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3.1 OPENING

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

3.2 PRESENT

Cr L Sudlow	President	Northampton Ward
Cr R Horstman		Northampton Ward
Cr T Gibb		Kalbarri Ward
Cr T Hay		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr R Suckling		Northampton Ward
Cr P Stewart		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works and Technical Services	
Mrs Michelle Allen	Planning Officer	

3.2.1 LEAVE OF ABSENCE

Nil

3.2.2 APOLOGIES

Cr R Burges

Kalbarri Ward

3.3 QUESTION TIME

No questions were put to Council

3.4 DISCLOSURE OF INTEREST

Cr Sudlow declared an impartiality interest in Item 7.5.1 Request for Sponsorship Deferment to the Isolated Children's Parents' Association as Cr Sudlow is a member of the Association.

3.5 CONFIRMATION OF MINUTES

**12.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING
FRIDAY 18th FEBRUARY 2022**

Moved Cr SUCKLING seconded Cr GIBB

That the minutes of the Ordinary Meeting of Council held on the 18th February 2022 be confirmed as a true and correct record.

CARRIED 7/0

3.6 WORKS & ENGINEERING REPORT

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

Noted.

**3.6.2 OUTRIGHT SALE – FLEET VEHICLES #1 – 2021/2022
ONE (1) x 2WD SEDAN (KIA OPTIMA) AND ONE (1) x 2WD UTILITY
(FORD RANGER)**

Moved Cr SUDLOW seconded Cr STEWART

That Council accept the 'Outright Sale' offer for the 2WD utility (P198) from Mr. Len Corlett at the submitted price of \$1,250 (plus GST) and re-advertise the 2WD Kia Sedan (P282) for sale via alternative media sources, ie Gumtree or similar social media platforms.

CARRIED 7/0

Neil Broadhurst left the meeting at 1-18pm.

3.7 HEALTH & BUILDING REPORT

3.7.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted.

3.8 TOWN PLANNING REPORT

**3.8.1 PROPOSED CARPORTS AND OUTBUILDINGS FOR EXISTING
GROUPED DWELLINGS - R-CODE VARIATIONS - LOT 238 (NO. 15)
CARLTON CRESCENT, KALBARRI**

Cr Pike and Cr Gibb spoke against the Officer's recommendation as they consider that the applicant had changed their plans to comply in some regard and they had improved the lot following Cyclone Seroja. Each Councillor supported approval for a large storeroom within each car port as presented.

Moved Cr PIKE seconded Cr GIBB

That Council grant development approval for the proposed Carport and Storerooms upon Lot 238 (No. 15) Carlton Crescent, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated [insert date] and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
2. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
3. A building permit shall be issued by the local government prior to the commencement of any work on site;
4. The applicant is to prepare, submit and adhere to stormwater and drainage plans to the approval of the Local Government, with all costs met by the applicant;
5. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
6. The Applicant shall provide a materials and colour schedule for the carports and storerooms prior to construction of the carports and storerooms, which shall be to the approval of the local government. The colours chosen shall be non-reflective and in keeping with the natural coastal environment;

7. The roof of the dwelling shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted;
8. Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the view from the street/s, to the approval of the local government;
9. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (a) all illumination is confined within the boundaries of the property; and
 - (b) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;
10. Installation of crossing places and verge gradients shall be to the standards and specification of the local government (refer to Advice Note 1);
11. All parking of vehicles including boats and trailers to be provided for within the property boundary and the street verge area to be kept free of vehicles.
12. No panelling or screening shall be affixed to the side walls of the carport structure, so that the carport maintains visual permeability at all times to enhance visibility of vehicles entering and exiting the street upon Lot 238 and adjoining lots; and
13. The approved storeroom component is only to be used for general storage purposes to the approval of the local government and shall NOT be used for habitation, commercial or industrial purposes.

Advice Notes:

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

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

Note 3: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 4: 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.

Note 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.

MOTION LOST 2/5

Cr STEWART, Cr SUCKLING, Cr HORSTMAN, Cr HAY and Cr SUDLOW wished for their names to be recorded as voting against the motion.

<p>3.8.2 PROPOSED CARPORTS AND OUTBUILDINGS FOR EXISTING GROUPED DWELLINGS - R-CODE VARIATIONS - LOT 238 (NO. 15) CARLTON CRESCENT, KALBARRI (ITEM 7.3.1)</p>

Moved Cr STEWART seconded Cr SUCKLING

That Council grant development approval for the proposed Carport and Storerooms upon Lot 238 (No. 15) Carlton Crescent, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated [insert date] and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;

2. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
3. A building permit shall be issued by the local government prior to the commencement of any work on site;
4. The applicant is to prepare, submit and adhere to stormwater and drainage plans to the approval of the Local Government, with all costs met by the applicant;
5. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
6. The Applicant shall provide a materials and colour schedule for the carports and storerooms prior to construction of the carports and storerooms, which shall be to the approval of the local government. The colours chosen shall be non-reflective and in keeping with the natural coastal environment;
7. The roof of the dwelling shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted;
8. Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the view from the street/s, to the approval of the local government;
9. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (a) all illumination is confined within the boundaries of the property; and
 - (b) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;
10. Installation of crossing places and verge gradients shall be to the standards and specification of the local government (refer to Advice Note 1);

11. All parking of vehicles including boats and trailers to be provided for within the property boundary and the street verge area to be kept free of vehicles.
12. No panelling or screening shall be affixed to the side walls of the carport structure, so that the carport maintains visual permeability at all times to enhance visibility of vehicles entering and exiting the street upon Lot 238 and adjoining lots; and
13. The approved storeroom component is only to be used for general storage purposes to the approval of the local government and shall NOT be used for habitation, commercial or industrial purposes.
14. The Applicant/Owner shall reduce the size of the storeroom at the rear of the Unit 1 carport by removing a 3 metre portion located on the south-eastern corner, as marked in 'RED' on the attached approved plan(s) dated [insert date], so as to address the requirements of *Clause 5.2.3 Street Surveillance of the Residential Design Codes (2021)*; and
15. The Applicant/Owner shall reduce the size of the storeroom at the rear of the Unit 2 carport by removing a 3 metre portion located on the south-western corner, as marked in 'RED' on the attached approved plan(s) dated [insert date], so as to address the requirements of *Clause 5.2.3 Street Surveillance of the Residential Design Codes (2021)*.

Advice Notes:

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

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

Note 3: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 4: 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.

Note 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 5/2

Cr Pike and Cr GIBB wished for their names to be recorded as voting against the motion.

<p>3.8.3 PROPOSED KALBARRI QUADBIKE SAFARIS LICENCE AGREEMENT – RESERVE 12996 (NORTH/SOUTH), UCL, LOTS 1545 & 13 MURCHISON HOUSE STATION, AJANA-KALBARRI ROAD, KALBARRI (ITEM 7.3.2)</p>
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Moved Cr HAY, seconded Cr SUCKLING

That Council:

- 1 Grant Planning Approval for a Commercial Recreational Tourism Activity (Quadbike Tours) over Reserves 12996 (North/South) and Lots 1545 and 13 Ajana-Kalbarri Road, Kalbarri subject to the following conditions:
 - a This Planning Approval is an approval for the proposed use for the purposes of the Shire of Northampton's *Local Planning Scheme No. 11 – Kalbarri* and the *Planning and Development Act (2005)* only and does not constitute an approval of the proposed use by the Shire in its capacity as management body of the reserve within which the use is proposed to be located;
 - b Approval of the Minister of Lands in accordance with the provisions of the *Land Administration Act (1997)*;
 - c A licence agreement being entered into by the applicant and the Shire in accordance with Council's *Local Planning Policy – Commercial Recreational Tourism Activity on Crown Reserves*;

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- d This Planning Approval shall remain valid whilst the licence agreement referred to in Condition (c) remains current and valid, and on the expiration or in the termination of such licence agreement, this Planning Approval shall cease to be valid.
- e The Applicant shall conduct the tours using existing pathways, roads and tracks only, and shall not negatively impact, degrade or damage the natural amenity or cultural heritage sites within the approved land locations in any way;
- f The Applicant shall maintain 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 – Commercial Recreational Tourism Activity

Advice Notes:

- i 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; and
- ii. Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.
- iii The Applicant is advised that this development approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to Fish Resources Management Act 1994, Environmental Protections Act 1986, Fire and Emergency Services Act 1998 and Aboriginal Heritage Act 1972. It is the Applicant's responsibility to obtain any additional approvals required before the use lawfully commences.
- iv The Applicant is advised that they should undertake due diligence and take into consideration the State's Aboriginal Heritage when planning specific developments associated with the proposal so as to mitigate any risks where heritage sites may be present. More information is available at <https://www.wa.gov.au/organisation/departments/planning-lands-and-heritage/aboriginal-heritage>

- v. 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
- 2 Authorise delegation to the Chief Executive Officer and Planning Officer for preparation and execution of the Licence Agreement with any disputes to be referred back to Council for final determination.
- 3 Grant Planning Approval for a Home Business for the storage of quad bikes upon Lot 13 (No. 5618) Ajana-Kalbarri Road subject to the following conditions:
- a The business activity on the property shall be limited to the establishment of a Home Business (Quadbike Storage) and related duties;
 - b The activity is at all times to comply with the definition of “Home Business” under the Local Planning Scheme No. 11;
 - c The home business shall not occupy an area greater than 50m²;
 - d The home business shall not involve the retail sale or display of goods of any nature;
 - e This approval is issued only to M Rodger & E Nightingale and is NOT transferable to any other person or to any other land parcel. Should there be a change of the occupier on the land in respect of which this planning approval is issued this approval shall no longer be valid;
 - f The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise;
 - g Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval for that use/addition; and
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- h This Development Approval shall remain valid whilst the licence agreement with the Shire of Northampton remains current and valid, and on the expiration or in the termination of such licence agreement, this Development Approval shall cease to be valid.

Advice Notes:

- i. 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.
- ii. 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 7/0

3.8.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.3)

Noted.

3.9 FINANCE REPORT

3.9.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr HORSTMAN, seconded Cr SUCKLING

That Municipal Fund Cheques 22174 to 22190 inclusive totalling \$87,154.03, Municipal EFT payments numbered EFT23189 to EFT23302 inclusive totalling \$442,444.33, Trust Fund Cheques 2684 to 2686 totalling \$461.65, Direct Debit payments numbered GJ0805 to GJ0811 inclusive totalling \$246,608.42 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

3.9.2 MONTHLY FINANCIAL STATEMENTS –FEBRUARY 2022 (ITEM 7.4.2)

Moved Cr GIBB, seconded Cr STEWART

That Council adopts the Monthly Financial Report for the period ending 28th February 2022.

CARRIED 7/0

3.9.3 2021/2022 BUDGET REVIEW (ITEM 7.4.3)

Moved Cr STEWART, seconded Cr HAY

That Council in accordance with regulation 33A of the Local Government (Financial Management) Regulations 1996 adopt the review of the 2021/2022 Budget and note any variances or recommendations.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

3.10 ADMINISTRATION & CORPORATE REPORT

Cr SUDLOW declared an impartiality interest in Item 7.5.1 as she is a member of the Isolated Children's Parents' Association.

3.10.1 REQUEST FOR SPONSORSHIP DEFERMENT (ITEM 7.5.1)

Moved Cr PIKE seconded Cr SUCKLING

That Council defer the \$1,000 sponsorship for the Isolated Children's Parents Association state conference until 2023 and provision for this sponsorship be provided for in the 2022/23 Budget.

CARRIED 6/0

3.10.2 RUOK TREE (ITEM 7.5.2)

Cr SUCKLING spoke against the Officer's recommendation as she felt a blue tree at Chinaman's Beach would appropriately draw attention to the suicide prevention charity and as a Kalbarri School project would encourage the younger generation to take notice of the signs of mental health struggles in friends/people.

Moved Cr STEWART, seconded Cr HAY

That Council not approve of a Blue painted RUOK tree on any part of the Kalbarri foreshore parkland areas and advise the proponents to submit alternative sites for further consideration by Council.

MOTION LOST 2/5

Cr SUCKLING, Cr HORSTMAN and Cr SUDLOW wished for their names to be recorded as voting against the motion

3.10.3 RUOK TREE

Moved Cr SUCKLING, seconded Cr GIBB

That Council approve of a Blue painted RUOK tree as a Kalbarri School project at Chinaman's Beach on the Kalbarri foreshore as requested.

CARRIED 5/2

3.10.4 KALBARRI ELECTRIC VEHICLE CHARGING UNIT (ITEM 7.5.3)

Moved Cr SUDLOW, seconded Cr GIBB

That Council acknowledges Mr Simkin's objection and advises the chosen location on the river side of the car park located southwest of the IGA car park was selected in conjunction with Synergy as placement in the Allen Centre carpark would interfere with traffic movement in that area.

CARRIED 7/0

3.10.4 LOT 81 KITSON CIRCUIT (ITEM 7.5.4)

Moved Cr HORSTMAN, seconded Cr HAY

That Council:

1. Approve the leasing of Lot 81 initially for a twelve-month period and at completion of that period the lot be offered for sale to John Van Maanen for the purpose of a laydown and storage area for fabrication equipment, machinery, steel supplies and workspace subject and at completion to;

- (a) That the lessee to construct a commercial grade security fence on the boundary of Lot 81 within six months from the commencement of the lease term; and
 - (b) That the lessee to construct a light industrial shed on the lot with the same material and colours as existing sheds in the area within two years from the commencement of the lease.
2. That Council determine that the leasing of Lot 81 has no significant benefit to any other person as the lot has been vacant for many years and no other person/s have shown an interest in either leasing or purchasing the lot and therefore determine it be exempt from advertising requirements as per Section 3.58 of the Local Government Act 1995.

CARRIED 7/0

3.10.5 CHILD SAFETY AND WELFARE POLICY (ITEM 7.5.5)

Moved Cr STEWART, seconded Cr SUCKLING

That Council formally adopt the Child Safety and Welfare Policy as presented follows:

SHIRE OF NORTHAMPTON – DRAFT CHILD SAFETY & WELFARE POLICY

OBJECTIVES

The Shire of Northampton is committed to creating a culture and environment where the safety and welfare of children is paramount. This shall be achieved through the commitment to implementing the Western Australia Government directives and National Principles for Child Safe Organisations across its operations.

POLICY STATEMENT

The Shire supports children safety and welfare in our community, and when accessing our facilities and in the care of our services. All persons undertaking work with children (PWWC) must uphold and promote the protection of children and respond appropriately where concerns are identified.

The Shire is committed to the ongoing education of children, young people and families, staff, volunteers, contractors and key stakeholders about their rights, responsibilities and reporting processes relating to child safety and welfare.

POLICY DETAILS

1. Build a Child Safe Culture

All PWWC have a responsibility to support the Shire's commitment and obligation to create a child safe culture. Such a culture is critical to ensuring the welfare and safety of children under our care, as all children have a right to develop and reach their potential.

2. National Redress Scheme Participation

The Shire's commitment to child safety and welfare was confirmed in May 2020 when Council resolved to participate in the National Redress Scheme. This policy expands on the Shire's established position and provides a clear public commitment to the National Principles for Child Safe Organisations.

3. Recognising Abuse or Neglect

The Shire has a zero tolerance of child abuse, and shall treat all allegations seriously with a commitment to investigate allegations. The Shire shall follow the direction of Police and relevant child safety and welfare agencies in the management of its child safety and welfare responsibilities.

The Shire acknowledges that every child has the right to be heard, protected and to have their concerns managed appropriately. The Shire will use its best endeavours to seek to resolve the concerns of a child in accordance with this policy.

The Shire shall endeavour to recognise when a child within its care is exposed to any form of abuse. Appendix 3 provides definitions of the six main types of abuse which could occur or present.

4. Child Safety and Welfare Procedure & Code Of Conduct

The Shire requires all PWWC to comply with this policy and the related Responding & Reporting Procedure and the Child Safety and Welfare Code of Conduct which are detailed in Appendix 1 and 2.

5. Child Safety Officers

In delivering services to children, the Shire shall ensure the appointment or the use of existing designated employees as Child Safety Officers. This role shall be undertaken by specifically appointed officers or the manager responsible for the service.

6. Recruitment

All PWWC engaged in child-related work as defined in the *Working with Children Act 2004* are required to hold a Working with Children (WWC) Card. In addition the Shire takes responsibility to assess if a person is suitable to work with children and young people in addition to a WWC Card.

For positions that involve engagement with children, recruitment is based on selection criteria which clearly demonstrate the commitment to child safety and wellbeing to ensure the most appropriate PWWC is employed.

7. Training & Supervision

The Shire is committed to ensure that PWWC have access to training to develop and maintain an understanding of child safety and wellbeing. In addition to position specific training requirements, training will be available to all PWWC which shall include how to identify, assess, and minimise risks of child abuse and to detect potential indicators of child abuse.

8. Confidentiality

The Shire shall ensure that all information or details relating to children is maintained in strict confidence. Any and all personal information collected by the Shire in providing services for children shall be restricted to only PWWC with responsibility for the services in compliance with this policy and its associated procedure and code of conduct.

CONSEQUENCES

This policy represents the expected standards of the Shire. Deviations from the standards outlines shall invoke disciplinary action to be taken.

KEY TERM DEFINITION

Child (and or Children) in accordance with the section 3 of the *Children and Community Services Act (2004)* defines a Child as a person who is under 18 years of age. In addition reference to **young persons** is read to include any person below the age of 18 years of age.

Persons Working with Children (PWWC) relates to all persons undertaking child-related works. This includes but is not limited to the following, Shire staff, volunteers, and students, persons undertaking work experience, contractors, and partnered organisations who are responsible for the provision of children's activities or programs.

ROLES AND RESPONSIBILITIES

The Council are responsible for providing leadership for the good governance of Council by acting as a responsible partner in fostering and developing an organisational culture that has zero tolerance for child abuse. Council will advocate in the best interests of children to create and sustain a community in which children are safe and protected from abuse.

The Chief Executive Officer and Designated Senior Staff are responsible for driving the culture of zero tolerance for child abuse and ensuring that the organisation has effective controls in place for child safety and welfare. This will be achieved by ensuring:

- The Shire has in place and implements robust child safety and welfare procedures that protect children from child abuse.
- Suspected or alleged instances of child abuse are reported and fully investigated.
- Support is provided to managers, staff, volunteers and contractors in undertaking their child safety and welfare responsibilities.

Managers, Facility Managers and Child Safety Officers shall ensure this policy and associated procedures are followed and implemented by:

- Acting as the first point of contact for receiving reports of child safety concerns or allegations of abuse within Council.
 - Supporting the notification of child safety concerns or allegations to relevant authorities (Police or Child safety and welfare agencies).
-

- Assisting alleged victims and their families to access counselling and support services.
- Providing support to affected staff.

All staff, volunteers and contractors must familiarise themselves with the relevant laws, the Code of Conduct, and policy and procedures in relation to child safety and welfare, and comply with all requirements, including:

- Participation in staff induction and refresher training.
- Report any suspicion or reasonable belief that a child's safety may be at risk to a designated Child safety and welfare officer.
- Provide an environment that is supportive of all children's emotional and physical safety.

APPENDIX 1

CHILD SAFETY AND WELFARE CODE OF CONDUCT

The Child Safety and Welfare Code of Conduct (the Code) lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. Above all, a Code helps to protect children from harm.

The Code serves to protect all children and young people (any person under 18 years of age), reduce any opportunities for abuse or neglect to occur, and promote child safety & wellbeing within the Shire. It provides guidance on how to best support children and young people and how to avoid or better manage difficult situations. Where a Persons Working with Children (PWWC) breaches the Code, the Shire may take disciplinary action, including in the case of serious breaches, dismissal and external reporting.

This Code applies to all Shire staff (including contract and temporary), committee members, contractors and sub-contractors, interns, volunteers or any other person or bodies associated with the Shire or any of its staff that engage with children and young people. The Shire acknowledges that protecting children and young people's safety & wellbeing is everyone's business.

The Code is made available to all PWWC, families and participants via the Shire's website.

All PWWC are expected to act in accordance with this Code in their physical and online interactions with children and young people.

ALL PWWC SHALL

- Act in accordance with child safety and welfare policy and procedures at all times.
- Behave respectfully, courteously and ethically towards children and young people, their families and towards other staff and volunteers.
- Listen and respond to the views and concerns of children and young people, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children in the Shire.
- Demonstrate appropriate personal and professional boundaries.
- Respect the cultural and religious practices, individual capability and gender identity/ sexuality of children, young people and families, and understand and respond to any identified special needs.
- Create an environment that promotes and enables children and young people's participation, is welcoming, culturally safe and inclusive for all and their families.
- Involve children and young people in making decisions about activities, policies and procedures that concern them wherever possible.
- Contribute, where appropriate, to Shire policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children and young people's safety and wellbeing as required by Shire risk assessment and management policy and/or procedures.
- Respond to any concerns of a child or young person's harm or abuse promptly and in line with Shire policy and procedure for receiving and responding to concerns.
- Report all suspected or disclosed child or young person's abuse or neglect as required by *Children and Community Services Act 2004*.
- Handle all personal information in accordance with Shire's privacy responsibilities.

ALL PWWC ARE PROHIBITED FROM

- Engaging in any unlawful activity with or in relation to a child.
- Engaging in any activity that is likely to physically, sexually or emotionally harm a child.
- Engage in any form of sexual relationship with a child or young person.
- Unlawfully discriminate against anyone on the basis of gender identity, culture, race, religion or disability.
- Be alone with a child unnecessarily.
- Travel, or be accommodated, alone with a child or young person before, during or after a Shire program, excursion or camp. Where approved transport is undertaken, a minimum of two adults must be present.
- In the event that a child or young person presents at a Shire staffed facility and there is only a single PWWC in attendance. The PWWC is to immediately report to their line manager the presentation of an unplanned child's or young person attendance. The PWWC in the provision of support to the child or young person must comply with their line managers directions.
- Instigate personal contact, including online contact, with children and young people they are working with for a purpose unrelated to Shire activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless they are required to do so by Shire policy and procedure on reporting.
- Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
- Ignore or disregard any suspected or disclosed child abuse or neglect.
- Report to work under the influence of or in possession of alcohol or illegal substances.
- Take photos or videos of children on personal cameras or mobile phones/devices. All photos must be authorised and be taken on Shire supplied devices.

- Use personal social media platforms such as Facebook, Instagram, Snapchat etc. to contact or converse with children engaged in Shire programs. Appropriate contact with children for the purpose of delivery of Shire programs must be limited to official Shire accounts/platforms only.
- Give personal gifts to children unless under the banner of a gift from Shire (e.g. gifts from the Shire to each child at Christmas).

APPENDIX 2

RESPONDING AND REPORTING PROCEDURE

All Persons Working with Children (PWWC) are required to identify, report and respond immediately (or where reasonably practicable no later than before ending work on that day) any concerns, suspicions or allegations of child abuse.

Where a child safety concern may result from:

- a disclosure from the child or young person,
- a disclosure from a parent or carer,
- disclosure from another child,
- physical or behavioural indicators of abuse, and
- staff and/ or volunteer involvement in the community external to their professional role with Shire.

IF A CHILD OR YOUNG PERSON IS AT RISK OF HARM OR IN IMMEDIATE DANGER, YOU MUST REPORT THE SITUATION DIRECTLY TO WA POLICE ON 000.

In the event an allegation of abuse is made against any Shire related PWWC it may potentially constitute a serious breach of the Child safety and welfare policy, this procedure, the Child Safety and Welfare Code of Conduct, and child safety and welfare legislation.

Breaches if substantiated include, but are not limited to:

- sexually assaulted a child or young person who is involved in a Shire program or activity,

- physically assaulted a child or young person who is involved in a Shire program or activity,
- verbal abuse, denigrate or bully a child or young person who is involved in a Shire program or activity,
- sexually harass a child or young person who is involved in a Shire program or activity,
- take, reproduce and/or distribute photos of a child or young person without the consent of their parents/ guardians,
- publish any material containing images of children or young people who are involved in a Shire program or activity that can be used for the sexual gratification of others,
- groom or otherwise interfere with the physical or mental wellbeing of a child or young person.

In accordance with the Child Safety and Welfare Policy this Procedure and the Child Safety and Welfare Code of Conduct, all PWWC or any other party who has identified an issue must immediately report any suspected or alleged incident of abuse as per the procedure below.

STEP 1 – REPORT

If an allegation is made against any PWWC, it must be reported to the CEO.

If the allegation is made against the CEO, the allegation is to be reported to the Shire President.

If an allegation is made by an external stakeholder or partnered organisation, the allegation is to be provided in writing to the CEO who is to investigate the allegation.

If an allegation is made against a third party or where suspected abuse is identified but is unrelated to a Shire activity the Shire shall report the matter to the Department of Child Protection and Family Support.

STEP 2 - RECORD

A written record of observations and/ or any statements (correspondence) disclosed by a child or young person or other person should be factual and detail information such as:

- details about the child/ young person,
 - details of those involved e.g. person who made the allegation,
-

- objective information about what was seen, what was said, and what has happened,
- the immediate risk to the child/ young person,
- whether or not the child/ young person has support, and
- what may need to happen to make the child safe.

This information should then be recorded or where reasonably practicable no later than before ending a shift, and must be treated as highly confidential. General discussions about the matter should not occur. This information could be required at a later stage should legal action arise.

All written record observations and/ or any statements (correspondence) recorded and/or received should only be used to assist in developing a comprehensive report detailing the chronology of events, with a copy of all correspondence to be recorded on Council records.

All documentation used during this reporting process will be filed and stored in a confidential manner. This documentation is not to be given to any other party unless specified by the *Children and Community Services Act 2004*.

STEP 3 – ASSESS

The CEO or their delegate will be required to immediately stand down any PWWC from all programs and activities involving the direct supervision of, and/ or direct contact with children and young people until further notice.

Where the PWWC is employed by the Shire, the CEO will assess all evidence obtained and conduct relevant interviews to collect statements from all those involved. Where the PWWC is employed by a third party organisation, the CEO will engage with that organisation.

The CEO must determine if the allegation is to be reported to the Department of Child Protection and Family Support within 24 hours (or where reasonably practicable).

If the CEO decides not to report the allegation to Department of Child Protection and Family Support and/ or the WA Police, the person who raised the allegation should be given a clear written statement of the reason/s why no further action will be taken. Should the person who raised the allegation still remain concerned about the situation, they are free to consult with or report to the Department of Child Protection and Family Support.

STEP 4 – REPORT

If the CEO determines the alleged incident must be reported to the Department of Child Protection and Family Support, it should be reported within 24 hours (or where reasonably practicable). A written report is to be provided using the Child safety and welfare Concern Referral form found online (Department of Child Protection– Reporting your Concern webpage) to the best of their knowledge.

The Department of Child Protection and Family Support will decide what response would be in the best interest of the parties involved. Parents/guardians are not to be informed of any reports made to the Department of Child Protection and Family Support and/or WA Police unless the agencies have instructed to do so.

APPENDIX 3

DEFINITIONS OF ABUSE	
<p>A child can suffer from one or more of these. Abuse can happen within a family or through a person outside the immediate family. Each type of abuse has a range of indicators, although just one indicator on its own may not suggest abuse. Definitions of Abuse</p>	
Physical Abuse	Physical abuse is when a child or young person is deliberately hurt, or is at serious risk of being physically hurt, by their parents or carers. This can include punching, kicking, shaking or throwing, scalding/burning, strangling or leaving a child alone in a car. It can also be from excessive physical discipline, or by being given drugs including alcohol. These injuries are not treated as accidental.
Sexual Abuse	Sexual abuse is children and young people being exposed to inappropriate sexual activity. This includes being involved in sexual acts (masturbation, fondling, oral sex or penetrative sex); or witnessing sexual activity, either directly or through pornography.
Emotional Abuse	Emotional abuse is being treated in ways that damages a child or young person’s ability to feel and express a range of emotions. This can be caused by behaviours that occur over time, such as verbal abuse and teasing, rejection, physical or social isolation, threats and bullying.
Psychological Abuse	Psychological abuse is being treated in ways that damages a child or young person’s self-esteem,

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	<p>personal and moral development and intelligence. This can be caused by behaviours that occur over time, for example, belittling, threatening, isolating and causing the child to feel worthless.</p>
Neglect	<p>Neglect is not providing enough care or supervision so that the child or young person is injured, or their development is damaged. It includes lack of food, shelter, affection, supervision, untreated medical problems and abandonment.</p>
Family & Domestic Abuse	<p>Family and domestic violence is strongly associated with child abuse and neglect. It is more likely that a child's basic needs will not be met in a family where there is domestic violence. Witnessing violence between parents, or being involved in a violent act, can seriously affect the emotional health of children and young people. It can affect self-image, response to other people, and the ability to form healthy relationships.</p> <p>These children and young people don't feel safe and secure. They believe that violence is a solution to problems and may develop signs of posttraumatic stress disorder. Family and domestic violence is seen as child abuse when it clearly affects the child or young person's physical, emotional and psychological development.</p>
Cyber/online abuse	<p>Cyber/online abuse is a type of abuse that happens on the internet. It can happen across any device that's connected to the web, like computers, tablets and mobile phones and it can happen anywhere online, including: social media, text messages and messaging apps, emails, online chats, online gaming, live-streaming sites. Cyber/online abuse can take different forms, such as cyber bullying, online grooming, online sexual abuse, and child sexual exploitation. Children can be at risk of online abuse from people they know or from strangers. It might be part of other abuse which is taking place offline, like bullying or grooming or the abuse might only happen online.</p>

CARRIED 7/0

3.11 PRESIDENT'S REPORT

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

- 22/02/2022 Pro-Choice Zoom meeting with WALGA CEO, Nick Sloan
- 23/02/2022 Local Recovery Workshop, Northampton Community Centre
- 26/02/2022 Farewell Dinner Anthony Farrell (Former Chapman Valley Shire President) and Maurice Battilana (Former Chapman Valley CEO), Geraldton
- 09/03/2022 Farewell Dinner Sandi Stock-Sanden (Former Councillor Shire of Northampton), Horrocks Community Centre
- 10/03/2022 Coastal Sub-Group meeting of Regional Roads Group, Geraldton
- 10/03/2022 Hon. Stephen Dawson MLC, Minister for Emergency Services, Melissa Pexton (WA State Recovery Controller) and Darren Klemm (Commissioner DFES)
- 11/03/2022 Ricky Sah, Liberty Fuel Station, Northampton
- 14/03/2022 Teams meeting Phaeton Energy, Mark Imrie, Brett Endersby and Ron Forlee
- 17/03/2022 Zoom meeting Midwest Covid update

3.12 DEPUTY PRESIDENT'S REPORT

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

- 23/02/2022 Local Recovery Workshop, Northampton Community Centre
- 23/02/2022 Operational Area Support Group Meeting (Midwest)
- 03/03/200 Operational Area Support Group Meeting (Midwest)
- 09/03/2022 Farewell Dinner Sandi Stock-Sanden (Former Councillor Shire of Northampton), Horrocks Community Centre
- 10/03/2022 Coastal Sub-Group meeting of Regional Roads Group, Geraldton
- 10/03/2022 Hon. Stephen Dawson MLC, Minister for Emergency Services, Melissa Pexton (WA State Recovery Controller) and Darren Klemm (Commissioner DFES)
- 14/03/2022 Northampton Community Centre Committee Meeting, Northampton
- 14/03/2022 Teams meeting Phaeton Energy, Mark Imrie, Brett Endersby and Ron Forlee
- 11/03/2022 Ricky Sah, Liberty Fuel Station, Northampton

3.13 COUNCILLORS' REPORTS

3.13.1 CR PIKE

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

- 21/02/2022 Kalbarri Visitor Association meeting, Kalbarri
- 23/02/2022 Local Recovery Workshop, Northampton Community Centre

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3.13.2 CR STEWART

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

08/03/2022	Kalbarri Visitor Centre meeting, Kalbarri
10/03/2022	Hon. Stephen Dawson MLC, Minister for Emergency Services, Melissa Pexton (WA State Recovery Controller) and Darren Klemm (Commissioner DFES)
14/03/2022	Teams meeting Phaeton Energy, Mark Imrie, Brett Endersby and Ron Forlee

3.13.3 CR HAY

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

09/03/2022	Farewell Dinner Sandi Stock-Standen (Former Councillor Shire of Northampton), Horrocks Community Centre
14/03/2022	Teams meeting Phaeton Energy, Mark Imrie, Brett Endersby and Ron Forlee

3.14 NEW ITEMS OF BUSINESS

Nil

3.15 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 22nd April 2022 commencing at 1.00pm at the Council Chambers, Northampton.

3.16 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 2.28pm.

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THESE MINUTES CONSISTING OF PAGES 1 TO 14 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 22nd APRIL 2022.

PRESIDING MEMBER: _____

DATE: _____