area;
13. All verandah posts, rafters, downpipes, gutters and fascias are to be painted in the colours provided, to the approval of the local government;
14. The Applicant shall undertake all of the building modifications and requirements as specified below;
  - i) The verandah/patio structure to be constructed between the existing structure and new structure and include roofed, paved and walled areas on all elevations; and
  - ii) The carport structure to include roofed and paved area on the eastern elevation;
 in accordance with the attached approved plan(s) dated 18 August 2023;
15. The Applicant shall lodge a Statutory Declaration with the Shire of Northampton prior to a Building Permit being issued, that provides a written and signed commitment to complete the required modifications to the approval of the local government and in accordance with, and acceptance of, Condition No's 11, 12, 13, and 14 of this approval;

16. A bond of \$10,000 shall be lodged with the Shire of Northampton prior to the issuance of a Building Permit, with the bond money to be repaid to the Applicant when the modifications as specified at Condition No. 14 are deemed to be completed (also refer to Condition No. 17 and Advice Note 3);
17. Should the works as specified at Condition No. 14 not be undertaken or completed to the satisfaction of the local government within a period of two (2) years from the date of this approval, being on or before the 18 August 2024, the Applicant will have forfeited their right to recover the bond as described within Condition No. 16.

**Advice Notes:**

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.
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.
3. Should the Applicant fail to commence or complete the modifications specified at Conditions No. 13 and 14 within the timeframes specified in Condition No. 17, the Applicant will have been deemed by the local government to have forfeited their bond. The Shire of Northampton may thereafter commence enforcement proceedings. These may include fines, prosecution, removal orders of the outbuilding and/or removal orders of the occupants. The Applicant is advised that, should delays to the modification works become likely, the Applicant should liaise immediately with the local government in order to seek a minor extension of approval and so as to avoid compliance measures being initiated by the local government.
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.

**COUNCIL RESOLUTION**

**MOVED: Hay, T    SECONDED: Sudlow, L**

**08/23-17**

**That Council grant development approval to the proposed Single Dwelling upon Lot 13 (No. 4) Ranch Court, Kalbarri subject to the following conditions;**

1. **Development shall be in accordance with the attached approved plan(s) dated 18 August 2023 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. If the development/use the subject of this approval is not substantially completed within a period of two (2) years after the date of this determination the approval shall lapse and be of no further effect;
3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
4. A building permit shall be issued by the local government prior to the commencement of any work on site;
5. All stormwater is to be disposed of on-site to the specifications and approval of the local government;
6. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
7. A wastewater apparatus shall be provided and maintained in accordance with the *Health (Treatment of Sewerage & Disposal of Effluent & Liquid Waste) Regulations 1974* to the approval of the Shire of Northampton's Environmental Health Officer;
8. A vehicle access driveway shall be constructed and drained to a compacted gravel standard, and thereafter maintained to the approval of the local government;
9. Bin storage and clothes drying areas shall be provided to the rear of the dwelling, or screened from the view of the street, to the approval of the local government;
10. The storage of building materials associated with the relocated dwelling shall be to the rear of the dwelling or screened from public view. No long term storage of building materials shall be located forward of the dwelling;
11. The space between the ground level and the floor level of the relocated dwelling shall be suitably enclosed to the approval of the local government;
12. A materials and colour schedule for the dwelling shall be submitted prior to construction of the dwelling, and be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area;
13. All verandah posts, rafters, downpipes, gutters and fascias are to be painted in the colours provided, to the approval of the local government;
14. The Applicant shall undertake all of the building modifications and requirements as specified below;

- i) The verandah/patio structure to be constructed between the existing structure and new structure and include roofed, paved and walled areas on all elevations; and
  - ii) The carport structure to include roofed and paved area on the eastern elevation; in accordance with the attached approved plan(s) dated 18 August 2023;
15. The Applicant shall lodge a Statutory Declaration with the Shire of Northampton prior to a Building Permit being issued, that provides a written and signed commitment to complete the required modifications to the approval of the local government and in accordance with, and acceptance of, Condition No's 11, 12, 13, and 14 of this approval;
  16. A bond of \$10,000 shall be lodged with the Shire of Northampton prior to the issuance of a Building Permit, with the bond money to be repaid to the Applicant when the modifications as specified at Condition No. 14 are deemed to be completed (also refer to Condition No. 17 and Advice Note 3);
  17. Should the works as specified at Condition No. 14 not be undertaken or completed to the satisfaction of the local government within a period of two (2) years from the date of this approval, being on or before the 18 August 2024, the Applicant will have forfeited their right to recover the bond as described within Condition No. 16.

**Advice Notes:**

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.
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.
3. Should the Applicant fail to commence or complete the modifications specified at Conditions No. 13 and 14 within the timeframes specified in Condition No. 17, the Applicant will have been deemed by the local government to have forfeited their bond. The Shire of Northampton may thereafter commence enforcement proceedings. These may include fines, prosecution, removal orders of the outbuilding and/or removal orders of the occupants. The Applicant is advised that, should delays to the modification works become likely, the Applicant should liaise immediately with the local government in order to seek a minor extension of approval and so as to avoid compliance measures being initiated by the local government.

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.

**CARRIED: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

### **ATTACHMENTS**

1. Location of existing and proposed Building Envelope.
2. Plans and Elevations of proposed single house development.
3. Plans and Elevations of new transportable structure.

### **APPENDICES**

1. Big River Ranch Subdivision Guide Plan – Ranch Court.
2. Shire of Northampton Local Planning Scheme No. 11 – Kalbarri.
3. Local Planning Scheme *Repurposed and Second-hand Dwellings*.

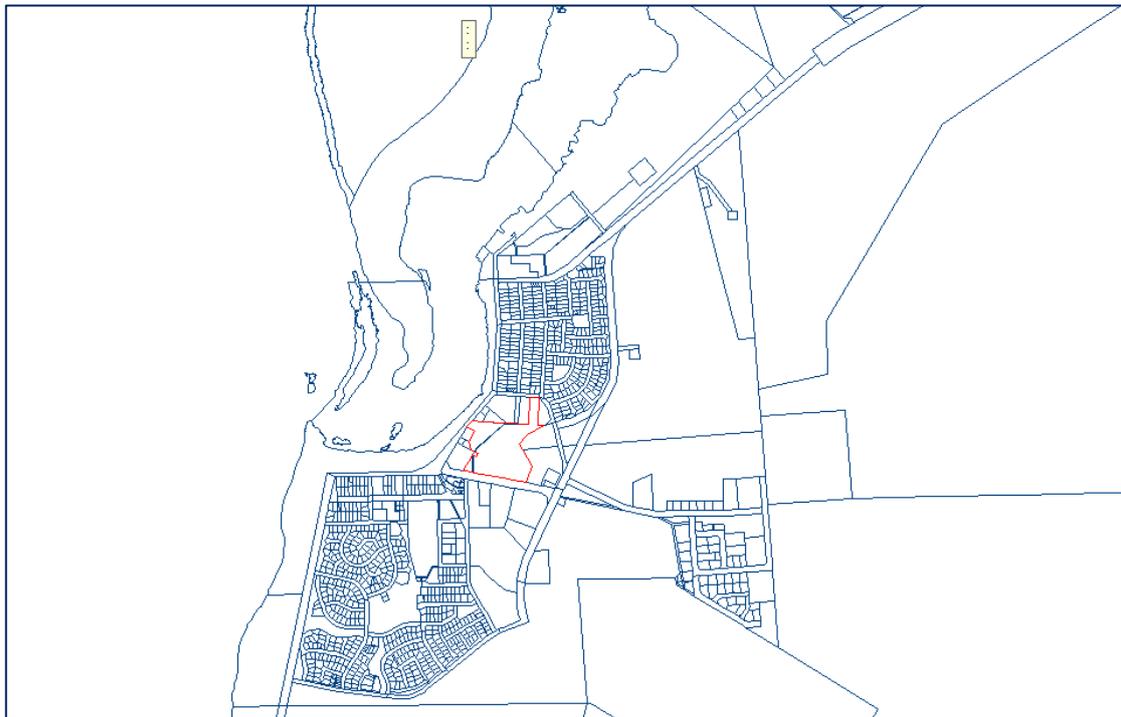
**ITEM 9.3.3: Proposed Electric Vehicle Charging Infrastructure Project –  
Kalbarri - Lot 513 Porter Street, Kalbarri (Reserve 25447)**

|                                 |  |
|---------------------------------|--|
| <b>PROPONENT:</b>               | Planning Solutions   |
| <b>OWNER:</b>                   | Shire of Northampton/State of Western Australia                          |
| <b>LOCATION / ADDRESS:</b>      | Lot 513 (on Deposited Plan 424035) Porter Street, Kalbarri/Reserve 25447 |
| <b>WARD:</b>                    | Kalbarri   |
| <b>ZONE:</b>                    | Residential  |
| <b>DIRECTORATE:</b>             | Planning Services  |
| <b>FILE REFERENCE:</b>          | 10.6.1/18.1.3/ (A4824)   |
| <b>LEGISLATION:</b>             | <i>Planning and Development Act 2005 Local Government Act 1995</i>       |
| <b>AUTHOR:</b>                  | Michelle Allen   |
| <b>DATE OF REPORT:</b>          | 7 August 2023  |
| <b>DECLARATION OF INTEREST:</b> | Nil  |

**BACKGROUND:**

Council is in receipt of an application to install electric vehicle fast-charging infrastructure on a portion of Reserve 25447 located directly behind the Allen Centre, 70 Grey Street Kalbarri (as shown in **Figures 1 and 2**).

**Figure 1. Locality plan of Reserve 25447 - Lot 513 Porter Street, Kalbarri (located behind the Kalbarri Visitor Centre on Grey Street, Kalbarri)**



**Figure 2. Site plan of location of Electric Vehicle Charging Station, Kalbarri**



Reserve 25447 is more particularly identified as Lot 513 (on Deposited Plan 424035) Porter Street, Kalbarri and is zoned Public Open Space for the designated purpose of Recreation, with objectives as follows:

- *To set aside areas for public open space, particularly those established under the Planning and Development Act 2005 s. 152.*
- *To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.*

The State Government's Electric Vehicle (EV) Strategy was developed proposing investment in EV fast-charging infrastructure. As a consequence the Western Australian (WA) State Government announced Australia's longest EV Highway on 17 August 2021 with the project aiming to deliver a network of charging stations to facilitate regional travel from Perth to Kununurra.

Kalbarri is one of 45 locations in WA where an EV charging station is proposed to be installed as a measure that will assist in supporting tourism to the Kalbarri locality in the Shire of Northampton and it will provide additional EV charging infrastructure to local residents.

The proposal was received from the proponent seeking to install the EV charging station comprising two charging units and two car parking bays in an existing carpark, located within the Kalbarri town centre. The charging units and car parking bays will be located in close proximity to a Western Power transformer on the subject site. Further detail in relation to the proposal is provided in Attachment: 9.3.3 (1).

#### **ATTACHMENT 9.3.3 (1)**

Council is requested to consider the application in relation to the installation of electric vehicle charging infrastructure in Kalbarri.

**PUBLIC CONSULTATION UNDERTAKEN:**

In accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in consideration of the Shire of Northampton's *Local Planning Policy – Consultation for Planning Proposals*, a Level C 'Consultation with Owners and Occupiers of Nearly Land' was undertaken.

The application was advertised for a 14-day period to adjacent landowners and relevant government agencies with no submissions received at the close of advertising on 4<sup>th</sup> August 2023.

**COMMENT:**

The site is located within a portion of Reserve 25447 zoned Public Open Space for the designated purpose of Recreation which contains an existing car park located adjacent to the Kalbarri Visitor Centre.

The installation of electric vehicle charging infrastructure is proposed as part of the Western Australian Government's Electric Vehicle Highway Network.

Consultation in relation to the proposal was undertaken with no submissions being received by close of the advertising period on Friday 4 July 2023.

Conclusion

Based on the consultation outcome Shire Officers are recommending that Council approve the application to install EV charging infrastructure on a portion of Reserve 25447 Lot 513 (on Deposited Plan 424035) Porter Street, more particularly located directly behind the Kalbarri Visitor Centre/Allen Centre, 70 Grey Street Kalbarri.

**STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Shire of Northampton Local Planning Scheme No. 11 – Kalbarri*

**APPENDIX 9.3.3 (1)**

**POLICY / STRATEGIC IMPLICATIONS:**

*Local: Shire of Northampton Kalbarri Townsite Strategy*

Applications for Development Approval must be assessed against requirements of the Scheme and relevant Local Planning Policies and Townsite Strategies.

**APPENDIX 9.3.3 (2)**

**ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

An application fee of \$416.00 has been in respect of the current application.

**SUSTAINABILITY:**

Environmental:

Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

That Council grant development approval to the installation of Electric Vehicle Charging Infrastructure upon a portion of Reserve 25447, Lot 513 (on Deposited Plan 424035) Porter Street, Kalbarri, subject to the following conditions:

1. This approval is for the installation of Electric Vehicle Charging Infrastructure in accordance with the attached approved plans dated 18 August 2023 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without prior written approval of the local government;
2. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;
3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
4. Where applicable, a building permit shall be issued by the local government prior to the commencement of any work on the site;
5. Any soils disturbed or deposited on the site shall be stabilised to the approval of the local government; and
6. The applicant/proponent shall ensure any works undertaken at the site in the process of construction, establishment or installation of the development/land use, shall not damage any existing infrastructure and be subject to a defect liability period of 12 months from the date of practical completion of works. Should works associated with the development/land use result in such damage, the existing infrastructure shall be reinstated to the satisfaction of the local government at the cost of the applicant/proponent.

**Advice Notes**

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.
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.
3. The Applicant is advised that compliance with any and all governmental legislation and regulations, is required at all times.
4. Prior to commencement of works, the applicant is advised to investigate whether or not approval is required pursuant to the relevant *Aboriginal Heritage Act*. The applicant should conduct a search to determine if any

aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Plannings, lands and Heritage with a request for advice.

5. 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.

## **COUNCIL RESOLUTION**

**MOVED: Sudlow, L    SECONDED: Gibb, T**

**08/23-18**

**That Council grant development approval to the installation of Electric Vehicle Charging Infrastructure upon a portion of Reserve 25447, Lot 513 (on Deposited Plan 424035) Porter Street, Kalbarri, subject to the following conditions:**

1. **This approval is for the installation of Electric Vehicle Charging Infrastructure in accordance with the attached approved plans dated 18 August 2023 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without prior written approval of the local government;**
2. **If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;**
3. **Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;**
4. **Where applicable, a building permit shall be issued by the local government prior to the commencement of any work on the site;**
5. **Any soils disturbed or deposited on the site shall be stabilised to the approval of the local government; and**
6. **The applicant/proponent shall ensure any works undertaken at the site in the process of construction, establishment or installation of the development/land use, shall not damage any existing infrastructure and be subject to a defect liability period of 12 months from the date of practical completion of works. Should works associated with the development/land use result in such damage, the existing infrastructure shall be reinstated to the satisfaction of the local government at the cost of the applicant/proponent.**

**Advice Notes**

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.
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.
3. The Applicant is advised that compliance with any and all governmental legislation and regulations, is required at all times.
4. Prior to commencement of works, the applicant is advised to investigate whether or not approval is required pursuant to the relevant *Aboriginal Heritage Act*. The applicant should conduct a search to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Plannings, lands and Heritage with a request for advice.
5. 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 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENT**

1. Application Information.

**APPENDICES**

1. Shire of Northampton Local Planning Scheme No. 11.
2. Shire of Northampton Kalbarri Townsite Strategy.

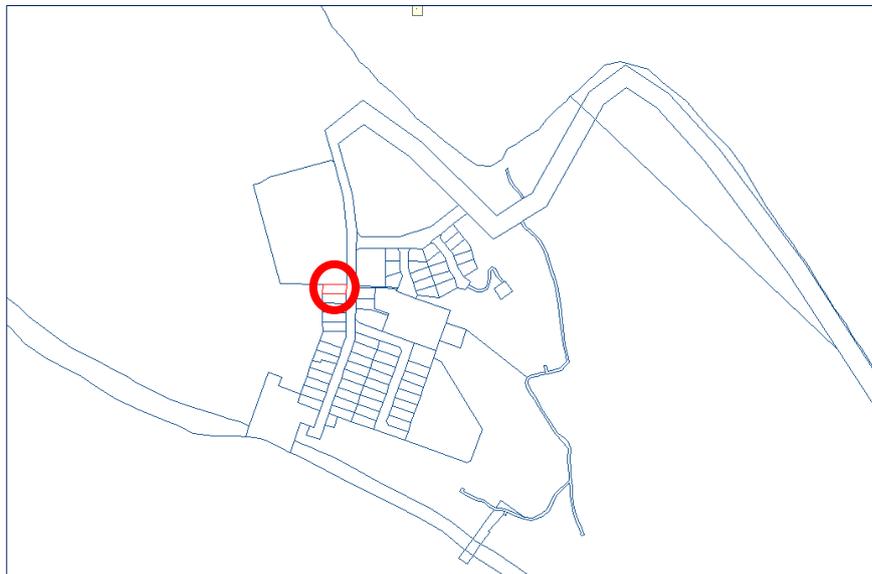
**ITEM 9.3.4: Proposed Single House and Outbuilding - Lot 91 (No. 10) Port Street, Port Gregory**

|                                 |  |
|---------------------------------|--|
| <b>PROPONENT:</b>               | David Crudelli Architects  |
| <b>OWNER:</b>                   | DP and TL Pluschke   |
| <b>LOCATION / ADDRESS:</b>      | Lot 91 (No. 10) Port Street, Port Gregory                          |
| <b>WARD:</b>                    | Northampton  |
| <b>ZONE:</b>                    | Residential  |
| <b>DIRECTORATE:</b>             | Planning Services  |
| <b>FILE REFERENCE:</b>          | 10.7.1.1 / (A609)  |
| <b>LEGISLATION:</b>             | <i>Planning and Development Act 2005 Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Michelle Allen/Hayley Williams                                     |
| <b>DATE OF REPORT:</b>          | 7 August 2023  |
| <b>DECLARATION OF INTEREST:</b> | Nil  |

**BACKGROUND:**

Council is in receipt of an application to construct a single house and outbuilding upon Lot 91 (No. 10) Port Street, Port Gregory for the purpose of residential accommodation (see **Figures 1** and **2**). The property is located within the Residential 12.5 zone with an area of 1012m<sup>2</sup>.

**Figure 1. Location plan of Lot 91 (No. 10) Port Street, Port Gregory**



**Figure 2. Site plan of Lot 91 (No. 10) Port Street, Port Gregory**

Site, floor and elevation plans for the proposed single house and outbuilding are as shown in Attachment: 9.3.4 (1). The current application is seeking to demolish the existing small dwelling (asbestos clad apricot coloured structure in Attachment: 9.3.4 (2)) and place a second-hand transportable dwelling on the site with an outbuilding to the rear. Photos in Attachment: 9.3.4 (2) show the site during a recent rain event on 2 August 2023.

**ATTACHMENT 9.3.4 (1)**  
**ATTACHMENT 9.3.4 (2)**

Council is requested to consider the application as Shire Officers do not have the delegated authority to approve the application as a submission was received objecting to the proposal.

**PUBLIC CONSULTATION UNDERTAKEN:**

In accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in consideration of the Shire of Northampton's *Local Planning Policy – Consultation for Planning Proposals*, a Level C 'Consultation with Owners and Occupiers of Nearly Land' was undertaken.

The application was advertised for a 14-day period to adjacent landowners and relevant government agencies with one submission received raising concerns in relation to the proposal. The concerns expressed were that the application documentation showed no proposal for drainage of stormwater and no dimensions were provided in relation to the retaining blocks proposed to be erected on the boundary between Lots 91 and the adjoining Lot 92. The submitter maintains the retaining wall will have a damming effect on his side of the wall, causing flooding to his premises in the event of a significant rainfall.

**COMMENT:**

The property is zoned Residential – R12.5 according to *Local Planning Scheme No. 10 – Northampton* (the Scheme). The proposed development is required to comply with the Scheme and the Local Planning Policies *Repurposed and Second-hand Dwellings* and *Outbuildings*.

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

Matters to be considered.

In determining an application for Development Approval, the local government is required to have regard to various matters as outlined in Part 4 of the Scheme and the *Repurposed and Second-hand Dwellings* Local Planning Policy (the Policy). These matters include, but are not limited to:

- *To ensure that any development proposing to use a repurposed or second-hand building meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.*
- *To ensure that any repurposed or second-hand dwelling does not detract from an existing (or reasonably desired streetscape).*
- *To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.*

Impact on Amenity

The proposed development includes the relocation of a second-hand dwelling to the subject site. The potential impact on amenity is addressed through the repainting of cladding and recladding of roof utilising colorbond material. The proposed development also includes an addition to the second-hand dwelling to be constructed in similar new materials.

To ensure the second-hand building meets acceptable aesthetic and amenity requirements a condition is recommended requiring a Statutory Declaration and Bond to be lodged with the local government. These provisions according to the Shire's Local Planning Policy *Repurposed and Second-hand Dwellings* are imposed to enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.

Therefore, the imposition of these conditions are recommended and aim to reduce the visual impact of the proposed development upon the amenity of the area and place appropriate control measures over the proposed development.

R-Codes Clause 5.3.9 Stormwater Management P9.1

Currently stormwater from adjacent lots is unmanaged as there is no catchment or containment measures, such as gutters, downpipes and soakwells.

The proposed development includes a raised finished floor level of 800mm and a retaining wall along the western lot boundary. The retaining wall along the western boundary raises the ground level approximately 400mm. The submission received objected to the raised level of the proposed dwelling and its retaining wall and its impact on stormwater management over their lot.

Although a stormwater management plan has not been provided with the application it is considered that this can be adequately addressed through a condition of development approval including:

- *All stormwater is to be disposed of on-site and on application for a building permit the owner/applicant shall submit a detailed stormwater management plan for approval of the Manager for Works and Technical Services showing the proposed drainage and disposal system to the standards of the Shire of Northampton's engineering requirements.*

Furthermore, a condition of development approval is also recommended that ensures the proposed development does not divert stormwater to the adjacent lot:

- *The development/land use shall not impede a natural watercourse and shall not divert or obstruct overland flow paths including floodwater, stormwater or drainage water to the detriment of any adjoining property.*

#### Conclusion

Given the requirement for the application to comply with the requirements of the Scheme and Policy, it is recommended that Council approve this application subject to conditions including the requirement to submit and have approved a detailed stormwater management plan and provision of the required Statutory Declaration and payment of bond in accordance with the Local Planning Policy requirements.

#### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Residential Design Codes of Western Australia (2021)*

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

**APPENDIX 9.3.4 (1)**

#### **POLICY / STRATEGIC IMPLICATIONS:**

Applications for Development Approval must be assessed against requirements of the Scheme, including the Residential Design Codes of Western Australia and Local Planning Policies that have been adopted in accordance with the Scheme. These policies include Local Planning Policy *Repurposed and Second-hand Dwellings* and *Outbuildings*.

**APPENDIX 9.3.4 (2)**

#### **ORGANISATIONAL RISK MANAGEMENT:**

Nil.

#### **FINANCIAL IMPLICATIONS:**

An application fee of \$416.00 has been in respect of the current application.

**SUSTAINABILITY:**Environmental:

Nil.

Economic: Nil.Social: Nil.**VOTING REQUIREMENTS:****SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

That Council grant development approval to the proposed Single Dwelling upon Lot 91 (No. 10) Port Street, Port Gregory subject to the following conditions:

1. This approval is for the second-hand dwelling and outbuilding ONLY, and not for the construction of retaining walls or any other such structures upon the lot. Further structures in addition to the second-hand dwelling and outbuilding will require further application and development approval;
2. Development shall be in accordance with the attached approved plans dated 18 August 2023 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
3. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;
4. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
5. A building permit shall be issued by the local government prior to the commencement of any work on the site;
6. The development/land use is to be located entirely within the property boundary;
7. The development/land use shall not impede a natural watercourse and shall not divert or obstruct overland flow paths including floodwater, stormwater or drainage water to the detriment of any adjoining property;
8. All stormwater is to be disposed of on-site and on application for a building permit the owner/applicant shall submit a detailed stormwater management plan for approval of the Manager for Works and Technical Services showing the proposed drainage and disposal system to the standards of the Shire of Northampton's engineering requirements;
9. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
10. Installation of crossing places and verge gradients shall be to the standards and specifications of the local government (refer Advice Note 1.);
11. Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;

- 12. All parking of vehicles (including boats and trailers) associated with the property is to be provided for within the property boundary, and the street verge area is to be kept free of such vehicles;**
- 13. The Applicant shall undertake all of the building modifications and requirements as specified below;**
  - i) The verandah proposed on the southern elevation will include screening to the southern and western elevations as shown on the attached approved plans dated 25 July 2023 to address visual privacy concerns;**
  - ii) Installation of new colorbond roofing material to the roof of the second-hand dwelling;**
  - iii) Painting of existing horizontal fibre cement cladding on external walls of second-hand dwelling;**
  - iv) A materials and colour schedule for the dwelling shall be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area; and**
  - v) All verandah posts, rafters, downpipes, gutters, fascias and balustrade are to be painted in colours, to the approval of the local government;**
- 14. The Applicant shall lodge a Statutory Declaration with the Shire of Northampton prior to a Building Permit being issued, that provides a written and signed commitment to complete the required modifications to the approval of the local government and in accordance with, and acceptance of Conditions 13, 15, and 16 of this approval;**
- 15. A bond of \$26,000 shall be lodged with the Shire of Northampton prior to the issuance of a Building Permit, with the bond money to be repaid to the Applicant when the modifications as specified at Condition 13 are deemed to be completed (also refer to Condition 16 and Advice Note 3);**
- 16. Should the works as specified at Conditions 13 not be undertaken or completed to the satisfaction of the local government within a period of two (2) years from the date of this approval, being on or before the 18 August 2024, the Applicant will have forfeited their right to recover the bond as described within Condition 15;**
- 17. 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;**
- 18. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:**
  - i) all illumination is confined within the boundaries of the property; and**
  - ii) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;**

19. A Bushfire Attack Level (BAL) assessment, in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas be undertaken and submitted, with any further conditions from this assessment addressed, prior to issuance of a Building Permit, to the approval of the local government;
20. The Applicant/Owner shall include the minimum tree requirement on Lot being one (1) tree with a minimum tree planting area of 2 metres by 2 metres per tree within the street setback area of Lot 91 Port Street so as to address the requirements of Clause 5.3.2 Landscaping of the Residential Design Codes (2021);
21. 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;
22. 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:
  - i) A building permit for the dwelling and outbuilding has been issued;
  - ii) The Applicant has lodged a Statutory Declaration providing a commitment to commence construction of the dwelling within 6 months of the outbuilding; and
  - iii) 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

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.
2. With regard to Conditions 7 and 8, the land is located in an area that occupies generally low-lying land in close proximity to a lake. This portion of Port Street, Port Gregory has been identified as being potentially at risk of inundation and the owner/applicant must take all reasonable measures to minimise adverse impacts on adjacent properties caused by the concentration of water flows resulting from the development. The Local Government accepts no responsibility for property damage in the event of adverse impacts due to concentration or obstruction of overland water flows.
3. Should the Applicant fail to commence or complete the modifications specified at Condition 13 and 14 within the timeframes specified in Condition 16 the Applicant will have been deemed by the local government to have forfeited their bond. The Shire of Northampton may thereafter commence enforcement proceedings. These may include fines, prosecution, removal orders of the outbuilding and/or removal orders of the occupants. The Applicant is advised that, should delays to the modification works become likely, the Applicant should liaise immediately with the local government in order to seek a minor extension of approval and so as to avoid compliance measures being initiated by the local government.

4. With regard to Condition No. 20, the minimum tree planting area is to be provided each tree and shown on the site plan. The tree planting area is to be free of impervious surfaces and roof cover.
5. 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.
6. 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.
7. Assessment of the application was based on the use of the dwelling for residential purposes and any changes to this use (eg. for tourist/holiday accommodation) requires further application and development approval for that use.
8. The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to the relevant *Aboriginal Cultural Heritage Act* , is required at all times.
9. 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.

#### **COUNCIL RESOLUTION**

**MOVED:** Hay, T    **SECONDED:** Suckling, R

**08/23-19**

That Council grant development approval to the proposed Single Dwelling upon Lot 91 (No. 10) Port Street, Port Gregory subject to the following conditions:

1. This approval is for the second-hand dwelling and outbuilding **ONLY**, and not for the construction of retaining walls or any other such structures upon the lot. Further structures in addition to the second-hand dwelling and outbuilding will require further application and development approval;
2. Development shall be in accordance with the attached approved plans dated 18 August 2023 and subject to any modifications required as a consequence of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
3. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;

4. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
5. A building permit shall be issued by the local government prior to the commencement of any work on the site;
6. The development/land use is to be located entirely within the property boundary;
7. The development/land use shall not impede a natural watercourse and shall not divert or obstruct overland flow paths including floodwater, stormwater or drainage water to the detriment of any adjoining property;
8. All stormwater is to be disposed of on-site and on application for a building permit the owner/applicant shall submit a detailed stormwater management plan for approval of the Manager for Works and Technical Services showing the proposed drainage and disposal system to the standards of the Shire of Northampton's engineering requirements;
9. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
10. Installation of crossing places and verge gradients shall be to the standards and specifications of the local government (refer Advice Note 1.);
11. Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;
12. All parking of vehicles (including boats and trailers) associated with the property is to be provided for within the property boundary, and the street verge area is to be kept free of such vehicles;
13. The Applicant shall undertake all of the building modifications and requirements as specified below;
  - i) The verandah proposed on the southern elevation will include screening to the southern and western elevations as shown on the attached approved plans dated 25 July 2023 to address visual privacy concerns;
  - ii) Installation of new colorbond roofing material to the roof of the second-hand dwelling;
  - iii) Painting of existing horizontal fibre cement cladding on external walls of second-hand dwelling;
  - iv) A materials and colour schedule for the dwelling shall be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural

- environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area; and
- v) All verandah posts, rafters, downpipes, gutters, fascias and balustrade are to be painted in colours, to the approval of the local government;
14. The Applicant shall lodge a Statutory Declaration with the Shire of Northampton prior to a Building Permit being issued, that provides a written and signed commitment to complete the required modifications to the approval of the local government and in accordance with, and acceptance of Conditions 13, 15, and 16 of this approval;
15. A bond of \$26,000 shall be lodged with the Shire of Northampton prior to the issuance of a Building Permit, with the bond money to be repaid to the Applicant when the modifications as specified at Condition 13 are deemed to be completed (also refer to Condition 16 and Advice Note 3);
16. Should the works as specified at Conditions 13 not be undertaken or completed to the satisfaction of the local government within a period of two (2) years from the date of this approval, being on or before the 18 August 2024, the Applicant will have forfeited their right to recover the bond as described within Condition 15;
17. 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;
18. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
- i) all illumination is confined within the boundaries of the property; and
  - ii) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;
19. A Bushfire Attack Level (BAL) assessment, in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas be undertaken and submitted, with any further conditions from this assessment addressed, prior to issuance of a Building Permit, to the approval of the local government;
20. The Applicant/Owner shall include the minimum tree requirement on Lot being one (1) tree with a minimum tree planting area of 2 metres by 2 metres per tree within the street setback area of Lot 91 Port Street so as to address the requirements of Clause 5.3.2 Landscaping of the Residential Design Codes (2021);

21. 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;
22. 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:
  - i) A building permit for the dwelling and outbuilding has been issued;
  - ii) The Applicant has lodged a Statutory Declaration providing a commitment to commence construction of the dwelling within 6 months of the outbuilding; and
  - iii) 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**

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.
2. With regard to Conditions 7 and 8, the land is located in an area that occupies generally low-lying land in close proximity to a lake. This portion of Port Street, Port Gregory has been identified as being potentially at risk of inundation and the owner/applicant must take all reasonable measures to minimise adverse impacts on adjacent properties caused by the concentration of water flows resulting from the development. The Local Government accepts no responsibility for property damage in the event of adverse impacts due to concentration or obstruction of overland water flows.
3. Should the Applicant fail to commence or complete the modifications specified at Condition 13 and 14 within the timeframes specified in Condition 16 the Applicant will have been deemed by the local government to have forfeited their bond. The Shire of Northampton may thereafter commence enforcement proceedings. These may include fines, prosecution, removal orders of the outbuilding and/or removal orders of the occupants. The Applicant is advised that, should delays to the modification works become likely, the Applicant should liaise immediately with the local government in order to seek a minor extension of approval and so as to avoid compliance measures being initiated by the local government.
4. With regard to Condition No. 20, the minimum tree planting area is to be provided each tree and shown on the site plan. The tree planting area is to be free of impervious surfaces and roof cover.

5. 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.
6. 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.
7. Assessment of the application was based on the use of the dwelling for residential purposes and any changes to this use (eg. for tourist/holiday accommodation) requires further application and development approval for that use.
8. The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to the relevant *Aboriginal Cultural Heritage Act* , is required at all times.
9. 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 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**  
**Against: Nil**

### **ATTACHMENTS**

1. Site, Floor and Elevation Plans of Single House and Outbuilding.
2. Site Photos of Lot 91.

### **APPENDICES**

1. Residential Design Codes of WA (2021).
2. Shire of Northampton Local Planning Scheme No. 10 – Northampton.
3. Local Planning Scheme *Repurposed and Second-hand Dwellings*.

**ITEM: 9.3.5 Delegated Planning Decisions for July 2023**

|                                 |  |
|---------------------------------|--|
| <b>PROPONENT:</b>               | Shire of Northampton   |
| <b>OWNER:</b>                   | Various  |
| <b>LOCATION / ADDRESS:</b>      | Various  |
| <b>WARD:</b>                    | Various  |
| <b>ZONE:</b>                    | Various  |
| <b>DIRECTORATE:</b>             | Planning Services  |
| <b>FILE REFERENCE:</b>          | 10.4.1   |
| <b>LEGISLATION:</b>             | <i>Planning and Development Act 2005<br/>Local Government Act 1995</i> |
| <b>AUTHOR:</b>                  | Michelle Allen   |
| <b>DATE OF REPORT:</b>          | 8 August 2023  |
| <b>DECLARATION OF INTEREST:</b> | Nil  |

**BACKGROUND:**

In order to ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve applications for Development Approval that meet the requirements of both Local Planning Schemes being *No. 10 – Northampton* and *No. 11 - Kalbarri* (the Scheme) and adopted Planning Policies.

Delegated planning decisions are reported to Council on a monthly basis to ensure that Council has an appropriate level of oversight on the use of this delegation. The updated statistics are shown below.

A register of Delegated Development Approvals, detailing those decisions made under delegated authority in June 2023 is attached.

**ATTACHMENT 9.3.4(1)****PUBLIC CONSULTATION UNDERTAKEN:**

Where required applications were advertised in accordance with the Scheme and Council's adopted Local Planning Policy as detailed in the Policy/Strategic Implications section below.

**COMMENT (Includes Options):**

During July 2023, 5 development applications were determined under delegated authority. **Table 1** shows the number and value of development applications determined under both delegated authority and by Council for July 2023 compared to July 2022:

**Table 1: Planning Decisions made in July 2022 and July 2023**

|                            | July 2022            | July 2023            |
|----------------------------|----------------------|----------------------|
| <b>Delegated Decisions</b> | 6 - \$527,841<br>**1 | 5 - \$36,340<br>**2  |
| <b>Council Decisions</b>   | 3 - \$100,000<br>**1 | 4 - \$140,000<br>**2 |
| <b>Total</b>               | <b>9 - \$627,841</b> | <b>9 - \$176,340</b> |

**Table 2** compares the Year-To-Date statistics for delegated authority and Council decisions for 2023-24 compared to the previous Financial Year:

**Table 2: Planning Decisions Made Year-To-Date 2022-23 and 2023-24**

|                            | YTD 2022                | YTD 2023                  |
|----------------------------|-------------------------|---------------------------|
| <b>Delegated Decisions</b> | 41 - \$6,025,212        | 36 - \$5,531,824<br>** 17 |
| <b>Council Decisions</b>   | 12 - \$355,000          | 6 - \$2,524,125<br>**5    |
| <b>Total</b>               | <b>53 - \$6,380,212</b> | <b>42 - \$8,055,949</b>   |

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

**STATUTORY ENVIRONMENT:**

The *Local Government Act 1995* creates and gives powers to local governments. The Act then empowers the local government to delegate its powers to the CEO and committees (1) which gives the CEO the authorisation to exercise power on behalf of the local government.

Scheme/s is a Local Planning Scheme, made in accordance with the *Planning and Development Act 2005* and associated regulations, sets out procedures for the assessment and determination of development applications.

Council, under *Delegation Number TP01*, has delegated a number of planning powers to the Chief Executive Officer and/or Principal Planner who can deal with those town planning issues that are not of a contentious nature. All other items shall be referred to Council.

In accordance with Regulation 19 of the *Local Government (Administration) Regulations 1996*, a written record of each delegated decision is kept.

**POLICY / STRATEGIC IMPLICATIONS:**

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

Each application processed under delegated authority has been processed and advertised, where required, and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

**ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

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

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

That Council receives the report on Delegated Development Approvals for July 2023 as detailed in Attachment 9.3.4(1).

**COUNCIL RESOLUTION**

**MOVED: Suckling, R   SECONDED: Pike, D**

**08/23-20**

**That Council receives the report on Delegated Development Approvals for July 2023 as detailed in Attachment 9.3.4(1).**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling  
Against: Nil**

**ATTACHMENTS**

**1.Delegated Planning Decisions July 2023.**

**ITEM 9.4.1: Building Approvals Report July 2023**

|                                 |  |
|---------------------------------|--|
| <b>PROPONENT:</b>               | Shire of Northampton   |
| <b>OWNER:</b>                   | N/A  |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire   |
| <b>WARD:</b>                    | Northampton and Kalbarri   |
| <b>ZONE:</b>                    | All  |
| <b>BUSINESS AREA:</b>           | Building   |
| <b>FILE REFERENCE:</b>          | N/A  |
| <b>LEGISLATION:</b>             | <i>Local Government Act 1995</i><br><i>Building Act 2011</i><br><i>Building Regulations 2012</i> |
| <b>AUTHOR:</b>                  | Michaela Simpson   |
| <b>APPROVING OFFICER:</b>       | Andrew Campbell  |
| <b>DATE OF REPORT:</b>          | 3 August 2023  |
| <b>DECLARATION OF INTEREST:</b> | Nil  |

**BACKGROUND:**

This report has been produced to assist Council understand the Building and Demolition Permits approved and issued for the monthly period of 01 July 2023 to 31 July 2023.

A copy of the Building Approvals Report July 2023 is attached.

**ATTACHMENT 9.4.1(1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

During July 2023 twelve (12) building and demolition applications were determined under delegated authority.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**ORGANISATIONAL RISK MANAGEMENT:**

Nil

| Measures of Consequence |                     |                    |   |  |  |   |   |
|-------------------------|---------------------|--------------------|---|--|--|---|---|
| Rating (Level)          | Health              | Financial Impact   | Service Interruption  | Compliance                                   | Reputational   | Property  | Environment   |
| Insignificant (1)       | Negligible injuries | Less than \$1,000  | No material service interruption                            | No noticeable regulatory or statutory impact | Unsubstantiated, low impact, low profile or 'no news' item | Inconsequential or no damage.                             | Contained, reversible impact managed by on site response  |
| Minor (2)               | First aid injuries  | \$1,001 - \$10,000 | Short term temporary interruption – backlog cleared < 1 day | Some temporary non compliances               | Substantiated, low impact, low news item                   | Localised damage rectified by routine internal procedures | Contained, reversible impact managed by internal response |

| Measures of Consequence |                                |                      |   |  |   |  |   |
|-------------------------|--------------------------------|----------------------|---|--|---|--|---|
| Rating (Level)          | Health                         | Financial Impact     | Service Interruption  | Compliance   | Reputational  | Property   | Environment   |
| Moderate (3)            | Medical type injuries          | \$10,001 - \$50,000  | Medium term temporary interruption – backlog cleared by additional resources < 1 week     | Short term non-compliance but with significant regulatory requirements imposed             | Substantiated, public embarrassment, moderate impact, moderate news profile   | Localised damage requiring external resources to rectify   | Contained, reversible impact managed by external agencies                               |
| Major (4)               | Lost time injury               | \$50,001 - \$150,000 | Prolonged interruption of services – additional resources; performance affected < 1 month | Non-compliance results in termination of services or imposed penalties                     | Substantiated, public embarrassment, high impact, high news profile, third party actions                                    | Significant damage requiring internal & external resources to rectify                                      | Uncontained, reversible impact managed by a coordinated response from external agencies |
| Catastrophic (5)        | Fatality, permanent disability | More than \$150,000  | Indeterminate prolonged interruption of services – non-performance > 1 month              | Non-compliance results in litigation, criminal charges or significant damages or penalties | Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions | Extensive damage requiring a prolonged period of restitution. Complete loss of plant, equipment & building | Uncontained, irreversible impact  |

**FINANCIAL IMPLICATIONS:**

The required building fees have been paid for all Building and Demolition applications processed under delegated authority.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

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

**That Council receive the Building Approvals Report July 2023 in accordance with ATTACHMENT 9.4.1(1).**

**COUNCIL RESOLUTION**

**MOVED: Gibb, T SECONDED: Pike, D**

**08/23-21**

**That Council receive the Building Approvals Report July 2023 in accordance with ATTACHMENT 9.4.1(1).**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENTS**

**1. Building Approvals Report July 2023.**

**APPENDICIES**

**1. Nil.**

### ITEM 9.7.1 Information Items – Maintenance/Construction – Works Program

|                                 |   |
|---------------------------------|---|
| <b>PROPONENT:</b>               | Manager of Works and Technical Services           |
| <b>OWNER:</b>                   | N/A   |
| <b>LOCATION / ADDRESS:</b>      | Whole of Shire                                    |
| <b>WARD:</b>                    | Northampton and Kalbarri                          |
| <b>ZONE:</b>                    | All   |
| <b>BUSINESS AREA:</b>           | Office of Manager of Works and Technical Services |
| <b>FILE REFERENCE:</b>          | N/A   |
| <b>LEGISLATION:</b>             | N/A   |
| <b>AUTHOR:</b>                  | Neil Broadhurst                                   |
| <b>APPROVING OFFICER:</b>       | Neil Broadhurst                                   |
| <b>DATE OF REPORT:</b>          | 8 August 2023                                     |
| <b>DECLARATION OF INTEREST:</b> | Nil   |

#### **BACKGROUND:**

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

#### Specific Road Works

- Maintenance grading carried out on Ralph, Balla Whelarra, Binu East, Ajana East, Rob, Swamps, Jackson, Starling, Woolamar, Yarra, Wundi, and Rifle Range Road/s.
- Gravel Patching/Sheeting/Verge works carried out on Blue Wells, Rifle Range and Swamps Road/s.

#### Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and edges various locations.
- General – Public Toilet full service and septic pump outs.
- General – Various chemical spraying to road verges and park area/s.
- Northampton – Hampton Gardens, full mulch replacement.
- Northampton – Cemetery information board arrived and installed.
- Northampton – Wet weather works – aggregate and sand stockpile works
- Kalbarri – Reticulation upgrades/maintenance.
- Horrocks – Carpark to Jetty boardwalk access works.

#### Other Items (Budget)

- Northampton – Gwalla Street / Second Avenue works sealed with concrete kerb installed. Backfilling and site tidy up works progressing.
- Parker Road/Wundi Road – Construction works completed to 2 coat seal. Small Drainage/Culvert installation works remaining. Road furniture installation to be carried out.
- Kalbarri widening – Works advertised, and tenders reviewed. Initial funding allocation falls short of received tender prices. Approach Main Roads WA for further funding.

#### Plant Items

- Backhoe – New Backhoe ordered, approximate delivery October 2023.

Staff Items

- Code of Conduct training/induction undertaken.

A copy of the Manager of Works and Technical Services – Works Crew Budget – Program and Progress Report (2022/2023), August 2023 is attached.

**ATTACHMENT 9.7.1(1)****PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

Nil.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Level 1 – Insignificant.

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

**FINANCIAL IMPLICATIONS:**

Works in accordance maintenance and construction budget.

**SUSTAINABILITY:**

**Environmental:** Activities of the Manager of Works and Technical Services often deal with environmental related matters both from a compliance perspective and an improvement perspective.

**Economic:** Part of the Manager of Works and Technical Services role is to improve local economies and often activities are associated with economic development initiatives and opportunities.

**Social:** The Manager of Works and Technical Services plays a key role in the development of community via community leadership, infrastructure provision and community support.

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

**That Council receive the Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for August 2023.**

**COUNCIL RESOLUTION**

**MOVED: Burges, R    SECONDED: Pike, D**

**08/23-22**

**That Council receive the Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for August 2023.**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling  
Against: Nil**

**ATTACHMENTS**

- 1. Manager of Works and Technical Services – Works Crew Budget – Program and Progress Report (2022/2023), August 2023.**

**APPENDICES**

- 1. Nil.**

**ITEM 9.7.2 Main Roads Western Australia, Widening of Floodway, Northampton Kalbarri Road, Sandy Gully**

|                                 |  |
|---------------------------------|--|
| <b>PROPONENT:</b>               | Main Roads Western Australia.  |
| <b>OWNER:</b>                   | Main Roads Western Australia (Gazette Road owner) / Shire of Northampton (Rateable Property) |
| <b>LOCATION / ADDRESS:</b>      | Northampton to Kalbarri Road, Sandy Gully  |
| <b>WARD:</b>                    | Northampton  |
| <b>ZONE:</b>                    | Rural  |
| <b>BUSINESS AREA:</b>           | Office of Manager of Works and Technical Services  |
| <b>FILE REFERENCE:</b>          | 12.1.6   |
| <b>LEGISLATION:</b>             | Department of Planning, Lands and Heritage (DPLH)  |
| <b>AUTHOR:</b>                  | Neil Broadhurst  |
| <b>APPROVING OFFICER:</b>       | Neil Broadhurst  |
| <b>DATE OF REPORT:</b>          | 8 August 2023  |
| <b>DECLARATION OF INTEREST:</b> | Nil  |

**BACKGROUND:**

The Shire of Northampton (Shire) has been approached by Main Roads Western Australia (MRWA) who are the applicable authority who control the Northampton to Kalbarri Road.

MRWA have submitted plans depicting land requirements for the widening of the floodway located on the Northampton to Kalbarri Road, Sandy Gully. The floodway is being widened due to safety concerns, poor sight distance/alignment and to replace the culvert that is nearing the end of its life.

MRWA has consulted with both the applicable landowners, and arrangements for the acquisition is being finalised.

To enable the land to be dedicated as road reserve, it is a requirement of the Land Administration Act 1997 that the applicable local government resolve to dedicate the land road as road reserve.

MRWA have made the following request:

*It would be appreciated if Council could consider the matter at its next meeting and provide the following statement in a letter to MRWA. This will satisfy the following the requirements of the Department of Planning, Lands and Heritage (DPLH).*

*“Council at its ordinary meeting held on (Day, Month, Year) pass a resolution for the dedication of the land the subject of Main Roads Land Dealing Plan 2360-040 and 2360-041 as a road pursuant to Section 56 of the Lands and Heritage Administration Act 1997”.*

*In addition, please provide a copy of the minutes of the Council meeting relating to the resolution, which is required for DPLH’s records.*

A copy of the Main Roads Western Australian letter, Locality Plan and Main Roads Land Dealing Plan 2360-040 and 2360-041 is attached.

### ATTACHMENT 9.7.2(1)

#### PUBLIC CONSULTATION UNDERTAKEN:

Nil.

#### COMMENT (Includes Options):

Management supports the proposal by MRWA to undertake works to improve the alignment, widening, poor sight distance/alignment and to replace the culvert structure at the floodway location in question. The floodway location was the site of a double fatality some years ago.

#### STATUTORY ENVIRONMENT:

Nil.

#### POLICY / STRATEGIC IMPLICATIONS:

Nil.

#### ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 – Insignificant.

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

#### FINANCIAL IMPLICATIONS:

Nil.

**SUSTAINABILITY:**

**Environmental:** Activities of the Manager of Works and Technical Services often deal with environmental related matters both from a compliance perspective and an improvement perspective.

**Economic:** Part of the Manager of Works and Technical Services role is to improve local economies and often activities are associated with economic development initiatives and opportunities.

**Social:** The Manager of Works and Technical Services plays a key role in the development of community via community leadership, infrastructure provision and community support.

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

**That Council in accordance with request from Main Roads Western Australia, being correspondence dated 19 July 2023, resolve.**

- 1.) That the dedication of the land, subject of Main Roads Western Australia Land Dealing Plans 2360-040 and 2360-041 as a road pursuant to Section 56 of the Lands and Heritage Administration Act 1997.**
- 2.) A copy of the minutes be forwarded to Main Roads Western Australia being a requirement for Department Planning, Lands and Heritage (DPLH) records.**

**COUNCIL RESOLUTION**

**MOVED: Gibb, T    SECONDED: Hay, T**

**08/23-23**

**That Council in accordance with request from Main Roads Western Australia, being correspondence dated 19 July 2023, resolve.**

- 2. That the dedication of the land, subject of Main Roads Western Australia Land Dealing Plans 2360-040 and 2360-041 as a road pursuant to Section 56 of the Lands and Heritage Administration Act 1997.**
- 3. A copy of the minutes be forwarded to Main Roads Western Australia being a requirement for Department Planning, Lands and Heritage (DPLH) records.**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**ATTACHMENTS**

1. **Main Roads Western Australia, letter dated 19 July 2023.  
Locality Plan, Northampton Kalbarri Road 11.76 slk.  
Main Roads Western Australia Land Dealing Plans 2360-040 and  
2360-041.**

**APPENDICES**

1. **Nil.**

**10 LATE REPORTS - NIL**

**10. QUESTIONS FROM MEMBERS:**

10.1 Response to questions from members taken on notice:

Cr Gibb – Channel 7 reported that the company that was going to build the workers accommodation is no longer in existence?

A Campbell. – confirmed that the company has gone into administration.

11.2 Questions from members:

**11. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING:**

**Moved: Gibb, T**

**That Council resolve to consider reducing the speed limit on Grey Street, Kalbarri subject to the approval of Main Roads Western Australia.**

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

**08/23-24**

**Moved:Pike, D Seconded: Suckling, R**

**Motion to have business of an urgent nature introduced by decision of Council Meeting held on 18<sup>th</sup> August 2023**

**CARRIED: 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**Moved: Burges, R Seconded: Sudlow, L**

**08/23-25**

**That the major strategic focus projects for the township of Kalbarri are:**

- 1. Kalbarri Foreshore Redevelopment;**
- 2. Kalbarri Multipurpose Recreation Centre Redevelopment; and**
- 3. 4WD northern tourism experience from Kalbarri to Shark Bay Shire.**

**CARRIED 6/0**

**For: Cr Sudlow, Cr Hay, Cr Burges, Cr Gibb, Cr Pike, Cr Suckling**

**Against: Nil**

**13. APPLICATIONS FOR LEAVE OF ABSENCE: Nil**

**14. CLOSURE:**

**There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 1.56pm.**

**SIGNED:.....DATE: .....**

**Liz Sudlow  
Shire President**