

**ORDINARY
COUNCIL MEETING**

**UNCONFIRMED
MINUTES**

**17th MARCH 2023
COUNCIL CHAMBERS
NORTHAMPTON**

1.00PM

**SHIRE OF NORTHAMPTON
MAURICE BATTILANA
ACTING CHIEF EXECUTIVE OFFICER**



SHIRE OF NORTHAMPTON

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for licence, any statement, limitation or approval made by a member or officer of the Shire of Northampton during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Northampton. The Shire of Northampton warns that anyone who has lodged an application with the Shire of Northampton must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Northampton in respect of the application.

Signed _____



Date 10th March 2023

MAURICE BATTILANA
ACTING CHIEF EXECUTIVE OFFICER

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- 3 PRESENT
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- 3.2 APOLOGIES
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ORDER OF BUSINESS

1 OPENING

The Deputy President presided over the meeting in the absence of the President and thanked all Councillors and staff present for their attendance and declared the meeting open at 1.00pm.

2 ACKNOWLEDGEMENT OF 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 PRESENT

Elected Members		In	Out
Cr Rob Horstman (Deputy President) (Presiding Member)	Northampton	1-00pm	2-10pm
Cr Ros Suckling	Northampton	1-00pm	2-10pm
Cr Des Pike	Kalbarri	1-00pm	2-10pm
Cr Richard Burges	Kalbarri	1-00pm	2-10pm
Cr Trevor Gibb	Kalbarri	1-00pm	2-10pm
Cr Liz Sudlow (President) (by instantaneous communication)	Northampton	1-02pm	2-10pm
Officers			
Maurice Battilana (Acting Chief Executive Officer)		1-00pm	2-10pm
Neil Broadhurst (Manager Works and Technical Services)		1-00pm	1-11pm
Visitors			

3.1 PREVIOUSLY APPROVED LEAVE OF ABSENCE

Cr Tim Hay

3.2 APOLOGIES

Nil

3.3 APPLICATION TO ATTEND MEETING BY INSTANTANEOUS COMMUNICATION.

Cr Sudlow has requested approval to attend the March 2023 Ordinary Council Meeting by instantaneous communication

COUNCIL RESOLUTION

Moved Cr Suckling

Seconded Cr Gibb

Council approve Cr Sudlow's attendance at the March 2023 Ordinary Council Meeting by instantaneous communication.

CARRIED 5/0
Minute Reference 03/23-01

1:02pm – Cr Liz Sudlow entered the meeting via instantaneous communication (MS TEAMS)

4 QUESTION TIME

Nil

5 DISCLOSURE OF INTEREST

Nil

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING FRIDAY 17th FEBRUARY 2023

Moved Cr Suckling

Seconded Cr Sudlow

That the minutes of the Ordinary Meeting of Council held on Friday 17th February 2023 be confirmed as true and correct.

CARRIED 6/0
Minute Reference 03/23-02

6.2 SPECIAL MEETING OF COUNCIL THURSDAY 23rd FEBRUARY 2023

Moved Cr Burges

Seconded Cr Suckling

That the minutes of the Special Meeting of Council held on Thursday 23rd February 2023 be confirmed as true and correct.

CARRIED 6/0
Minute Reference 03/23-03

6.3 BUSINESS ARISING FROM MINUTES

Nil

7 RECEIVAL OF MINUTES (OTHER)

7.1 Nil

7.2 BUSINESS ARISING FROM MINUTES

Not applicable

OFFICER REPORTS

8 WORKS & ENGINEERING REPORT

8.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCITON WORKS PROGRAM

Noted

LATE AGENDA ITEM

Moved Cr Burges

Seconded Cr Suckling

Council agrees to deal with the late agenda item presented regarding the Allen Centre/Visitor Centre entry proposed permanent closure of driveway entry.

CARRIED 6/0
Minute Reference 03/23-04

8.2 KALBARRI – ALLEN CENTRE / VISITOR CENTRE ENTRY PROPOSED PERMANENT CLOSURE OF DRIVEWAY ENTRY

Location	Lot 836, 70 Grey Street, Kalbarri
Applicant	
Owner/Lessee	Shire of Northampton
File Reference	
Date of Report	16 March 2023
Reporting Officers	Neil Broadhurst, Manager of Works and Technical Services.
Responsible Officer	Maurice Battilana, Acting Chief Executive Officer

SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
Nil			

BACKGROUND:



Council have approved two budget items within the 2022/2023 financial year that impact on the one-way driveway that enters the Kalbarri Visitors Centre and Shire offices. The driveway in question is the driveway on the immediate north side of the Kalbarri Visitors Centre/ Shire office.

The two budget items that surround this area are:

1. Grey Street Asphalt works and.
2. Municipal footpaths Grey Street – Replace section at Allen Centre.

The area in question is at best in its current condition and design outdated. The existing pathway is an existing bitumen seal pavement that is listed for replacement with a new concrete dual use pathway. The entry driveway is constructed such that traffic to enter the area are required to drive over an existing mountable kerb and onto the bitumen surface at the same level as the existing pathway. The area arguably does not clearly separate vehicular traffic from pedestrian traffic. In addition, the entry driveway at a location closer to the Kalbarri Visitors Centre again conflicts with a pedestrian crossing area. The driveway is also subject to vehicle traffic either not seeing or ignoring the signage and pavement markings that would indicate a one way traffic environment. This has resulted in several near misses at the pedestrian crossing at the northwest corner of the Kalbarri Visitors Centre when traffic illegally try to leave the main carpark area travelling in the wrong direction.

COMMUNITY & GOVERNMENT CONSULTATION:

Nil.

FINANCIAL IMPLICATIONS:

No cost addition to either budget works.

STATUTORY IMPLICATIONS:

Nil.

POLICY/PROCEDURE IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil

COMMENT:

The design of the access point is arguably outdated and in addition to other factors does not clearly indicate any lines of demarcation that clearly separate any vehicle and pedestrian conflict. The presence of mountable concrete kerbing does not adequately protect the adjacent Grey Street pedestrian traffic and would be replaced with barrier kerbing (As per other areas with adjacent dual use pathways). The Grey Street asphalt works would in addition see the removal of any aged concrete kerbing in works to be replaced with new kerb prior to the asphalt works commencing.

In addition the recent construction of the entry point (to the north of the Kalbarri Visitors Centre) for the caravan and bus parking area to the rear of the Kalbarri Visitors Centre has created arguably a more viable and safer access point into the front carpark area of the Kalbarri Visitors Centre being a cars/small vehicle parking area. Signage is already in place advertising this alternative access.

The existing access point to the south of the Visitors Centre/Shire Office would remain in place, unaltered other than a new pedestrian ramp as part of the dual use pathway upgrade works. Management makes the recommendation to completely close the driveway access point being the access to the immediate north of the Kalbarri Visitors Centre/Shire Office area. The closure would allow alternative and safer access to the Visitors Centre/Shire office building area from the Grey Street Dual Use pathway area, as well as safer access and passage to the existing car, bus and caravan area.

RISK ASSESSMENT:

Management would recommend the associated risk with the closure of the immediate access driveway to the north of the Visitors Centre/Shire Office area is in fact reduced as compared to operating as per the existing design/conditions.

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

VOTING REQUIREMENT:

Simple Majority required.

COUNCIL RESOLUTION/STAFF RECOMMENDATION – 8.2

Moved Cr Suckling

Seconded Cr Gibb

That Council approve the works to close the driveway entry access point on the immediate north side of the Kalbarri Visitors Centre/Shire office building. That this work be completed in conjunction with 2022/2023 Council budget approved works associated with the asphalt resealing of Grey Street and the upgrade of the Dual Use Pathway in front of the Kalbarri Visitors Centre and Shire Office area.

CARRIED 6/0

Minute Reference 03/23-05

1:11 pm – Neil Broadhurst departed the meeting.

9. HEALTH AND BUILDING REPORT

9.1 BUILDING STATISTICS FOR MONTH OF FEBRUARY 2023

9.1 BUILDING STATISTICS FOR MONTH OF FEBRUARY 2023

Noted.

10 TOWN PLANNING REPORT

LATE AGENDA ITEM

Moved Cr Pike

Seconded Cr Sudlow

Council agrees to deal with the late agenda item presented regarding the proposed temporary accommodation in repurposed dwelling for Northampton Child Care Association– Lot 483 (No. 92) Stephen Street, Northampton

CARRIED 6/0

Minute Reference 03/23-06

10.1 - PROPOSED TEMPORARY ACCOMMODATION IN REPURPOSED DWELLING FOR NORTHAMPTON CHILD CARE ASSOCIATION– LOT 483 (NO. 92) STEPHEN STREET, NORTHAMPTON

Location	Lot 483 (92) Stephen Street, Northampton
Applicant	Regional Early Education and Development Inc – Steven Sizer
Owner/Lessee	Shire of Northampton

File Reference	10.8.1.3 (A1693)
Date of Report	15 March 2023
Reporting Officers	Hayley Williams, Consultant Planner
Responsible Officer	Maurice Battilana, Acting Chief Executive Officer

SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
Appendix 1	Plans denoting site plan and building floor plan	✓	
Appendix 2	Photos	✓	

BACKGROUND:

Council has been notified that an existing transportable building is being used for temporary workforce accommodation on Lot 483 (92) Stephen Street, Northampton without any approvals. The Applicant is seeking approval to utilise the transportable building on a temporary basis to house an existing member of the Regional Early Education Development (REED) staff. Council consideration is required to ensure that the use complies with Health, Building and Planning regulations.

Figure 10.1(a) – Location map for Lot 483 (92) Stephen Street, Northampton



This matter was first brought to the attention of Shire staff in an email dated 13 March 2023 when an enquiry was made regarding accommodating an employee of REED. It was noted that a transportable building was existing on Lot 483 but in terms of its ability to be converted to residential accommodation, it was not clear if this would be possible.

It is now evident that the existing transportable building on Lot 483 has been used by REED to accommodate a staff member(s) for a period of time without any formal approvals from Council.

REED are now seeking retrospective approval from Council to use the transportable building as temporary accommodation, noting:

- This is temporary only, the current educator is less than 2 months away from getting her WA licence and is actively seeking rental accommodation in Geraldton.
- No rent or utilities are being charged to any educator that would use the temporary accommodation.
- REED has fitted it out with basic furniture.
- Currently we have a licensed builder looking at fixing all maintenance issues including putting in a new functional toilet to replace the old one, upgrades to the rotted bathroom vanity, the ramp and balustrading out the front, and a licensed electrician checking all electrics are safe, installing new fans, and fixing or replacing one of the three air conditioners.
- Without this temporary accommodation we would struggle to attract diploma qualified educators to the region.
- REED is offering Qualified Educators and Team Leader up to \$12.5k in attraction/retention and relocation allowances.
- Currently there is between 7000 and 10000 vacancies for childcare educators in Western Australia.
- A permanent Educator in Northampton, means we can again open 4 days, with Friday 31st March, looking like the start date for this.

COMMUNITY & GOVERNMENT CONSULTATION:

Internal advice provided from Shire of Northampton Health and Building staff notes:

- The transportable building has been set up to be a Class 1b accommodation unit.
- An extraction fan needs to be placed over the cooking unit.

As the proposed development is not considered to fit within the complex application definition the Application for Development Approval when received will be advertised in accordance with clause 64, Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, for a period of 14 days.

FINANCIAL IMPLICATIONS:

Minor costs will be incurred by Council during the advertising process.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005

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

One of the purposes of Local Planning Scheme No. 10 (LPS10) is to 'set aside land as reserves for public purposes'.

Relevant aims of LPS10 are:

- (b) *to encourage the development of planning and sustainable settlements by focusing future population growth and the necessary support infrastructure in the established settlements of Northampton, Kalbarri, Horrocks and Port Gregory.*

The subject site is zoned as a 'Local Scheme Reserve' for 'Education' purposes. The objectives of the Reserve are:

Public purposes which specifically provide for a range of essential education facilities.

While there is no specific mention of incidental uses such as workforce accommodation or repurposed dwellings included within the Education purpose of the Local Scheme Reserve, it is considered that the use could form part of essential education facilities, not dissimilar to housing for other essential services staff.

The definition of Repurposed Dwelling means:

a building or structure not previously used as a single house which has been repurposed for use as a dwelling.

The definition of Workforce Accommodation means:

premises, which may include modular or relocatable buildings used-

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) for any associated catering, sporting and recreation facilities for the occupant and authorised visitors.*

The definition of Workforce Accommodation is primarily associated with workers engaged in the construction, resource, or agricultural industries, and while this proposal is for the temporary accommodation of staff within essential education services, it is considered to be separate from this use.

As the Scheme provides no development standards for certain types of uses within with the Local Scheme Reserve zoning, footnote to Table 5 – Development Requirements states that:

Development standards for zones not included in Table 5 will be subject to relevant provisions outlined elsewhere in this Scheme (including any Local Planning Policies adopted under this Scheme), or in the absence of any such provisions, they will be determined by the local government in each particular case.

Therefore, given the transportable building fits within the definition of "Repurposed Dwelling" the Local Planning Policy framework can be applied. It is also noted that additional requirements concerning Health and Building related matters will need to form part of Council's determination.

POLICY/PROCEDURE IMPLICATIONS:

Local: Shire of Northampton Local Planning Strategy

Shire of Northampton Local Planning Policy – Repurposed and Secondhand Dwellings

Shire of Northampton Local Planning Strategy

The Shire's Local Planning Strategy applies to the Northampton townsite and immediate surrounds and forms the basis for development of a long-term strategic plan for the future development and growth of the Shire. The Strategy identifies key issues within the area as follows:

Cl. 2.6.1 Northampton Townsite includes the following objective:

To actively promote broader housing choices within the Northampton Townsite in order to stabilise and enhance the community and cultural values of the Townsite and position the Townsite as a viable and attractive alternative residential location within the Mid-West.

The Strategy does not include any specific objectives in relation to this site, however, it is noted that generally there is a need to actively promote broader housing choices to stabilise the community values of the Townsite and position the Townsite as a viable location within the Mid-West.

Shire of Northampton Local Planning Policy – Repurposed and Secondhand Dwellings

The transportable building on Lot 483 is considered to fit within the definition of a repurposed dwelling, given that it is a building not previously used in a residential capacity and has been repurposed for use as dwelling, or in this case ‘Workforce Accommodation’.

The objectives of the Local Planning Policy (LPP)

- 1.1 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.*
- 1.2 To ensure that any repurposed or second-hand dwelling does not detract from an existing (or reasonably desired) streetscape.*
- 1.3 To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.*

The transportable building is an existing structure on Lot 483 and has been in place for a long period of time. Its original use formed part of the Day Care Centre operations and was primarily used for storage.

While it may not be necessary to apply the LPP retrospectively to the development, given that its use has changed consideration should be given to how the repurposed dwelling can meet an acceptable aesthetic and amenity requirements within the locality. Some conditions that may be considered include:

- a) Need for additional setbacks over and above the prescribed minimum and the need for screening via landscaping and/or boundary fencing;*
- b) A bond/bank guarantee and legal agreement to ensure the external appearance of the repurposed or second-hand dwelling has been completed to the approval of the local government;*
- c) The space between the ground level and the floor level being suitably enclosed;*
- d) Upgrading, alterations or additional design features that will enhance the elevations and architectural detail of the proposed development (i.e.. roof pitch, eaves, colours/materials, and external treatments);*
- e) The roof and / or walls being clad of non-reflective materials and be consistent or complimentary in colour with the surrounding natural landscape features or desired streetscape; and*

- f) *Require landscaping and constructed vehicle access to be established within a specified timeframe and thereafter maintained.*

While some of these conditions may be difficult to apply, such as increased setbacks, it is considered if the transportable building continues to be used to temporarily accommodate staff members working at REED then it should include some upgrades to its external appearance in accordance with the LPP.

STRATEGIC IMPLICATIONS:

Nil

COMMENT:

The proposal to utilise the existing transportable building for temporary workforce accommodation associated with staff working for REED is considered to comply with the aims and objectives of Local Planning Scheme No. 11. Including the purpose of the Local Scheme Reserve to provide for essential education services. However, given the transportable building has been repurposed for the use of residential accommodation some parts of the *Shire of Northampton Local Planning Policy – Repurposed and Secondhand Dwellings* are considered to apply.

An Application for Development Approval should include the following additional information that includes:

- Details on the upgrading of external appearance of transportable building, paying particular attention to suitable enclosure of the space between the ground level and floor level and screening of the building from Axle Rest;
- Plans that denote location of vehicular access and car parking bays for two employees;
- Plans that denote floor plan of repurposed dwelling, along with details of outdoor living area;
- Details outlining compliance with Building requirements for Class 1B buildings; and
- Details outlining compliance with Health requirements relating to wastewater disposal.

RISK ASSESSMENT:

The associated risk would be the failure to comply legislation and setting a precedent. However, as the approval is temporary the risk is considered minimal in comparison to the REED service being removed from Northampton. Therefore the risk can be considered either way i.e.

- Temporary approval – Minor
- Rejection resulting in loss of service - 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

VOTING REQUIREMENT:

Simple Majority required

COUNCIL RECOMMENDATION/STAFF RECOMMENDATION

Moved Cr Horstman

Seconded Cr Sudlow

That once an Application for Development Approval is received, Council publicly advertise the proposal for a period of 14 days in accordance clause 64, Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*. Staff may continue to use the transportable building as temporary accommodation during this advertising period.

Subject to there being no adverse submissions Council advise of approval for REED staff to use the transportable building as temporary accommodation, for a period determined by the Chief Executive Officer.

The Applicant should also be advised of the requirement to adequately address the Shire of Northampton's Health, Building and Planning requirements in their development application including providing the following supporting information:

- Details on the upgrading of external appearance of transportable building;
- Plans that denote location of vehicular access and car parking bays for two employees;
- Plans that denote floor plan of repurposed dwelling, along with details of outdoor living area;
- Details outlining compliance with Building requirements for Class 1B buildings; and
- Details outlining compliance with Health requirements relating to wastewater disposal.

CARRIED 6/0
Minute Reference 03/23-07

APPENDIX 1 – Site Plan



APPENDIX 2 – Photos





11 FINANCE REPORT

- 11.1 ACCOUNTS FOR PAYMENT
- 11.2 MONTHLY FINANCIAL STATEMENTS – FEBRUARY 2023
- 11.3 BUDGET REVIEW 2022/2023
- 11.4 BUDGET VARIATIONS

11.1 ACCOUNTS FOR PAYMENT (ITEM 11.1)

Reference	1.1.1
Date of Report	3 rd March 2023
Reporting Officer	Grant Middleton
Responsible Officer	Grant Middleton, Deputy Chief Executive Officer

SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
Appendix	List of Accounts	✓	

DISCLOSURE OF INTEREST:

BACKGROUND:

A list of payments submitted to Council on 17th March 2023, for confirmation in respect of accounts already paid or for the authority to those unpaid.

COMMUNITY & GOVERNMENT CONSULTATION:

Not applicable

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).

STATUTORY IMPLICATIONS:

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

POLICY/PROCEDURE 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.

COMMENT:

Council to authorise the payments as presented.

RISK ASSESSMENT:

As Council has complied with legislative requirements there is no associated risk of failing to comply with Local Government Financial Regulations requiring monthly reporting of Financial Activity. 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

VOTING REQUIREMENT:

Absolute Majority required

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Moved CR Suckling

Seconded Cr Sudlow

That Municipal Fund Cheques 22336 to 22345 inclusive totalling \$58,910.28, Municipal EFT payments numbered EFT24553 to EFT24656 inclusive totalling \$845,435.51, Direct Debit payments numbered GJ0808 to GJ0813 inclusive totalling \$251,264.70 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-08

11.2 MONTHLY FINANCIAL STATEMENTS – DECEMBER 2022 (ITEM 11.2)

File Reference	1.1.1
Date of Report	3 rd March 2023
Reporting Officer	Grant Middleton
Responsible Officer	Grant Middleton, Deputy Chief Executive Officer

SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
Appendix	Monthly Financial Report for February 2023	✓	

DISCLOSURE OF INTEREST:

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 28 February 2023 are detailed from page 1 to page 22 per the attached Monthly Financial Report.

COMMUNITY & GOVERNMENT CONSULTATION:

Not applicable

FINANCIAL IMPLICATIONS:

The 28 February 2023 financial position is comprised of the following:

Total operating revenue has a surplus position of \$843,325 and operating expenditure has a surplus position of \$42,990 to the end of February 2023. The surplus revenue position is largely due to the receipt of \$750,000 for Insurance and LRCI2 final grant revenue component. The expenditure variances are spread across multiple programs and not considered significant at this stage of the year.

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.

STATUTORY IMPLICATIONS:

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

POLICY/PROCEDURE IMPLICATIONS:

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

COMMENT:

Council to adopt the monthly Financial Report as presented.

RISK ASSESSMENT:

As Council has complied with legislative requirements there is no associated risk of failing to comply with Local Government Financial Regulations requiring monthly reporting of Financial Activity. 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

VOTING REQUIREMENT:

Absolute Majority required

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Moved Cr Gibb

Seconded Cr Burges

That Council adopts the Monthly Financial Report for the period ending 28 February 2023.

CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-09

11.3 BUDGET REVIEW 2022/2023 (ITEM 11.3)

File Reference	1.1.2
Date of Report	3 rd March 2023
Reporting Officer	Grant Middleton
Responsible Officer	Grant Middleton, Deputy Chief Executive Officer

SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
Appendix 1	Budget Review Template	✓	

DISCLOSURE OF INTEREST:

Nil

BACKGROUND:

The Local Government (Financial Management) Regulations 1996 require a budget review to be completed between 1 January and 31 March each financial year.

The review of an annual budget for a financial year must:

- Consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

- Consider the local government’s financial position as at the date of the review; and
- Review the outcomes for the end of the financial year that are forecast in the budget.

The current budget review addresses the change (reduction) in the carryover figure of \$622,251 per the Annual Financial Statements for 2021/2022. Financial Management Regulation 33 (2A) (c) requires the outcomes for the end of the financial year to be part of the budget review process.

The amount included in the 2022/2023 budget as a carryover was estimated at \$3,011,814 whereas the Annual Financial Statements for 2021/2022 detail a carryover amount of \$2,389,563. The reduction carryover amount of \$622,251 is predominately due to the following:

Contract Liability for unspent LRCl grant funding \$497,341
 Payroll and payment accruals (additional compared to budget) \$107,725
 (Payroll Accrual = \$87,330, Payment Accruals = \$38,343 while the 2022/2023 budgeted figure for accruals was \$50,000)

The carryover figure in the budget is an estimate based on the trial balance and other known variables at the time of finalising the budget. Whilst there are not normally a large number of changes the final position can vary depending on end of year processes which include accruals. A major factor in the decreased carryover figure was the contract liability journal for unspent LRCl grant funding which was posted after the finalisation of the budget process.

The summary of the final budget variation position for 2022/2023 is as follows:

Adjustment to carryover figure from 2021/2022	-\$622,251
Reduced Expenses 2022/2023	\$ 16,833
Increased Revenue 2022/2023	<u>\$855,174</u>
Estimated Surplus @ 30 June 2023	<u>\$216,090</u>

The budget review considers all relevant changes in expense and income plus allowing for the change in the carryover figure resulting in an estimated surplus amount of \$216,090.

COMMUNITY & GOVERNMENT CONSULTATION:

Not applicable

FINANCIAL IMPLICATIONS:

There will be no overall change to the 2022/2023 budget provision to accommodate the revised budget allocations listed above. Additionally, the budget revision will not impact on the Long Term Financial Plan (LTFP).

STATUTORY IMPLICATIONS:

General Financial Management of Council
Local Government (Financial Management) Regulation 33A 1996

Regulation 33A (1) (2) (3) and (4) of the FM Regulations requires the results of the budget review to be submitted to Council within 30 days of the review. Council is then to consider the review and determine whether or not to adopt the review, any part of the review and any recommendations made in the review.

POLICY/PROCEDURE IMPLICATIONS:

No Policy or Procedure implications

COMMENT:

The intention of the legislation is to ensure local governments conduct at least one budget review between six and nine months into the financial year.

The Budget review is a detailed comparison of the year to date actual results with the adopted or amended budget. It establishes whether a local government continues meeting its budget commitments, is in receipt of income and incurs expenditure in accordance with the adopted budget.

The current review is indicating an overall budget surplus of \$216,090.

Detailed information relating to items listed in the 2022/2023 Budget Review have been provided on pages 7-12 per appendix 1. All additional expenditure variations listed in the review are considered to be a priority in nature and need to be funded this financial year.

RISK ASSESSMENT:

The associated of not approving the budget variations will impact on Councils ability to spend allocated grant funds however the risk rating is considered Level 2 – Minor.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
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

VOTING REQUIREMENT:

Absolute Majority Required: - As there will be a change to the 2022/2023 Budget Council is required to approve the expenditure by an absolute majority as per Section 6.8 of the Local Government Act 1995.

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Moved Cr Suckling

Seconded Cr Sudlow

1. That Council adopt by absolute majority the 2022/2023 midyear budget review as provided at appendix 1 and note any variances or recommendations.
2. That Council adopt by absolute majority the following budget amendments to the 2022/2023 adopted annual budget:

146110.19	Capital Revenue	LRCI & R2R Revenue (Reversal from 21/22)	Increase provision by \$497,341
145010.11	Operating Revenue	Increase in General Rates Revenue	Increase provision by \$40,000
146030.17	Operating Revenue	Additional revenue increased interest rates	Increase provision by \$100,000
111630.19	Operating Revenue	NCCA Grant transferred to REED	Increase provision by \$32,500
113320.09	Capital Expenses	NCCA Grant payment to REED	Increase provision by \$32,500
128430.14	Operating Revenue	Reduced rent at Rake Place	Decrease provision by \$5,000
133230.14	Operating Revenue	Add refuse site fees Kalbarri & Northampton	Increase provision by \$10,000
133430.14	Operating Revenue	Reduced Business Refuse Fees	Decrease provision by \$2,500
133630.14	Operating Revenue	Increased Sale of Scrap Metal	Increase provision by \$12,500
162810.19	Operating Revenue	Increased MRD Direct Grant	Increase provision by \$4,000
102720.01	Operating Expenses	Additional Staff Costs - CEO	Increase provision by \$140,000
138120.08	Operating Expenses	Waste Removal revised contract rate	Decrease provision by \$200,000
142820.08	Operating Expenses	Add planning work undertaken in-house	Decrease provision by \$20,000
155220.08	Operating Expenses	Additional building repairs/maintenance	Increase provision by \$10,000
164120.01	Operating Expenses	Reduced Building Officer relief costs	Decrease provision by \$15,000
171520.01	Operating Expenses	Reduced superannuation provision for wages	Decrease provision by \$25,000
173120.02	Operating Expenses	Additional fuel costs for plant fuel	Increase provision by \$25,000
167520.08	Operating Expenses	Replace Port Gregory fire hydrants	Increase provision by \$11,000
149820.08	Operating Expenses	Replace electrical cubicle Horrocks Oval	Increase provision by \$3,000
105020.08	Operating Expenses	Replace line of sight POE Infrastructure - Depot	Increase provision by \$7,000
154140.99	Capital Expenses	Defer Pt Gregory Water supply shed installation	Decrease provision by \$21,000
104080.08	Operating Expenses	Additional costs for Infrastructure revaluation	Increase provision by \$40,000
105020.09	Operating Expenses	Additional (x5) Synergysoft licenses	Increase provision by \$8,000
133440.08	Capital Expenses	Additional (x4) septic lids, extra plumbing /electrical for NCC toilet block	Increase provision by \$10,000
Reserves	Capital Revenue	Staff costs - Reserves Transfer (CEO)	Increase provision by \$155,000

CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-10

12 ADMINISTRATION & CORPORATE REPORT

- 12.1 CEO RECRUITMENT – FINALISE PROCESS
- 12.2 VENUES – ANNUAL ELECTORS MEETINGS
- 12.3 SUPPLY & LAYING OF ASPHALT ROAD SURFACING KALBARRI TOWNSITE

12.1

Location	Shire of Northampton
Applicant	CEO Recruitment – Finalise Process
Owner/Lessee	Not Applicable
File Reference	17.1.12
Date of Report	17 March 2023
Reporting Officer	Maurice Battilana, Acting CEO
Responsible Officer	Maurice Battilana, Acting CEO

SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
	NIL		

DISCLOSURE OF INTEREST:

Nil

BACKGROUND:

As soon as practicable after the CEO is employed (e.g., after the employment contract has been fully executed) a Council resolution is required for compliance with Regulation 18FB of the Local Government (Administration) Regulations 1996 to finalise the recruitment and selection process.

COMMENT:

This Agenda item is presented now the Contract has been formerly signed by all parties as per the Council resolutions at the Special meeting held on 23 February 2023 i.e.

Moved Cr Horstman

Seconded Cr Hay

Council:

- (a) Approves the making of an offer to the candidate named in Confidential Attachment 5.1.1 (a) for the position of CEO at the Shire of Northampton as the person the Council believes to be most suitably qualified for the position.
- (b) Approves and is satisfied with the proposed terms of the CEO employment contract detailed in Confidential Attachment 5.1.1 (a), being for a period of five (5) years inclusive of a Total Reward Package valued at \$266,793 calculated in accordance with the 2022 Salaries and Allowances Tribunal Local Government Determination Band 3 range.

CARRIED UNANIMOUSLY 6/0

Moved Cr Hay
Council:

Seconded Cr Suckling

- (a) Authorises the Shire President to execute the CEO employment contract and apply the common seal in accordance with section 9.49A(1)(a) of the Local Government Act 1995, subject to the candidate agreeing to enter into the proposed terms of the CEO employment contract without amendment;
- (b) Notes that subject to the candidate named in Confidential Attachment 5.1.1 (a) accepting the proposed terms of the CEO employment contract, the candidate is appointed to the position of CEO at the Northampton;
- (c) Notes that, if the candidate negotiates under clause 12 of Schedule 2 of the Local Government (Administration) Regulations 1996 terms different to the proposed terms, the Shire President will present the amended proposed contract to Council for approval before the contract is executed.

CARRIED UNANIMOUSLY 6/0

STATUTORY REQUIREMENTS

Regulation 18FB of the Local Government (Administration) Regulations 1996

FINANCIAL & BUDGET IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

5.	Our Leadership
5.1	To be accountable for good governance, strong stewardship and leadership with proactive communication and consultation

	Key Outcomes	Objectives	Success Measures	Timelines
5.1.1	To maintain and expand capacity and capability in the Shire workforce as required for ongoing good governance, accountability,	A retained and developed workforce and effective recruitment in staff turnover	Stable workforce and successful recruitment	Ongoing

VOTING REQUIREMENT:

Absolute Majority.

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Moved Cr Pike

Seconded Cr Horstman

Council certifies the CEO recruitment process completed on execution of the CEO employment contract dated 23 February 2023 and approved by Council Resolutions at the Special Meeting held on 23 February 2023, was conducted in accordance with the Shire of Northampton's adopted standards for CEO recruitment.

CARRIED BY AN ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-11

12.2 VENUES - ANNUAL ELECTORS MEETINGS

Location	Shire of Northampton
Applicant	Cr Des Pike
Owner/Lessee	NA
File Reference	4.1.1
Date of Report	17 March 2023
Reporting Officer	Maurice Battilana, Acting CEO
Responsible Officer	Maurice Battilana, Acting CEO

SUPPORTING DOCUMENTS:

Ref	Description	In Report	Separate Cover
	Nil	✓	

DISCLOSURE OF INTEREST:

Nil

BACKGROUND:

During general discussion after the February 2023 Ordinary Council Meeting (OCM) Cr Pike suggested Council should consider rotating the location where the Annual Electors Meeting is to be held.

COMMUNITY & GOVERNMENT CONSULTATION:

No community or government consultation has occurred or was considered necessary.

Cr Pike has assisted with the compilation of this Agenda Report and has endorsed the *Elected Member Recommendation* below.

FINANCIAL IMPLICATIONS:

No significant financial impact envisaged with the concept of rotating the Annual Electors Meeting location.

STATUTORY IMPLICATIONS:

Section 5.27 of the Local Government Act 1995 requires that:

Electors’ general meetings

- 1) *A general meeting of the electors of a district is to be held once every financial year.*
- 2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- 3) *The matters to be discussed at general electors’ meetings are to be those prescribed.*

The Act is silent on where the meetings is to be held, so there is no legislative impediment if Council did want to move the meetings around to different locations within the Shire.

POLICY/PROCEDURE IMPLICATIONS:

No Policy or Procedure affected.

COMMENT:

Local Government Authorities (LGA) are regularly, yet not necessarily fairly, criticised for poor communication with its constituents, so any process which improves community communication should be considered.

RISK ASSESSMENT:

Rotating (or not rotating) the Electors meeting I believe would have at worst, a *minor* risk to the Councils reputation.

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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
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

VOTING REQUIREMENT:

Simple Majority.

COUNCIL RECOMMENDATION/STAFF RESOLUTION

Moved Cr Pike

Seconded Cr Gibb

- Council rotates the location of the Annual Electors Meeting based upon the following recurring cycle:
 - Northampton (already occurred in 2023)
 - Kalbarri
 - Horrocks
- Council reserves the right to alter the location of the Annual Electors Meeting if mitigating circumstances arise.

CARRIED 6/0
Minute Reference 03/23-12

12.3 - SUPPLY & LAYING OF ASPHALT ROAD SURFACING KALBARRI TOWNSITE

Location	Shire of Northampton
Applicant	Acting Chief Executive Officer
Owner/Lessee	NA
File Reference	12.1.2

Date of Report	17 March 2023
Reporting Officer	Maurice Battilana, Acting CEO
Responsible Officer	Maurice Battilana, Acting CEO

SUPPORTING DOCUMENTS:

Ref	Description	In Report	Separate Cover
	NIL		

DISCLOSURE OF INTEREST:

Nil

BACKGROUND:

Council resolved the following at the February 2023 Ordinary Council Meeting as part of a Budget Review Agenda Item presented to this meeting:

“That Council approve of the following Budget Variation’s and this be declared authorised expenditure.

- 1a. *Vary the Local Roads and Infrastructure (LRCI3) grant and transfer the allocation of \$550,000 from the Little Bay Road Project to the Grey Street Asphalt works in the event that the Little Bay project cannot be completed to comply with the LRCI3 grant funding deadline.*
- 1b. *Vary the Little Bay Road construction budget (LRCI3) totalling \$630,000 by allocating \$600,000 to the Grey Street Asphalt works in the event that the Little Bay project cannot be completed to comply with the LRCI3 grant funding deadline.*

*GL 152140.08R441 Grey Street LRCI3 Asphalt Works +\$600,000
GL 152140.08R440 Little Bay Road Construction LRCI3 -\$600,000*

*CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 02/23-10”*

The tender process has now commenced for the *“Supply & Laying of Asphalt Road Surfacing Kalbarri Townsite.”*

COMMUNITY & GOVERNMENT CONSULTATION:

Staff have been in consultation with Greenfield Technical Services (consultant engineers) to assist with the compilation of tender specifications and conducting the tender process. This was considered necessary and appropriate considering the size and nature of works involved. Consultancy costs will be covered within the overall budget allocation for the works.

FINANCIAL IMPLICATIONS:

There will be no effect on the 2022/2023 Budget as the scope of works for the “Supply & Laying of Asphalt Road Surfacing Kalbarri Townsite” will be adjusted accordingly to ensure tender come within the Shire budget allocation for these works.

STATUTORY IMPLICATIONS:

Local Government Act, 1995

Local Government (Function & General) Regulations 1996

Section 5.43(b) of the Local Government Act gives Council the ability to delegate the acceptance of tenders up to a specific amount determined by Council. The Staff Recommendation states the delegation is conditional upon the expenditure for the “Supply & Laying of Asphalt Road Surfacing Kalbarri Townsite” being within budget allocated for this work.

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

POLICY/PROCEDURE IMPLICATIONS:

No Policy or Procedure affected.

COMMENT:

Due to time constraints associated with calling tenders (minimum 14 days advertising), evaluating tenders received and appointing the preferred contractor, combined with the need to have asphalt works undertaken prior to arrival of cool weather, it is necessary to seek Council’s endorsement to delegate authority to the CEO to accept the preferred tender, rather than present this to April 2023 OCM. In addition, the ability to arrange for the preferred contractor to undertake the required work can be an issue as these contractors are in demand.

An application has been submitted with the Commonwealth Department of Infrastructure, Transport, Regional Development & Communication seeking a variation to the Shire’s Local Roads & Community Infrastructure (LRCl) Program Work Schedule as described in the Council resolution at the February 2023 OCM (*Minute Ref: 02/23-10* above). To date there has been no response on this variation request, which is conditional upon the “*Supply & Laying of Asphalt Road Surfacing Kalbarri Townsite*” project progressing beyond the tender process stage.

It has now become more evident the Shire’s Native Vegetation Clearing and Aboriginal Heritage Permit applications will not be in place in time for the Little Bay Road Project to commence in 2022/2023, let alone be completed by 30 June 2023.

RISK ASSESSMENT:

The inability to appointing the preferred tender(s) by delegation to the Acting CEO could result in works not being undertaken at the most appropriate time (i.e. before cooler weather arrives) which could have a **Major or Catastrophic** effect financially on the Shire based on the total cost of the “*Supply & Laying of Asphalt Road Surfacing Kalbarri Townsite*” project.

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

VOTING REQUIREMENT:

Simple Majority

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

(a) *this Act other than those referred to in section 5.43; or*

(b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

* Absolute majority required.

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Moved Cr Burges

Seconded Cr Suckling

Council delegate authority to the Acting Chief Executive Officer, in accordance with Section 5.43(b) of the Local Government Act, 1995, to accept the preferential compliant tender(s) for the “Supply & Laying of Asphalt Road Surfacing Kalbarri Townsite” from tenders received, under the condition the actual expenditures to be incurred by the Shire does not exceed the adopted budget amount allocation for this project.

CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-13

CONFIDENTIAL ITEM 12.4

Moved Cr Pike

Seconded Cr Suckling

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Council close the meeting to the public in accordance with section 5.23(a) of the Local Government Act, 1995, as item 7.5.4 relates to matters affecting an employee and the personal affairs of a person.

CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-14

12.4 ACTING CHIEF EXECUTIVE OFFICER APPOINTMENT

Location	Shire of Northampton
Applicant	Not Applicable
Owner/Lessee	Not Applicable
File Reference	17.1.10
Date of Report	23/02/2023
Reporting Officer	Maurice Battilana, Acting Chief Executive Officer
Responsible Officer	Maurice Battilana, Acting Chief Executive Officer

COUNCIL RESOLUTION/STAFF RECOMMENDATION

Moved Cr Sudlow

Seconded Cr Suckling

Council:

1. Appoint Mr. Grant Middleton (DCEO) as Acting Chief Executive Officer from 1 April until the new Chief Executive Officer commences in the position.
2. Remunerate Mr. Middleton a higher capacity amount equaling 50% of the difference between his existing DCEO hourly rate and the current Acting CEO's hourly rate, whilst he is in the Acting CEO role.
3. Endorse the Acting CEO's authority to arrange backfilling of position(s) behind the DCEO whilst he is in the role and paying these Staff higher capacity as considered appropriate by the Acting CEO for the same period.

Noting the above arrangements are under the condition the costs will be within the current budget allocations for staff remunerations in the 2022/2023 Adopted Budget.

CARRIED BY ABSOLUTE MAJORITY 6/0
Minute Reference 03/23-15

13 PRESIDENT'S REPORT

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

- 20/02/2023 – NCZ Mingenew
- 20/02/2023 – Kalbarri Visitors' Centre AGM
- 21/02/2023 – Meeting with North West MLA, Mem Beard and Federal Leader of Nationals, David Littleproud in Geraldton
- 23/02/2023 – Special Meeting of Council – appointment of CEO
- 24/02/2023 – WACHS – Allen Centre Kalbarri
- 28/02/2023 – Midwest Hydrogen Information Day – Geraldton
- 01/03/2023 – Meeting with Northwest MLA, Mem Beard and Leader of WA Opposition and Local member, Shane Love – Kalbarri
- 14/03/2023 – Meeting with Synergy, Guy McHugh and Rhana Muriad-Harris
Electric Vehicle Charging station at Kalbarri via Electronic means
- 14/03/2023 – Meeting with Frontier Services chaplains, Ric Payne and David Jackson
- 14/03/2023 – Mid West Chamber of Commerce and Industry Meeting and information session
Held in Kalbarri.

14 DEPUTY PRESIDENT'S REPORT

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

- 23/02/2023 – Special Meeting of Council – appointment of CEO

24/02/2023 – WACHS – Allen Centre Kalbarri

14/03/2023 – Meeting with Synergy, Guy McHugh and Rhana Muriad-Harris
Electric Vehicle Charging station at Kalbarri via Electronic means

14/03/2023 – Meeting with Frontier Services chaplains, Ric Payne and David Jackson

15 COUNCILLORS REPORTS

15.1 Cr Burges

Since the last Council meeting Cr Burges reported on his/her attendance at:

23/02/2023 – Special Meeting of Council – appointment of CEO

13/03/2023 – Kalbarri Multipurpose/Evacuation Center Community Group Meeting

15.2 Cr Suckling

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

23/02/2023 – Special Meeting of Council – appointment of CEO

15.3 Cr Pike

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

20/02/2023 – Kalbarri Visitors Centre AGM

13/03/2023 – Kalbarri Multipurpose/Evacuation Center Community Group Meeting

23/02/2023 – Special Meeting of Council – appointment of CEO

15.4 Cr Gibb

Since the last Council meeting Cr Gibb reported on his/her attendance at:

20/02/2023 – Kalbarri Visitors Centre AGM

21/02/2023 – Hydrogen Renewable Energy Project – Allen Centre Kalbarri

16 NEW ITEMS OF BUSINESS

Nil

17 NEXT COUNCIL MEETING

The next Ordinary Meeting of Council will be held on Friday 21st April 2023 commencing at 1.00pm at the Northampton Council Chambers.

CLOSURE

The Deputy President, President & Councillors expressed their appreciation for Acting CEO Maurice Battilana’s assistance during his tenure in the acting role.

There being no further business, the Presiding Member thanked everyone for their attendance and declared the meeting closed at 2.10pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 38 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 21st APRIL 2023.

PRESIDING MEMBER: _____

DATE: _____