

**ORDINARY  
COUNCIL MEETING**

**UNCONFIRMED  
MINUTES**

**16<sup>th</sup> JUNE 2023**

**COUNCIL CHAMBERS  
NORTHAMPTON**

**1.00PM**

**SHIRE OF NORTHAMPTON  
ANDREW CAMPBELL  
CHIEF EXECUTIVE OFFICER**





**SHIRE OF NORTHAMPTON**

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Signed



Date 9<sup>th</sup> June 2023

**ANDREW CAMPBELL**  
**CHIEF EXECUTIVE OFFICER**

- 1 DECLARATION OF OPENING
- 2 ACKNOWLEDGEMENT OF COUNTRY
- 3 PRESENT
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- 3.2 APOLOGIES
- 4 PUBLIC QUESTION TIME
- 5 DISCLOSURE OF INTEREST
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- 6.1 ORDINARY MEETING HELD ON FRIDAY 19<sup>TH</sup> MAY 2023
- 6.2 BUSINESS ARISING FROM MINUTES
- 7 RECEIVAL OF MINUTES OF COUNCIL COMMITTEES
- COUNCIL OFFICER'S REPORTS
- 8 WORKS & ENGINEERING REPORT
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- 9 HEALTH AND BUILDING REPORT
- 9.1 BUILDING STATISTICS FOR THE MONTH OF MAY 2023
- 10 TOWN PLANNING REPORT
- 10.1 AMENDMENT TO DEVELOPMENT APPROVAL 2022-073 – SINGLE DWELLING AND ANCILLARY DWELLING – LOT 180 (NO. 11) GLASS STREET, KALBARRI
- 10.2 SUMMARY OF PLANNING INFORMATION ITEMS
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**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,**  
**Northampton on Friday 16<sup>th</sup> June 2023**

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- 11.1 ACCOUNTS FOR PAYMENT
- 11.2 MONTHLY FINANCIAL STATEMENTS – MAY 2023
- 11.3 2023-2024 FEES AND CHARGES SCHEDULE & MINIMUM RATES
- 11.4 CORPORATE BUSINESS PLAN REVIEW
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- 12.2 REVIEW OF THE CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES 2021
- 12.3 REVIEW OF THE GIFT POLICY
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- 15 NEXT MEETING
- 16 CLOSURE

**1 OPENING**

The President 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**

<b>Elected Members</b>	
<b>Cr Liz Sudlow (President)</b>	Northampton
<b>Cr Rob Horstman (Deputy President)</b>	Northampton
<b>Cr Ros Suckling</b>	Northampton
<b>Cr Richard Burges</b>	Kalbarri
<b>Cr Trevor Gibb</b>	Kalbarri
<b>Cr Tim Hay</b>	Northampton
<b>Officers</b>	
<b>Andrew Campbell (Chief Executive Officer)</b>	
<b>Grant Middleton (Deputy Chief Executive Officer)</b>	
<b>Michelle Allen (Planning Officer)</b>	
<b>Neil Broadhurst (Manager Works and Technical Services)</b>	

**3.1 PREVIOUSLY APPROVED LEAVE OF ABSENCE**

**3.2 APOLOGIES**

<b>Cr Des Pike</b>	Kalbarri
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**4 PUBLIC QUESTION TIME**

Nil

**5 DISCLOSURE OF INTEREST**

Chief Executive Officer, Andrew Campbell, declared a financial interest in Item 12.4 as the matter concerns the management of his mobile phone device.

**6 CONFIRMATION OF MINUTES**

**6.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING FRIDAY 19<sup>th</sup> MAY 2023**

Moved Cr GIBB seconded Cr SUCKLING

That the minutes of the Ordinary Meeting of Council held on the 19<sup>th</sup> May 2023 be confirmed as a true and correct record.

**CARRIED 6/0**  
Minute Reference 06/23 - 01

**6.2 BUSINESS ARISING FROM MINUTES**

Nil

**7 RECEIVAL OF MINUTES OF COUNCIL COMMITTEES**

Nil

**8 WORKS AND TECHNICAL SERVICES REPORT**

8.1.1 INFORMATION ITEMS  
 MAINTENANCE /CONSTRUCTION WORKS PROGRAM

**8.1.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM**

<b>Date of Report</b>	8 <sup>th</sup> June 2023
<b>Reporting Officer</b>	Neil Broadhurst, Manager of Works and Technical Services.
<b>Responsible Officer</b>	Andrew Campbell, Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Reference	Title	Attached	Separate Cover
	Works Crew Program 2022/2023		

**BACKGROUND**

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

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**Specific Road Works**

- Maintenance grading carried out on Wickens, Balla Whelarra, Rob, Brook, Coolacalaya, Wickens South, Bowes Springs, Blue Well, Pigeon Well, Olivia, Harvey, Frosty Gully, Sandy Gully, Telegraph and Maggee Road/s.
- Gravel Patching/Sheeting/Verge works carried out on Balla Whelarra, Blue Well, Rob, Sandy Gully, Murchison House Station, Kalbarri Beach car parks and Frosty Gully Road/s.

**Maintenance Items**

- General – Various signage and road furniture works.
- General – Potholes and Edges various locations.
- Northampton – NCC water leak investigations continuing.
- Northampton – General winter and Western Power tree lopping requirements.
- Kalbarri – Reticulation upgrades/maintenance.
- Kalbarri – Capital Hill area – TC Seroja damaged boundary fence removed.
- Horrocks – Fire brigade/Ambulance shed area – area cleanup undertaken.

**Other Items (Budget)**

- Northampton – Gwalla Street / Second Avenue works sealed with concrete kerb installed. Backfilling and site tidy up works progressing.
- Northampton Oval Toilets – Completed. Basic water reticulation to be installed.
- Northampton – Shelter purchased through donated funds from TC Seroja has arrived in Northampton. Installation by 23<sup>rd</sup> June.
- Northampton Basketball/Tennis/Netball court fencing – TC Seroja damage replaced via insurance.
- Northampton – Pedestrian/Handrail installed at Basketball stadium corner, top of stairway to replace damaged fence.
- Parker Road/Wundi Road – Construction works completed to 2 coat seal. Small Drainage/Culvert installation works remaining. Road furniture installation to be carried out.
- Kalbarri airstrip – Reseal works completed.
- Kalbarri asphalt, Grey and Smith Street's – Works commenced.
- Kalbarri widening – Works advertised, and tenders reviewed. Initial funding allocation falls short of received tender prices. Approach to Main Roads WA for further funding.
- Kalbarri – Shelter purchased through donated funds from TC Seroja has arrived in Kalbarri. Installation by 30 June.

**Plant Items**

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

**Staff Items**

- Winter Flu Shots – Offered to all staff.
- Retirement - Mr. Steve Williams.

**VOTING REQUIREMENT:**

*For Council Information*

**STAFF RECOMMENDATION – 8.1.1**

**That Council note the information contained within Attachment 8.1.1(1)**

**COUNCIL RESOLUTION – 8.1.1**

**Moved Cr HORSTMAN seconded Cr HAY**

**That Council note the information contained within Attachment 8.1.1(1)**

**CARRIED 6/0**  
**Minute Reference 06/23 - 02**

## SHIRE OF NORTHAMPTON

### WORKS CREW 12 MONTHLY PROGRAM AND PROGRESS REPORT (2022/2023)

(June 2023)

2022/2023 Budget Works	Job No	Status	Comments
<b><u>REGIONAL ROAD GROUP PROJECTS - 150300</u></b>			
<b>Kalbarri Road</b> Reseal works 40.00 - 46.00 slk	RR16	COMPLETE	
<b><u>ROADS TO RECOVERY - 152100</u></b>			
<b>Parker - Wundi Road/s</b> Construction to Bitumen Seal - 3.20 km	RT40	COMPLETE	
<b>Kalbarri - Grey Street</b> Asphalt Reseal	RT41		Works Commenced
<b><u>MUNICIPAL FUND CONSTRUCTION - 150600</u></b> Carried Over from 2021/2022			
<b><u>Kalbarri</u></b>			
<b>Karina Mews</b> Reseal and replace concrete kerbing	R982		Defer and revised price for 2023/24 budget consideration
<b>Smith Street</b> Asphalt reseal and replace concrete kerbing 0.40 - 0.66 slk	R990		Works Commenced
<b>Glance Street</b> Reseal	R223		Defer and revised price for 2023/24 budget consideration
<b>Gwalla and Brook Street</b> Install drainage, carry over works from 2021/2022	R326		Defer and revised price for 2023/24 budget consideration
<b>Kalbarri - Grey Street</b> Asphalt Reseal	R330		Works Commenced
Cont.			

**SHIRE OF NORTHAMPTON**

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2022/2023 Budget Works	Job No	Status	Comments
<b><u>MUNICIPAL FUND CONSTRUCTION - 150600</u></b>			
<b>New Projects</b>			
<b><u>Northampton</u></b>			
<b>Parker - Wundi Road/s (Part Funded RTR)</b> Construction to Bitumen Seal - 3.20 km	R336	COMPLETE	
<b>Mary Street</b> Surface Correction - 2 sections	R337	COMPLETE	
<b>Robinson Street</b> Surface Correction - 2 sections and kerbing	R338		Area of works increased Defer and revised price for 2023/24 budget consideration
<b>Essex Street</b> Reseal	R340	COMPLETE	
<b>Mary Street</b> Install Bollards west of NWCH	R342	COMPLETE	
<b><u>Kalbarri</u></b>			
<b>Smith Street</b> Asphalt reseal and kerb replacement	R339		Works Commenced
<b><u>Rural</u></b>			
<b>Binnu East Road</b> Pavement Repair 12.6 to 13.6 slk	R341		Works Commenced Defer and revised price for 2023/24 budget consideration
<b>Kalbarri Road (Council Contribution)</b> Reseal works 42.00 - 48.00 slk	R343	COMPLETE	Contractor - Full Service - to commence 10th February
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<u><b>MUNICIPAL FOOTPATHS - 150900</b></u> <b>Carried Over from 2021/2022</b>			
<b>Northampton - Stephen Street</b> Replace DUP from NWCH to West Street	F702		Defer and revised price for 2023/24 budget consideration
<b>Kalbarri - Grey Street</b> Replace DUP at front of Allen Centre	F707		Defer and revised price for 2023/24 budget consideration
<u><b>MUNICIPAL FOOTPATHS - 150900</b></u> <b>New Projects</b>			
<b>Kalbarri - Malaluca Pathway</b> Maintenance of existing	08 T379		
<b>Kalbarri - Red Bluff Road</b> Red Bluff Road to Eco Flora	F716		Defer and revised price for 2023/24 budget consideration
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<b><u>OTHER WORKS - Depots/Ovals/Parks/Gardens etc</u></b>			
<b>Northampton - Oval - New Toilet Block</b> New Toilet Block - Demolish and Remove old	F003	COMPLETE	
<b>Northampton - Oval renovation</b> Undertake Verti mowing	F016	COMPLETE	
<b>Northampton - Oval tanks</b> Install material filtration system		COMPLETE	
<b>Northampton - Oval tanks</b> Install water treatment/softner system		COMPLETE	
<b>Northampton - Lions Park</b> Clean and repaint pergola		COMPLETE	
<b>Northampton - Lions Park</b> Repaint picnic shelter		COMPLETE	
<b>Northampton - Kings Park</b> Fabricate and install pump/retic cover		COMPLETE	
<b>Northampton - Northampton Community Centre</b> Install disabled ramp south end			Defer and revised price for 2023/24 budget consideration
<b>Northampton - Northampton Community Centre</b> Reinstate pavement and southern end		COMPLETE	
<b>Northampton - Northampton Community Centre</b> Treatment for rising damp - stadium wall			Defer and revised price for 2023/24 budget consideration
<b>Northampton - Northampton Community Centre</b> Brick pave commentary box south to prevent moisture			Defer and revised price for 2023/24 budget consideration
<b>Kalbarri - Oval Renovation</b> Undertake Verti Drain	F003	COMPLETE	
<b>Kalbarri - Foreshore area</b> Grass removal along DUP edges	F001		Defer and revised price for 2023/24 budget consideration
<b>Kalbarri - Blue Holes Toilet area</b> Install Solar pump to improve pressure	08 B015	COMPLETE	
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<b>Kalbarri - Foreshore grass removal</b> Cut down grass height along DUP area/s			
<b>Horrocks - Southern Stairway</b> Remove old and install new	08 3664	COMPLETE	
<b>Horrocks - Foreshore grass removal</b> Cut down grass height along DUP area/s		COMPLETE	
<b>Horrocks - Foreshore water supply holding tank</b> Remove existing and place new			Defer and revised price for 2023/24 budget consideration
<b>Port Gregory - Carpark Construction/Renovations</b> Foreshore carpark area	3714		Defer and revised price for 2023/24 budget consideration
<b>Port Gregory - New Community Storage Shed</b> New shed	99 5414		Defer and revised price for 2023/24 budget consideration
<b>Port Gregory - Pipeline works</b> Conduit and new line under George Grey Drive		COMPLETE	
<b>Port Gregory - Non Potable water supply holding tank</b> Install new water supply holding tank	99 5414		Defer and revised price for 2023/24 budget consideration
<b>Binnu Tip Site</b> Install new fence			Defer and revised price for 2023/24 budget consideration
Cont.			

2022/2023 Budget Works	Job No	Status	Comments
<b><u>PLANT ITEMS - Major</u></b>			
<b>Northampton - New Grader (Construction)</b> Purchase new - trade/sell existing P238 Grader	4214/99	COMPLETE	Received February 3rd 2023
<b>Northampton - New Backhoe</b> Purchase New - No trade	4214/99		New item Ordered - Delivery June 2023.
<b>Northampton - New utility - WHS Compliance Officer</b> Purchase new - trade/sell existing P242 utility	4214/99		Delivery June 2023 (22/23 financial year)
<b>Kalbarri - New utility - Kalbarri Leading Hand</b> Purchase new - No trade	4214/99		Defer and revised price for 2023/24 budget consideration
<b><u>PLANT ITEMS - Minor/Other/Sundry tools</u></b>			
Northampton - Fire fighting unit	7362/02		Alternative sourced
Northampton - 2 way radios	7362/02	COMPLETE	
Northampton - 3 x blowers - 2 at workshop, 1 x gardeners	7362/02	COMPLETE	
Northampton - 1 x 4 inch water pump	7362/02	COMPLETE	
Northampton - Workshop - 1 x Rechargeable air compressor	7362/02	COMPLETE	
Northampton - 1 x Chainsaw	7362/02		
Northampton Gardeners- 1 x lawn edger	7362/02	COMPLETE	
Northampton Gardeners- 1 x whipper snipper	7362/02	COMPLETE	
Northampton Gardeners- 1 x Stihl battery pack	7362/02	COMPLETE	
Northampton Gardeners- 1 x Chainsaw	7362/02		
WHS - Ipads for OHS requirements	7362/02		

**9. Health and Building Report**

9.1 Building Statistics for the month of May 2023.

Noted.

<b>SHIRE OF NORTHAMPTON - BUILDING APPROVALS - MAY 2023</b>						
<b>Approval Date</b>	<b>App. No.</b>	<b>Owner</b>	<b>Builder</b>	<b>Property Address</b>	<b>Type of Building</b>	<b>Value</b>
25/10/2022	22072	Stephen Gillard and Lorraine Bright	John Gillard	6 (Lot 66) Ross Street, Kalbarri	Construct steel framed shed	\$ 80,000.00
22/12/2022	22094	Ross Mickelberg	Owner Builder	5 Adair Close, Kalbarri	Construct free standing steel framed carport	\$ 7,000.00
15/05/2023	23019	Fire and Emergency Services WA	Noel Visser	11 (Lot 262) Magee Crescent, Kalbarri	Construct steel framed 2-bay shed	\$ 19,999.00
8/05/2023	23021	David and Diane Duffy	Owner Builder	3 (Lot 279) Gould Street, Kalbarri	Construct two-storey, four-bedroom timber-framed dwelling, three x steel-framed carports and a steel-framed garage	\$ 500,000.00
8/05/2023	21CS290	Mildred Gordon	Graham Croasdale	82 (Lot 262) Essex Street, Northampton	Demolish house & shed Inc ACM removal	\$ 28,000.00
15/05/2023	23CS492	Tristan and Tess Neumann	Owner Builder	18 (Lot 204) Balaam Street, Kalbarri	Replace front patio and decking	\$ 15,000.00
17/05/2023	23CS504	Kenneth and Rhonda Smithers	OCS Building Maintenance	17 (Lot 26) Goodenia Way, Kalbarri	Replace existing free standing patio	\$ 8,500.00
29/05/2023	23CS505	Alan and Vicki Still	Shoreline Outdoor World	9 (Lot 326) Hasleby Street, Kalbarri	Construct steel-framed rear patio	\$ 19,990.00
24/05/2023	23CS506	Kevin Morris	Inserve Australia T/A Construct Services	41 (Lot 208) Essex Street, Kalbarri	Remediation repairs to roof structure of main building and patio	\$ 339,976.00
24/05/2023	23CS507	Glenn Worthington	Johns Lyng Insurance Building Solutions	97 (Lot 96) Robinson Street, Northampton	Remediation repairs to roof sheeting	\$ 185,367.49

## **10 Town Planning Agenda**

- 10.1 Amendment to Development Approval 2022-073 – Single Dwelling and Ancillary Dwelling – Lot 180 (No.11) Glass Street, Kalbarri
- 10.2 Summary of Planning Information Items

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### **10.1 – AMENDMENT TO DEVELOPMENT APPROVAL 2022-073 - SINGLE DWELLING AND ANCILLARY DWELLING – LOT 180 (NO. 11) GLASS STREET, KALBARRI**

<b>Location</b>	Lot 180 (no. 11) Glass Street, Kalbarri
<b>Applicant</b>	J Loffler
<b>Owner</b>	J Loffler
<b>File Reference</b>	10.6.1.1 / A768
<b>Date of Report</b>	8 June 2023
<b>Reporting Officers</b>	Michelle Allen, Planning Officer
<b>Responsible Officer</b>	Andrew Campbell, Chief Executive Officer

#### **SUPPORTING DOCUMENTS:**

<b>Reference</b>	<b>Description</b>	<b>In Report</b>	<b>Separate Cover</b>
Appendix 1	Temporary Exemption Approval E018	✓	
Appendix 2	Development Application 2022-073	✓	

#### **BACKGROUND:**

An amendment to an Application for Development Approval has been received for a proposed Single Dwelling and Ancillary Dwelling/Accommodation development upon Lot 180 (No. 11) Glass Street, Kalbarri.

**Figure 10.1(a) – Location map for Lot 180 (No. 11) Glass Street, Kalbarri**



Figure 10.1(b) – Site plan for Lot 180 (No. 11) Glass Street, Kalbarri



Following the impact of Cyclone Seroja in 2021, the existing single dwelling structure on Lot 180 was damaged beyond repair and subsequently demolished. The applicant applied to rebuild an ancillary accommodation unit in the first instance utilising the temporary planning exemption mechanism available which permitted a temporary relaxation of requirements for a period of twelve months due to the impacts of a natural disaster.

Whilst an Ancillary accommodation building is usually constructed after that of a single dwelling, following the impact of Cyclone Seroja where the existing dwelling was made non-habitable and was subsequently demolished, the temporary exemption mechanism was activated to enable the applicant to swiftly rebuild an accommodation structure as part of the recovery process. The ancillary dwelling was proposed to ultimately form part of a permanent development, being a ‘single dwelling and ancillary dwelling’. The single/main dwelling was proposed to be constructed following completion of insurance payout processes and the availability of a builder being realised for the rebuild.

A Temporary Exemption Approval, being E018, was granted in March 2022 providing a twelve month period of exemption to 31 July 2023 with the ancillary dwelling proposed to arrive on site in July 2022 (see **Appendix 1**).

In consideration of the application the following information is provided:

Lot Size	1012m <sup>2</sup>
Existing Development	Residential (Ancillary Dwelling)
Access & Frontage	Glass Street
Services	Water, Sewer, Telephone and Power
Topography	Flat
Vegetation	Cleared, with existing landscaping
Surrounding Land Uses	Residential R30

Prior to the impact of Cyclone Seroja, increased building activity was activated by the Federal and State Government's Building Stimulus Grants causing a constriction in building services and materials/supplies thus compounding issues associated with rebuilding following the natural disaster in Kalbarri in April 2021. The options available for financing the rebuild were also impacted contributing to significant delays overall to the applicant's rebuilding program. Despite these obstacles, the applicant was able to address the issues and placed an order for both structures in October 2021 and March 2022.

The first structure ordered was the ancillary dwelling, which is a two-bedroom structure lined externally with vertical trimdeck metal cladding with a section of Ironash cladding providing architectural relief on the western elevation where a decked outdoor living area is located to frame the entrance. Colorbond metal iron is the material utilised to clad the roof. The 4.3m x 15.6m (68m<sup>2</sup>) transportable structure sits behind an existing garage, being the only part of the original structure that remains after the cyclone.

The ancillary dwelling was built in 2022 and due to significant delays was transported to the lot on 30 January 2023, seven months later than planned. Further delays were encountered with the structure not being fully completed before being transported to site with additional work being required to fully complete the structure. It is noted, however, that the ancillary dwelling has been completed in accordance with Building Regulations 2012, regulation 4 with the *BA7 Notice of Completion* form being received on 14 March 2023.

Figure 10.1 (c) shows the current amenity of the landholding on Lot 180 Glass Street, Kalbarri and the activity undertaken by the applicant in preparation for construction of the single/main dwelling.

**Figure 10.1(c) – Current landholding at Lot 180 (No. 11) Glass Street, Kalbarri**





Current situation

There have been significant changes, including price rises and delays in building timelines due to material and labour shortages which have impacted the applicant's ability to complete the proposed development. Despite signing a contract for the main dwelling, a recent unexpected price rise has arisen requiring the applicant to sign a new contract for the same structure as approved under Development Approval 2022-073 (see **Appendix 2**).

Due to the delays encountered requiring review of the dwelling design and the need for a new building contract, the associated timeline for completion of the construction of the main dwelling is now proposed for December 2023. Finance is approved and the applicant continues to work with Officers of the Department of Fire and Emergency Services at their Kalbarri office who have been instrumental in supporting and facilitating residents in the rebuild process following Cyclone Seroja.

It is evident that the applicant will not be in a position to strictly meet planning provisions on 31 July 2023, when Planning Exemption E018 expires. Whilst it is acknowledged that an 'exemption' is not an approval but a temporary relaxation of requirements which has been permitted for a period of twelve months, the applicant is residing in the ancillary dwelling and has gained planning and building approvals to retain the development on site to be part of a 'single dwelling and ancillary dwelling' development. The ancillary dwelling has been completed and a Building Contract has been signed for construction of the main dwelling.

The Applicant is seeking a twelve month time extension to the temporary exemption to 31 July 2024 so as to continue to reside in the ancillary dwelling structure whilst construction of the single/main dwelling is undertaken. With the last extension to the emergency declaration for TC Seroja being made to 10 May 2022, the opportunity to extend the temporary exemption approval is not available.

Development Approval 2022-073 granted on 12 September 2022 gives approval subject to conditions, including that construction of the single (primary) dwelling shall be commenced within twelve (12) months of the date of the approval and shall be completed no later than two (2) years from the date of the approval, being 12 September 2024.

The conditions imposed on D/A 2022-073 aimed to reduce the visual impact of the proposed development upon the amenity of the area and placed some control measures over the proposed development in the knowledge that a Temporary Exemption approval existed. Due to the overlap of the temporary exemption mechanism and the development application approval process, no requirement for payment of a bond or bank guarantee was included in Development Approval 2022-073, however, a Statutory Declaration has been provided acknowledging that should the single dwelling not be commenced or completed within the timeframes specified, the Shire of Northampton may thereafter commence enforcement proceedings.

It is further noted, that the Applicant has met further provisions of Advice Note 4 of the approval that requires immediate liaison with the local government should a minor extension of approval be required and so as to avoid compliance measures being initiated.

This report recommends that Council consider the applicant's request for a time extension and the imposition of measures to address the amenity of the locality should building timelines be further extended.

This report recommends that Council amend Development Application 2022-073 to include a landscaping condition that will address the amenity of the locality should construction of the single dwelling be delayed past the expected delivery date of December 2023.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Due to the nature of the application, which includes the granting of both a Temporary Exemption Approval and subsequently a Development Application Approval, advertising of the proposal has not been conducted.

**FINANCIAL IMPLICATIONS:**

There are no application fees associated with applying for a temporary Development Approval or an exemption letter, therefore no fee was charged for Temporary Exemption Approval E018 for the ancillary dwelling.

The estimated cost of the total development is \$369,125 and an Application for Development Approval fee of \$1779-20 has been charged in line with 2022/2023 Statutory Planning Fees and Charges.

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

**STATUTORY IMPLICATIONS:**

State: Planning and Development Act 2005

Land Administration Act 1997

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

The land is zoned “Residential R30” under the Shire of Northampton Local Planning Scheme No. 11 – Kalbarri.

The objective of the “Residential” zone is:

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

**POLICY/PROCEDURE IMPLICATIONS:**

Local: Shire of Northampton Local Planning Policy – Disaster and Emergency Recovery

Local: Shire of Northampton Local Planning Policy – Ancillary Dwellings

Shire of Northampton Local Planning Policy – Disaster and Emergency Recovery

The intent of the ‘Disaster and Emergency Recovery’ Local Planning Policy are:

- 3.1 *To facilitate development and/or works which builds community resilience and minimises economic impacts; and*
- 3.2 *To provide the community with the ability to easily reconstruct damaged buildings and/or structures.*

The objectives of the ‘Disaster and Emergency Recovery’ Local Planning Policy are to:

- 4.1 *Facilitate development in appropriate locations which is required as a direct result of a disaster or emergency.*
- 4.2 *Ensure development in appropriate locations that minimise land use conflict and is not detrimental to the amenity of adjoining owners and occupiers.*
- 4.3 *Support development that is capable of being serviced to an appropriate standard, relevant to the permanent or temporary nature of the proposal.*

Following the impact of Cyclone Seroja, Shire Officers worked with Department of Planning, Lands and Heritage to facilitate a proactive response and developed a local planning policy that could build on day-to-day exemptions in the local planning framework to ensure development could occur quickly and adapt swiftly to the needs of the community following a natural disaster or emergency situation. An important aspect of the policy included the flexibility to provide emergency accommodation to people and workers directly affected or engaged during the recovery process.

The Shire's Local Planning Policy *Disaster and Emergency Recovery* was developed with two types of temporary mechanisms used to permit development under the local planning scheme:

1. Temporary exemption under the local planning scheme (Temporary Exemption) - Clause 61(1) of the deemed provisions permits local governments to issue a temporary exemption from the need to obtain development approval. This is not an approval, but a temporary relaxation of requirements (generally limited to <12 months). Works or uses are generally ceased/removed in the future, or permanent approval is sought.
2. Temporary approval under the local planning scheme (Temporary Development Approval) – This process involves a typical development application and approvals are issued for a finite period of time, otherwise known as time limited. At the expiration of this period the works or use must be removed/ceased, or approval sought for an extension of time.

### Shire of Northampton Local Planning Policy – Ancillary Accommodation

The objectives of the 'Ancillary Dwellings' Local Planning Policy are:

- 2.1 *To provide a clear definition of what constitutes 'Ancillary Accommodation'.*
- 2.2 *Ensure that ancillary accommodation is provided, constructed and located in such a way so as to minimise their impact on the amenity of the locality by controlling building size, materials and location.*
- 2.3 *To ensure that ancillary accommodation is 'ancillary' or 'secondary' to the main house on the property.*

### **3.1 Definitions and Permissibility**

- a. *'Ancillary Accommodation' is defined in the Residential Design Codes and Scheme as:  
"Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house."*
- b. *Ancillary accommodation, or more commonly referred to as a 'granny flat', is a use not specifically listed in Local Planning Scheme No. 10 or No. 11. However it is considered to be a use associated with a Single House and as such will be considered by the local government where a 'Single House' has a 'P' or 'D' use in the zone.*
- c. *'Self-contained' is defined in the Building Code of Australia as:  
"...a dwelling that includes bathroom, kitchen and laundry facilities."*

### **3.2 General Requirements**

- 3.2.1 *Where not specifically listed in the Local Planning Scheme, ancillary accommodation will be considered under the use class for a 'Single House' and will require development approval.*
- 3.2.2 *As ancillary accommodation is an "additional dwelling", applications are to be considered after the completion of the main dwelling, however applications may be determined where the main dwelling and ancillary accommodation are built concurrently.*
- 3.2.3 *A maximum of one (1) ancillary accommodation dwelling is permissible on any one lot.*
- 3.2.4 *Ancillary accommodation units can either be attached or detached from the main dwelling, however, when detached the ancillary accommodation unit must be sited within 10 metres from the main dwelling on lots less than 4 hectares and 20 metres for those lots greater than 4 hectares in area.*
- 3.2.5 *To distinguish between Ancillary Accommodation and grouped dwellings, the Council shall generally require that the Ancillary Accommodation is provided in close proximity to the existing residence in order to give the appearance of one development. Common facilities such as use of a common driveway, co-location of private open space and outbuildings will generally be required.*
- 3.2.6 *In consideration of an application for 'Ancillary Accommodation' the following standards shall apply:*

Zone	Maximum Habitable Floor Area	Maximum total roof area (inclusive of verandahs/patios and carports etc.)
Residential R10 and higher	70m <sup>2</sup>	120m <sup>2</sup>
Residential R5 and lower	70m <sup>2</sup>	120m <sup>2</sup>
Rural-Residential	70m <sup>2</sup>	180m <sup>2</sup>
Rural Smallholdings	90m <sup>2</sup>	180m <sup>2</sup>
Rural (smaller than 20ha)	90m <sup>2</sup>	180m <sup>2</sup>
Rural (larger than 20ha)	100m <sup>2</sup>	200m <sup>2</sup>

3.2.7 Whilst an Ancillary Accommodation building will usually be constructed after that of a single dwelling, there may be instances where a landowner requests that the Ancillary Accommodation be constructed prior to the construction of the single dwelling. This request will only be approved in the following circumstances:

- a. Council determines that the front façade of the Ancillary Accommodation will not result in an unacceptable loss of visual amenity upon the streetscape;
- b. Storage of any construction materials for the single dwelling to be screened from view from the street;
- c. Site, floor and elevations plans for both the Ancillary Accommodation and Single Dwelling are provided and lodged concurrently as an Application for Development Approval;
- d. The time period between the commencement of construction of the Ancillary Accommodation and the Single Dwelling does not exceed a period of two years;
- e. The Applicant signs a Statutory Declaration and provides payment of a bond or a bank guarantee, in accordance with the Shire of Northampton's Local Planning Policy – Development Performance Bonds and Bank Guarantees.

### 3.3 Design Requirements

3.2.1 Ancillary accommodation shall comply with the following design requirements:

Element	Design Requirements
a) Siting	<ul style="list-style-type: none"> <li>• An ancillary accommodation unit is to be located behind the 'front building line*' of the primary dwelling.</li> </ul>
b) Scale	<ul style="list-style-type: none"> <li>• An ancillary accommodation unit shall have no more than two (2) bedrooms.</li> <li>• An ancillary accommodation unit shall appear subservient in scale to the primary dwelling.</li> </ul>
c) Access/Parking	<ul style="list-style-type: none"> <li>• A minimum of one (1) car parking space shall be provided in addition to those required for the single house/primary dwelling.</li> <li>• No additional crossovers will be permitted. Vehicle access will be shared with that of the single house/primary dwelling.</li> </ul>
d) External Appearance	<ul style="list-style-type: none"> <li>• Ancillary accommodation shall be constructed of colours and/or materials that are matching and/or complementary to primary dwelling.</li> <li>• Incorporates habitable design elements such as awnings, verandahs, patios.**</li> </ul>

\* 'front building line' is to be measured from the closest point of the house to the front boundary drawn parallel to the boundary.

\*\* Ancillary accommodation that meets the definition of 'Repurposed Dwelling' and is visible from the street shall address the development standards contained within the Repurposed and Second-hand Dwellings Local Planning Policy.

### **3.4 Relationship to the Residential Design Codes**

Within the Residential zone and areas subject to the R Codes, ancillary accommodation shall also comply with the provisions and requirements of the R Codes. In particular, the development shall meet the requirements set out in Part 5 – Design Elements of the R Codes as they relate to single houses with the exception of R Code clauses:

- 5.1.1 site area;
- 5.2.3 street surveillance (except where located on a lot with secondary street or right of way access); and
- 5.3.1 outdoor living areas.

### **3.5 Delegation and Advertising Requirements**

3.5.1 Should the application be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff.

3.5.2 However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

### **STRATEGIC IMPLICATIONS:**

Local: Community Strategic Plan 2016-2026

Strategy Increase the number and affordability of short term and long term accommodation options available within the Shire

Key Actions Work with local residents to produce small quality developments in the major town centres

### **COMMENT:**

#### Disaster and Emergency Recovery

The temporary exemption mechanism permits local government to issue a temporary exemption from the need to obtain development approval following a natural disaster or an emergency situation. In 2022, a temporary exemption for a period of twelve months to 31 July 2023 was granted permitting the applicant to construct an ancillary accommodation unit prior to the single dwelling on Lot 180 Glass Street thus providing the applicant with emergency accommodation.

This mechanism was used to facilitate development in the location as a direct result of the cyclone disaster as it was considered the development met all objectives in relation to the Disaster and Emergency Recovery policy providing the applicant with the ability to reconstruct an accommodation structure as swiftly as possible following the devastating event.

#### Ancillary Accommodation

The Shire of Northampton's *Ancillary Accommodation* Local Planning Policy provides guidance in relation to the construction and location of ancillary dwelling structures in a way so as to minimise their impact on the amenity of the locality.

Whilst ancillary accommodation buildings will usually be constructed after that of a single dwelling, the policy provides guidance in instances where a landowner requests that the ancillary dwelling be constructed prior to the single dwelling. The request is generally only approved if the development meets provisions such as:

- The front façade of the Ancillary Accommodation will not result in an unacceptable loss of visual amenity upon the streetscape;
- Storage of any construction materials for the single dwelling are screened from view from the street;
- Site, floor and elevation plans for both the Ancillary Accommodation and the Single Dwelling are provided and lodged concurrently as an Application for Development Approval;
- The time period between the commencement of construction of the Ancillary Accommodation and the Single Dwelling does not exceed a period two years; and
- The Applicant signs a Statutory Declaration and provides payment of a bond or a bank guarantee, in accordance with the Shire of Northampton's *Local Planning Policy - Development Performance Bonds and Bank Guarantees*.

As outlined earlier in the report, the time period between the construction of the Ancillary Accommodation and the subsequent Single Dwelling will not enable the applicant to strictly meet all provisions of the Shire's Local Planning Policy *Ancillary Accommodation* after the Temporary Exemption expiry date of 31 July 2023.

It is noted that Application for Development Approval for the single dwelling and the ancillary accommodation unit was granted on 12 September 2022. Arrangements with a financier are formalised, an order for the single dwelling has been placed and an updated building contract has been signed with the builder with construction of the single dwelling proposed to be completed and on site by December 2023.

Furthermore, the applicant has met all requirements of clause 3.2.7 of the Ancillary Accommodation LPP, with the exception of payment of a bond or a bank guarantee.

In consideration of the difficulties encountered by the applicant in preparation for meeting development application provisions following the expiry of the exemption period, the applicant is seeking to extend the temporary exemption approval for a further twelve month period. As this mechanism is no longer available, consideration is required from Council in relation to conditions imposed within Development Approval 2022-073 and their applicability should building timelines be further extended in relation to construction of the primary (single) dwelling.

The time period between the commencement of construction of the Ancillary Accommodation and the Single Dwelling does not exceed a period of two years, as conditioned within the Development Application. However, construction of the Ancillary Accommodation unit was delayed with arrival on site not occurring until January 2023 and whilst compliance to commence within twelve months has been met. Full completion of the development is now proposed to be December 2023, which is well within the two year timeframe of the Development Approval, being 12 September 2024. However, consideration is afforded to the current environment where building timelines and shortages of materials and labour still exist.

This report recommends that Council amend Development Application 2022-073 to include a landscaping condition that will address the amenity of the locality should construction of the single dwelling be delayed and the two year final completion date for the development be extended to 31 January 2025, being in line with the arrival of the Ancillary Accommodation unit on site.

**RISK ASSESSMENT:**

The associated risk would be the failure to comply with legislation, Shire of Northampton planning provisions (Local Planning Scheme and Local Planning Policies) and setting a precedent. However, as the approval is temporary/time limited the risk is considered minimal at this stage with opportunity to review progress and implement compliance processes following expiry of the temporary time extension.

Res 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*

**STAFF RECOMMENDATION – 10.1**

**That Council grant development approval to the proposed Single Dwelling and Ancillary Dwelling upon Lot 180 (No. 11) Glass Street, Kalbarri subject to the following conditions:**

- This approval is for a single dwelling and ancillary dwelling ONLY, and not for the construction of any other such structures upon the lot. Further structures in addition to the single dwelling and ancillary dwelling will require further application and development approval;**

- 2. Development shall be in accordance with the attached approved plan(s) dated 12 September 2022 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;**
- 3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;**
- 4. A building permit shall be issued by the local government prior to the commencement of any work on site;**
- 5. The Applicant shall provide a stormwater management plan for the proposed development (to be approved by the local government) prior to a Building Permit being issued;**
- 6. All stormwater shall be disposed of on-site to the specifications and approval of the local government;**
- 7. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;**
- 8. A materials and colour schedule for the single (primary) dwelling and the ancillary dwelling shall be submitted prior to construction of the single dwelling and be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural coastal environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area;**
- 9. Installation of crossing places and verge gradients shall be to the standards and specifications of the local government;**
- 10. Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;**
- 11. All-parking of vehicles (including boats and trailers) associated with the property is to be provided for within the property boundary, and the street verge area is to be kept free of such vehicles;**
- 12. 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;**

13. Bin storage and clothes drying areas shall be provided to the rear of the ancillary and single dwellings, and be appropriately screened if visible from the view from the street, to the approval of the local government;
14. The construction of the single (primary) dwelling shall be commenced within twelve (12) months of the date of the Ancillary Dwelling commencing on site being 31 January 2023, and shall be completed no later than two (2) years from that date, being 31 January 2025;
15. Should commencement of the single (primary) dwelling not be commenced prior to 31 January 2024, a plan incorporating a landscaping/screening area along the front boundary of the property is to be submitted to and approved by the local government. The approved plans is to be implemented in full and maintained thereafter until construction of the single (primary) dwelling is completed, to the approval of the local government.
16. The Applicant shall advise the local government's planning department the date of commencement of the construction of the single (primary) dwelling within fourteen (14) days of commencement;
17. The Applicant/Landowner shall lodge a Statutory Declaration with the Shire of Northampton prior to a Building Permit being issued, that provides a written and signed commitment to complete the single (primary) dwelling and the ancillary dwelling to the approval of the local government and in accordance with, and acceptance of all conditions of this approval; and
18. The Applicant/Owner shall include the minimum tree requirement, being one (1) tree with a minimum tree planting area of 2 metres by 2 metres within the street setback area of Lot 180 Glass Street, Kalbarri so as to address the requirements of Clause 5.3.2 of the Residential Design Codes (2021).

**Advice Notes:**

- Note 1:** *With regard to Condition No. 9, 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.** *Should the Applicant fail to commence or complete the single (primary) dwelling within the timeframes specified in Condition No. 14, the Applicant will have been deemed by the local government to have breached conditions of this Development Approval. The Shire of*

*Northampton may thereafter commence enforcement proceedings which may include fines, prosecution and/or removal orders for the ancillary dwelling. The Applicant is advised that, should delays to the construction of the single dwelling become likely, the Applicant should liaise immediately with the local government in order to seek a minor extension of approval and so as to avoid compliance measures being initiated by the local government.*

**Note 5:** *Assessment of the application was based on the use of the single (primary) dwelling and the ancillary 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:** *The form of physical development on Lot 180 (No. 11) Glass Street, Kalbarri currently zoned Residential R30, is restricted to single house and ancillary accommodation.*

**Note 5:** *With regard to Condition No. 18, the minimum tree planting area is to be provided for each tree and shown on the site plan. The tree planting area is to be free of impervious surfaces and roof cover.*

**Note 7:** *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*

#### **COUNCIL RESOLUTION – 10.1**

**Moved Cr BURGESS seconded Cr GIBB**

**That Council grant development approval to the proposed Single Dwelling and Ancillary Dwelling upon Lot 180 (No. 11) Glass Street, Kalbarri subject to the following conditions:**

- 19. This approval is for a single dwelling and ancillary dwelling ONLY, and not for the construction of any other such structures upon the lot. Further structures in addition to the single dwelling and ancillary dwelling will require further application and development approval;**
- 20. Development shall be in accordance with the attached approved plan(s) dated 12 September 2022 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;**
- 21. 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;**
- 22. A building permit shall be issued by the local government prior to the commencement of any work on site;**

- 23. The Applicant shall provide a stormwater management plan for the proposed development (to be approved by the local government) prior to a Building Permit being issued;**
- 24. All stormwater shall be disposed of on-site to the specifications and approval of the local government;**
- 25. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;**
- 26. A materials and colour schedule for the single (primary) dwelling and the ancillary dwelling shall be submitted prior to construction of the single dwelling and be to the approval of the local government. The materials and colours chosen shall be non-reflective and in keeping with the natural coastal environment so as to lessen the visual impact of the repurposed dwelling on the amenity of the area;**
- 27. Installation of crossing places and verge gradients shall be to the standards and specifications of the local government;**
- 28. Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;**
- 29. All-parking of vehicles (including boats and trailers) associated with the property is to be provided for within the property boundary, and the street verge area is to be kept free of such vehicles;**
- 30. 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;**

31. Bin storage and clothes drying areas shall be provided to the rear of the ancillary and single dwellings, and be appropriately screened if visible from the view from the street, to the approval of the local government;
32. The construction of the single (primary) dwelling shall be commenced within twelve (12) months of the date of the Ancillary Dwelling commencing on site being 31 January 2023, and shall be completed no later than two (2) years from that date, being 31 January 2025;
33. Should commencement of the single (primary) dwelling not be commenced prior to 31 January 2024, a plan incorporating a landscaping/screening area along the front boundary of the property is to be submitted to and approved by the local government. The approved plans is to be implemented in full and maintained thereafter until construction of the single (primary) dwelling is completed, to the approval of the local government.
34. The Applicant shall advise the local government's planning department the date of commencement of the construction of the single (primary) dwelling within fourteen (14) days of commencement;
35. The Applicant/Landowner shall lodge a Statutory Declaration with the Shire of Northampton prior to a Building Permit being issued, that provides a written and signed commitment to complete the single (primary) dwelling and the ancillary dwelling to the approval of the local government and in accordance with, and acceptance of all conditions of this approval; and
36. The Applicant/Owner shall include the minimum tree requirement, being one (1) tree with a minimum tree planting area of 2 metres by 2 metres within the street setback area of Lot 180 Glass Street, Kalbarri so as to address the requirements of Clause 5.3.2 of the Residential Design Codes (2021).

**Advice Notes:**

- Note 1:** *With regard to Condition No. 9, 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.** *Should the Applicant fail to commence or complete the single (primary) dwelling within the timeframes specified in Condition No. 14, the Applicant will have been deemed by the local government to have breached conditions of this Development Approval. The Shire of*

*Northampton may thereafter commence enforcement proceedings which may include fines, prosecution and/or removal orders for the ancillary dwelling. The Applicant is advised that, should delays to the construction of the single dwelling become likely, the Applicant should liaise immediately with the local government in order to seek a minor extension of approval and so as to avoid compliance measures being initiated by the local government.*

**Note 5:** *Assessment of the application was based on the use of the single (primary) dwelling and the ancillary 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:** *The form of physical development on Lot 180 (No. 11) Glass Street, Kalbarri currently zoned Residential R30, is restricted to single house and ancillary accommodation.*

**Note 5:** *With regard to Condition No. 18, the minimum tree planting area is to be provided for each tree and shown on the site plan. The tree planting area is to be free of impervious surfaces and roof cover.*

**Note 7:** *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*

**CARRIED 6/0**

**Minute Reference 06/23 - 03**

**APPENDIX 1 – TEMPORARY APPROVAL E018**



199 Hampton Road  
PO Box 61  
Northampton WA 6535

P 08 9934 1202  
F 08 9934 1072  
E [council@northampton.wa.gov.au](mailto:council@northampton.wa.gov.au)  
W [www.northampton.wa.gov.au](http://www.northampton.wa.gov.au)

**Our Ref:** 5.1.8.1 -10.6.1/A768/E018/ OCR37511  
**Enquiries:** Michelle Allen - [planning@northampton.wa.gov.au](mailto:planning@northampton.wa.gov.au)

JL LOFFLER  
11 Glass Street  
KALBARRI WA 6536

Dear Jamie-Lee

**CYCLONE SEROJA - PLANNING EXEMPTION (ANCILLARY TEMPORARY  
ACCOMMODATION)  
LOT 180 (NO. 11) GLASS STREET, KALBARRI**

Thank you for forwarding the Planning Exemption Application Form and associated Statutory Declaration dated 10 March 2022 in regard to seeking an exemption from obtaining development approval.

In accordance with cl. 61 of the "Deemed Provisions" of the *Planning and Development (Local Planning Scheme) Regulations 2015* the Shire of Northampton hereby issues an exemption from obtaining development approval for a 12-month period for the following:

- One (1) ancillary accommodation unit for temporary accommodation purposes upon Lot 180 (No. 11) Glass Street, Kalbarri.

The 12-month exemption for development approval is granted in order to specifically address the disaster recovery associated with Tropical Cyclone Seroja.

The exemption for development approval will commence upon delivery of the ancillary unit in July 2022 and end on **31 July 2023** and is subject to the following conditions:

- The proposed development is required to comply with all relevant Building and Health legislation, including the Health Act, Building Code of Australia; and
- At the end of the exemption period, the development shall either be removed or an Application for Development Approval will be required.

It is advised that at the end of the exemption period should an Application for Development Approval be lodged, then it will be subject to the standards and requirements set out in the relevant planning legislation and policy, such as the Local Planning Scheme, Local Planning Policies and Residential Design Codes of Western Australia for residential development.

- 2 -

For example, an ancillary accommodation unit placed on a lot for temporary accommodation may not be approved for temporary accommodation beyond the twelve (12) month exemption period, if it does not meet provisions contained within the attached Local Planning Policy *Ancillary Accommodation*.

The Shire of Northampton's Planning Department will make every effort to support the recovery of the affected townsites and the community. Should you have any questions or require further clarification on any matter relating to planning exemptions or future requirements, please do not hesitate to contact Michelle Allen – Planning Officer at the Northampton office on 9934-1202.

Yours faithfully

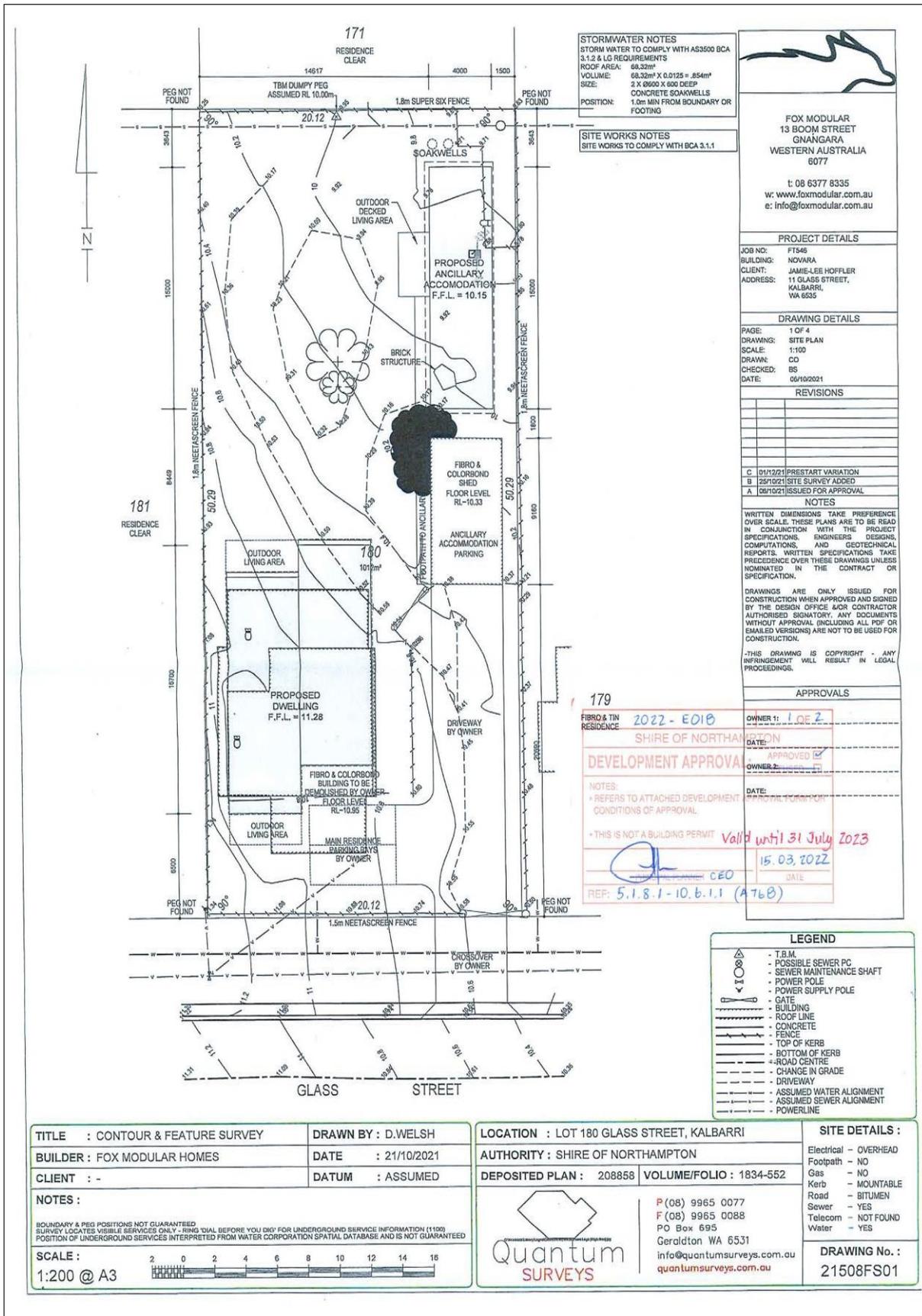
A handwritten signature in blue ink, appearing to read "Garry L Keeffe".

**GARRY L KEEFFE**  
**CHIEF EXECUTIVE OFFICER**

15 March 2022

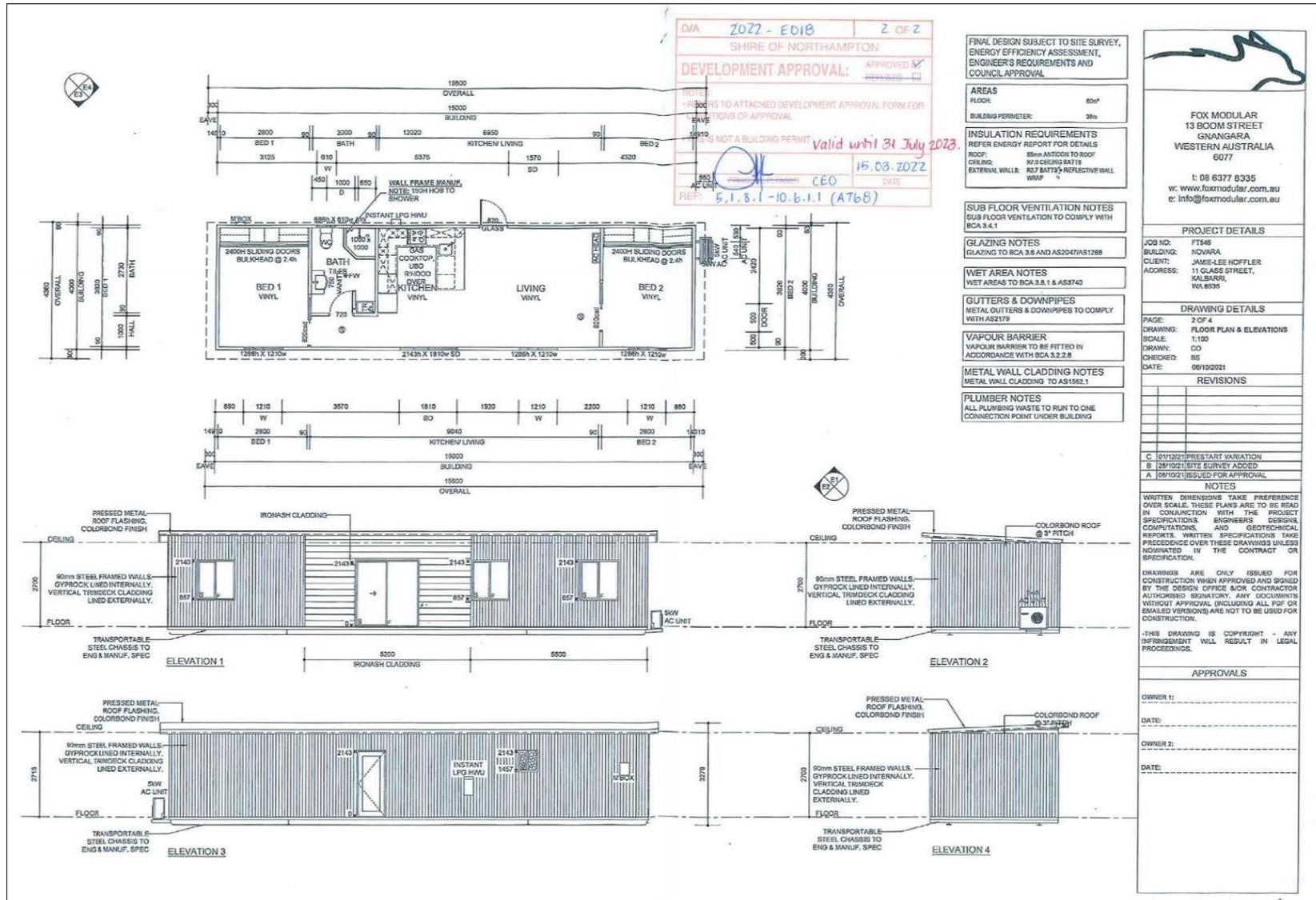
SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023



SHIRE OF NORTHAMPTON

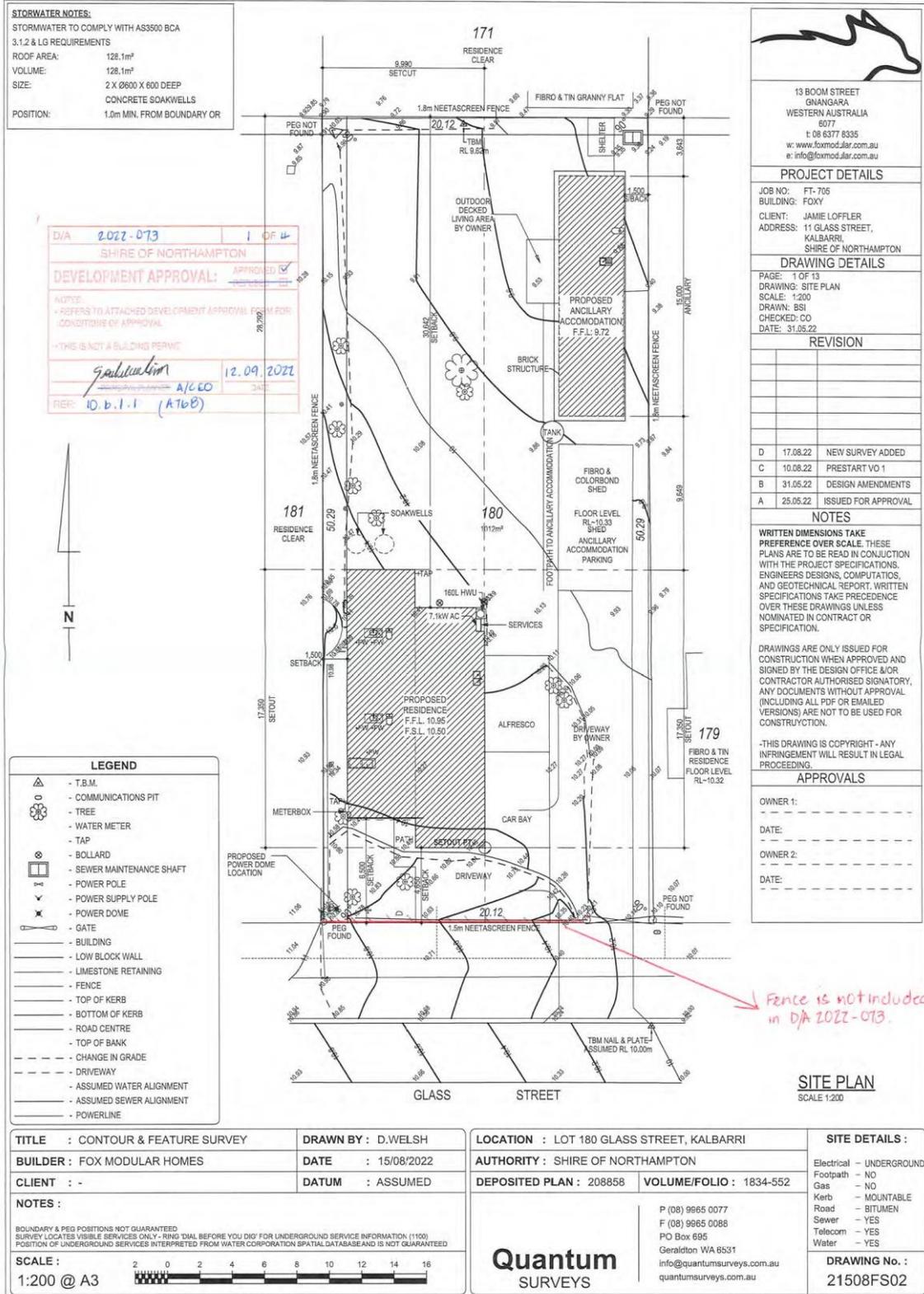
Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023



## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

#### APPENDIX 2 – APPROVED PLANS DEVELOPMENT APPLICATION 2022-073

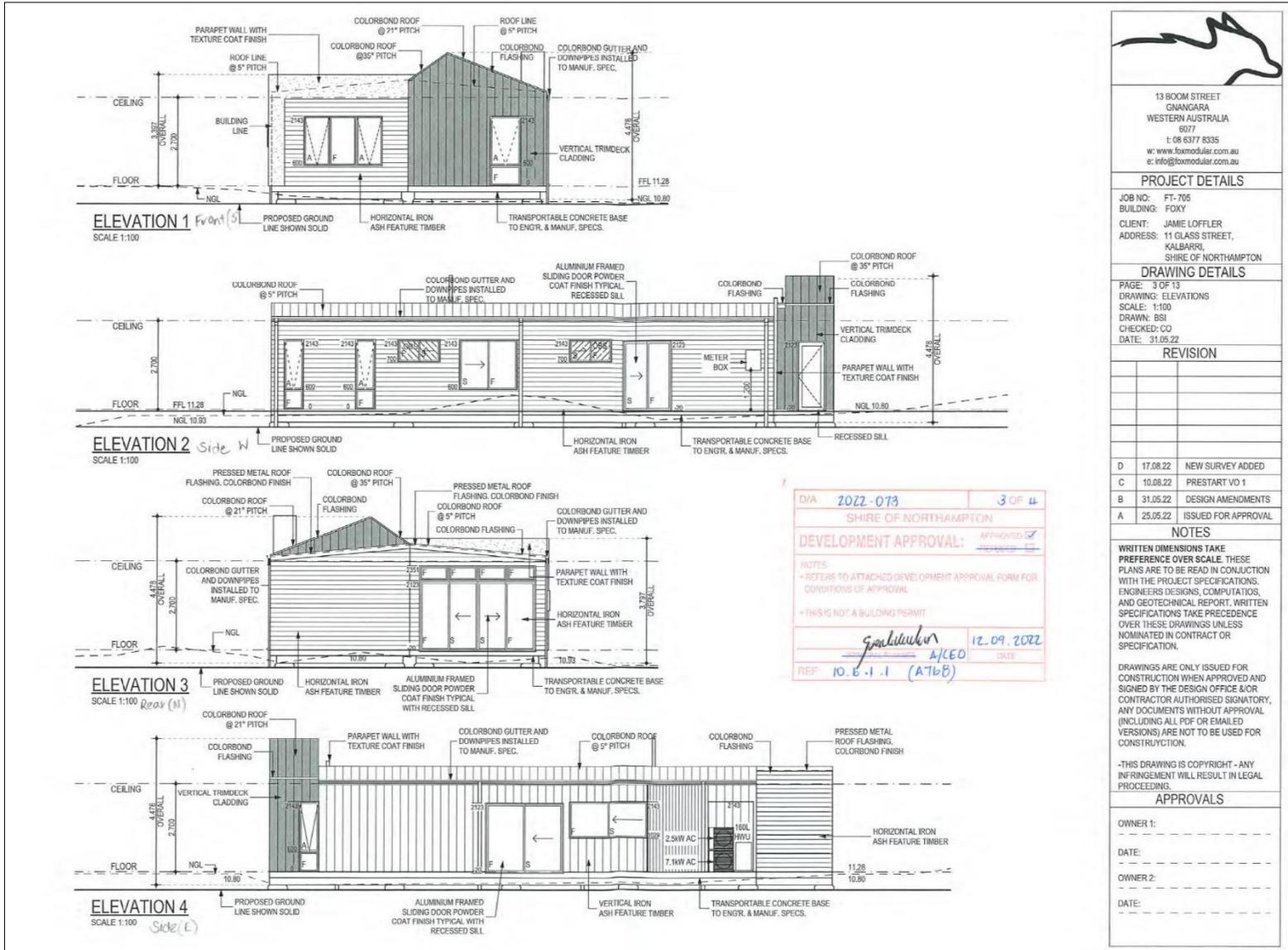


Fence is not included in D/A 2022-073.



SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023



**ELEVATION 1 Front (S)**  
SCALE 1:100

**ELEVATION 2 Side W**  
SCALE 1:100

**ELEVATION 3 Rear (N)**  
SCALE 1:100

**ELEVATION 4 Side (E)**  
SCALE 1:100

**DEVELOPMENT APPROVAL:** APPROVED

NOTES:  
 \* REFERS TO ATTACHED DEVELOPMENT APPROVAL FORM FOR CONDITIONS OF APPROVAL  
 \* THIS IS NOT A BUILDING PERMIT

12.09.2022  
 REF: 10.6.1.1 (A7bB)

**PROJECT DETAILS**

JOB NO: FT-705  
 BUILDING: FOXY  
 CLIENT: JAMIE LOFFLER  
 ADDRESS: 11 GLASS STREET, KALBARRI, SHIRE OF NORTHAMPTON

**DRAWING DETAILS**

PAGE: 3 OF 13  
 DRAWING: ELEVATIONS  
 SCALE: 1:100  
 DRAWN: BSI  
 CHECKED: CO  
 DATE: 31.05.22

**REVISION**

D	17.08.22	NEW SURVEY ADDED
C	10.08.22	PRESTART VO 1
B	31.05.22	DESIGN AMENDMENTS
A	25.05.22	ISSUED FOR APPROVAL

**NOTES**

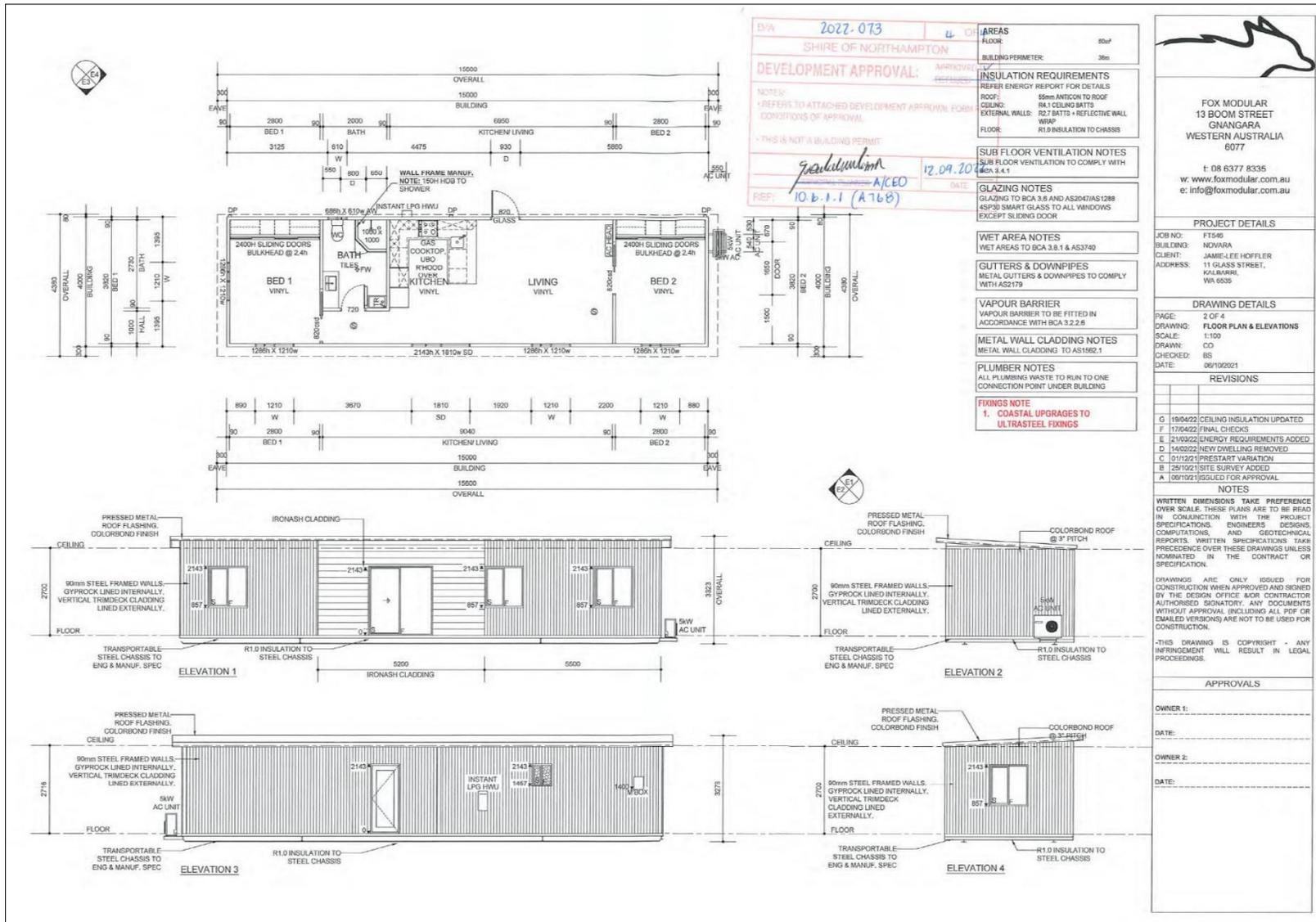
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**APPROVALS**

OWNER 1: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 OWNER 2: \_\_\_\_\_  
 DATE: \_\_\_\_\_



**10.2 – SUMMARY OF PLANNING INFORMATION ITEMS**

<b>Date of Report</b>	7 June 2023
<b>Reporting Officer</b>	Michelle Allen, Planning Officer

<b>REF</b>	<b>APPLICANT</b>	<b>LOCATION</b>	<b>DEVELOPMENT/USE</b>	<b>DATE</b>
032	NICOLE ANDERSON	LOT 3 (NO. 46) HAMPTON ROAD, NORTHAMPTON	PROPOSED SIGNAGE – 2 VERANDAH SIGNS (THE SHEARING SHED CAFÉ)	16 May 2023 2023
033	NG & IS VISSER	LOT 158 (NO. 7) SMITH STREET, KALBARRI	FRONT CARPORT (R-CODE VARIATION)	30 May 2023
034	DAVID CRUDELLI ARCHITECTS	LOT 300 (NO. 3) KILLY STREET, HORROCKS	SINGLE DWELLING AND RETAINING WALL/FENCE	31 May 2023

Noted

## **11 Finance Report**

- 11.1 Accounts for Payment
- 11.2 Monthly Financial Statements – May 2023
- 11.3 2023-2024 Fees and Charges Schedule & Minimum Rates
- 11.4 Corporate Business Plan Review

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### **11.1 ACCOUNTS FOR PAYMENT (ITEM 11.1)**

<b>File Reference</b>	1.1.1
<b>Date of Report</b>	8 <sup>th</sup> June 2023
<b>Reporting Officer</b>	Leanne Rowe, Finance Officer
<b>Responsible Officer</b>	Grant Middleton, Deputy Chief Executive Officer

#### **SUPPORTING DOCUMENTS:**

<b>Reference</b>	<b>Description</b>	<b>In Report</b>	<b>Separate Cover</b>
Attachment 1	List of Accounts	✓	

#### **DISCLOSURE OF INTEREST:**

#### **BACKGROUND:**

A list of payments submitted to Council on 16<sup>th</sup> June 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:**

*Simple Majority required*

**STAFF RECOMMENDATION – 11.1**

That Council note the Municipal Fund Cheques 22376 to 22385 inclusive totalling \$22,269.13, Municipal EFT payments numbered EFT24873 to EFT25032 totalling \$1,450,107.99, Direct Debit payments numbered GJ1101 to GJ1107 in attachment 11.1 (1).

**COUNCIL RESOLUTION – 11.1**

**Moved Cr SUCKLING seconded Cr HORSTMAN**

That Council note the Municipal Fund Cheques 22376 to 22385 inclusive totalling \$22,269.13, Municipal EFT payments numbered EFT24873 to EFT25032 totalling \$1,450,107.99, Direct Debit payments numbered GJ1101 to GJ1107 in attachment 11.1 (1).

**CARRIED 6/0**  
**Minute Reference 06/23 - 04**

**ATTACHMENT 1**

**MUNICIPAL FUND CHEQUES**

<b>Chq #</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
22376	27-04-2023	DEPARTMENT OF TRANSPORT	SPECIAL SERIES PLATES	200.00
22377	04-05-2023	GERALDTON MOWER & REPAIR SPECIALISTS	MOWER PARTS	214.40
22378	04-05-2023	DEPARTMENT OF TRANSPORT	SPECIAL SERIES PLATES	200.00
22379	16-05-2023	GERALDTON MOWER & REPAIR SPECIALISTS	MOWER PARTS	62.80
22380	16-05-2023	GERALDTON FLORAL STUDIO	ANZAC DAY WREATHS 2023	190.00
22381	22-05-2023	PETTY CASH - NORTHAMPTON	PETTY CASH RECOUP	173.45
22382	24-05-2023	SHIRE OF NORTHAMPTON	BCITF/BRB COMMISSION FEBRUARY 2023	102.75
22383	30-05-2023	GERALDTON MOWER & REPAIR SPECIALISTS	STIHL BATTERY PACK	638.00
22384	30-05-2023	KLEENHEAT GAS	GAS SERVICE CHARGE	654.50
22385	30-05-2023	SYNERGY	ELECTRICITY CHARGES	19833.23
				<u>\$22,269.13</u>

**ATTACHMENT 1**

**ELECTRONIC FUND TRANSFERS – MUNICIPAL ACCOUNT**

<b>EFT #</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT24873	04-05-2023	AIRPORT CONSULTANCY GROUP PTY LTD	KAL AIRPORT RUNWAY RESEAL	59312.00
EFT24874	04-05-2023	AUSTRALIAN COMMUNICATIONS AUTHORITY	LICENSE RENEWAL MOBILE REPEATER	45.00
EFT24875	04-05-2023	BLACKWOODS	VEHICLE MILWAUKE TORCH	379.80
EFT24876	04-05-2023	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	5293.80
EFT24877	04-05-2023	CLEANAWAY OPERATIONS PTY LTD	COMM/DOM REFUSE COLLECTION/SITE MTCE	21550.78
EFT24878	04-05-2023	RM WILLIAMS & CO COOLOOLOO NOMINEES PTY LTD	PARKER/WUNDI RDS GRAVEL	18641.70
EFT24879	04-05-2023	WINC AUSTRALIA PTY LTD	P/COPIER MTCE	56.10
EFT24880	04-05-2023	CORSIGN WA PTY LTD	SIGNS	1350.80
EFT24881	04-05-2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	39.09
EFT24882	04-05-2023	CRAMER & NEILL REFRIGERATION	NTON DRS SURG AIRCON	2900.02
EFT24883	04-05-2023	SIMON DRAGE	FITZGERALD ST HOUSE REPAIRS	1457.50
EFT24884	04-05-2023	FENN PLUMBING & GAS	KAL REC CENTRE PLUMBING	273.69
EFT24885	04-05-2023	FORPARK AUSTRALIA	KAL MARINA PLAYGROUND SWING	2554.20
EFT24886	04-05-2023	FREEMANS LIQUID WASTE PTY LTD	BINNU TOILETS PUMP OUT SEPTICS	2018.30
EFT24887	04-05-2023	FULTON HOGAN INDUSTRIES PTY LTD	KAL AIRPORT BITUMEN PRODUCTS	730769.46
EFT24888	04-05-2023	GERALDTON LOCK & KEY SPECIALISTS	KEYS	39.60
EFT24889	04-05-2023	ATOM GERALDTON	FIRE HYDRANT TAPE	194.39
EFT24890	04-05-2023	GERALDTON NATURAL LIMESTONE	KAL SEA SEARCH/RESCUE LIMESTONE WALL	83825.28
EFT24891	04-05-2023	GLENEVA FARMING PTY LTD	PARKER ROAD GRAVEL	3418.80
EFT24892	04-05-2023	GREAT NORTHERN RURAL SERVICES	NTON OVAL RETIC REPAIRS	3517.71
EFT24893	04-05-2023	GREENFIELD TECHNICAL SERVICES	KAL GREY ST ASPHALT WORKS MANAGEMENT	12267.88
EFT24894	04-05-2023	C + J HANSON PLUMBING CONTRACTORS	OVAL SHEDS SERVICE/REPAIR WATER	608.14
EFT24895	04-05-2023	INSTANT RACKING & SHELVING	NTON DEPOT SHELVING	1837.00

**SHIRE OF NORTHAMPTON**

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<b>EFT #</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT24896	04-05-2023	JMH MECHANICAL SERVICES	JCB BACKHOE REPAIRS	13372.20
EFT24897	04-05-2023	KALBARRI AUTO CENTRE	TYRE REPAIR KIT	66.00
EFT24898	04-05-2023	KALBARRI EXPRESS FREIGHT	FREIGHT	37.95
EFT24899	04-05-2023	KALBARRI WAREHOUSE	POTTING MIX/CONDITIONER	449.75
EFT24900	04-05-2023	KEMPTON ELECTRICAL CONTRACTING	NCC AIRCON SERVICES	600.00
EFT24901	04-05-2023	T/AS CHILIMONY FARMS KLK FARMS PTY LTD	WEST OGILIVE ROAD GRAVEL	3545.85
EFT24902	04-05-2023	LGRCEU	PAYROLL DEDUCTIONS	41.00
EFT24903	04-05-2023	GERALDTON TOYOTA	131NR 80,000KM SERVICE	898.04
EFT24904	04-05-2023	MIDWEST FIRE PROTECTION SERVICES	NTON BOWLS CLUB SERVICE FIRE EXT	109.78
EFT24905	04-05-2023	M L COMMUNICATIONS	NR OFFICE SITE MAST INSTALL POLE	2080.66
EFT24906	04-05-2023	MOORE	MANAGEMENT & FINANCE WORKSHOPS	2596.00
EFT24907	04-05-2023	MUNDA FABRICATION	HORROCKS FSHORE SHELTER REPAIRS	1140.00
EFT24908	04-05-2023	MURCHISON CARAVAN PARK	RATES REFUND	1848.63
EFT24909	04-05-2023	NAPA	NTON DEPOT PPE/HARDWARE	381.11
EFT24910	04-05-2023	GERALDTON CLEANPAK TOTAL SOLUTIONS	TOILET CLEANING SUPPLIES	2524.05
EFT24911	04-05-2023	PEST-A-KILL WA	CHIV HOUSE EXTERRA	1840.00
EFT24912	04-05-2023	THE SHEARING SHED CAFE	REFRESHMENTS	180.00
EFT24913	04-05-2023	STATESIDE MAINTENANCE	NTON RAILWAY STATION REPAIRS FINAL	46600.00
EFT24914	04-05-2023	STRATAGREEN	LITTER GRABBERS	220.28
EFT24915	04-05-2023	2V NET IT SOLUTIONS	COMPTER MTCE	574.00
EFT24916	04-05-2023	T&R HOMES WA PTY LTD	KERB DEPOSIT REFUND	500.00
EFT24917	04-05-2023	IT VISION	SYNERGYSOFT UPGRADE	554.40
EFT24918	04-05-2023	WESTRAC EQUIPMENT PTY LTD	PLANT PARTS	789.20
EFT24919	04-05-2023	WESTLINE CONTRACTING	KAL AIRSTRIP WHITELINE	39743.00
EFT24920	04-05-2023	NORTHAMPTON TYRES	SUPPLY & FIT 5 TYRES	3450.00
EFT24921	04-05-2023	WHELLER PLAINS PASTORAL	OGILVIE EAST ROAD GRAVEL	4897.20
EFT24922	04-05-2023	WILSON COMPLETE	NTON OVAL TOILETS TOILET BLOCK	34683.00
EFT24923	11-05-2023	HAYLEY R WILLIAMS DEVISE URBAN PLANNING	PLANNING SERVICES	4433.00
EFT24924	11-05-2023	SUSAN FRANCIS KOPPENSTEINER	REIMB PLANTS INV	246.98
EFT24925	16-05-2023	WA TREASURY CORPORATION	LOAN 154	20658.33

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EFT24926	16-05-2023	AW CRAGAN & ALLCAPRI PTY LTD	NTON OVAL TOILETS REPAIR RETIC	7584.50
EFT24927	16-05-2023	KALBARRI IGA	OFFICE SUPPLIES	70.71
EFT24928	16-05-2023	AUSTRALIA POST	POSTAGE	191.12
EFT24929	16-05-2023	BLACKWOODS	VEHICLE DRILL	1099.00
EFT24930	16-05-2023	RUSSELL JOHN BROMLEY	LIONS PARK SHELTERS PAINT	4550.00
EFT24931	16-05-2023	BRUCE ROCK ENGINEERING	TRAILER REPAIRS	6710.23
EFT24932	16-05-2023	BUBBLES PLUMBING AND GAS PTY LTD	ALLEN CENTRE TOILETS REPAIRS	177.87
EFT24933	16-05-2023	CENTRAL WEST PUMP SERVICE	TRAILER WATER TANK PUMP REPAIRS	242.00
EFT24934	16-05-2023	COATES HIRE OPERATIONS PTY LTD	NTON CEMETERY EXCAVATOR HIRE	2107.22
EFT24935	16-05-2023	BOC GASES AUSTRALIA	INDUSTRY GASES	139.39
EFT24936	16-05-2023	WINC AUSTRALIA PTY LTD	P/COPIER MTCE	844.73
EFT24937	16-05-2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	549.14
EFT24938	16-05-2023	SIMON DRAGE	CYCLONE OVAL RESIDENCE REPLACE FENCE	3272.50
EFT24939	16-05-2023	ELGAS	GAS	185.00
EFT24940	16-05-2023	ENGIN	TELEPHONE CHARGES	737.15
EFT24941	16-05-2023	FENN PLUMBING & GAS	ALLEN CENTRE PLUMBING REPAIRS	1265.30
EFT24942	16-05-2023	FUEL MAINTENANCE AND ENGINEERING	NTON DEPOT FUEL BOWSER REPAIR	1086.03
EFT24943	16-05-2023	FOX TRANSPORTABLES	REFUND KERB DEPOSIT	500.00
EFT24944	16-05-2023	GERALDTON AUTO WHOLESALERS	VEHICLE REPAIRS	2704.79
EFT24945	16-05-2023	GERALDTON FUEL COMPANY PTY LTD	FUEL CARD PURCHASES	455.39
EFT24946	16-05-2023	GHD PTY LTD	CYCLONE CHINAMANS WORKS	1925.55
EFT24947	16-05-2023	GREAT NORTHERN RURAL SERVICES	KAL FORESHORE RETIC	195.58
EFT24948	16-05-2023	GOODYEAR & DUNLOP TYRES (AUST) PTY LTD (BEAUREPAIRES)	TRUCK 4 TYRES	3120.41
EFT24949	16-05-2023	GREAT SOUTHERN FUEL SUPPLY	DEPOT FUEL/FUEL CARDS	39819.48
EFT24950	16-05-2023	GUARDIAN PRINT & GRAPHICS	COUNCIL MINUTE BOOK BINDING	1795.00
EFT24951	16-05-2023	C + J HANSON PLUMBING CONTRACTORS	RESIDENCE PLUMBING	2318.93
EFT24952	16-05-2023	HMC INVESTMENTS PTY LTD	RATE REFUND	300.00
EFT24953	16-05-2023	HORROCKS BEACH GENERAL STORE	HKS FIRE TRUCK FUEL	107.35
EFT24954	16-05-2023	INDEPENDENT RURAL	RETIC FITTINGS	3008.32
EFT24955	16-05-2023	JETRIO PTY LTD	KAL JAKES POINT ABLUTION WATER	500.00

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<b>EFT #</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT24956	16-05-2023	KALBARRI AUTO CENTRE	VEHICLE SERVICE	407.00
EFT24957	16-05-2023	BP KALBARRI	HARDWARE	507.83
EFT24958	16-05-2023	KALBARRI NEWSAGENCY	STATIONERY	69.95
EFT24959	16-05-2023	KEMPTON ELECTRICAL CONTRACTING	RAKE PL RES ELECTRICAL/AIRCON SERVICE	2928.92
EFT24960	16-05-2023	MCLEODS BARRISTERS & SOLICITORS	LEGAL FEES	2859.20
EFT24961	16-05-2023	LGRCEU	PAYROLL DEDUCTIONS	41.00
EFT24962	16-05-2023	MIDWEST AERO MEDICAL AIR AMBULANCE	PRE-EMPLOYMENT MEDICAL	464.70
EFT24963	16-05-2023	NORTHAMPTON IGA	GOODS/REFRESHMENTS	142.99
EFT24964	16-05-2023	NORTHAMPTON PHARMACY	STAFF VACCINATIONS	480.00
EFT24965	16-05-2023	NORTHAMPTON FAMILY STORE	UNIFORMS	467.70
EFT24966	16-05-2023	GERALDTON PCYC	RAZZAMATAZZ 2023 ANNUAL CONTRIB	300.00
EFT24967	16-05-2023	RED BLUFF AUTO ELECTS	KAL COMMUNITY BUS BATTERY CHECK	121.00
EFT24968	16-05-2023	SKYTRUST	SKYTRUST MONTHLY SUBSCRIPTION	493.90
EFT24969	16-05-2023	LANDGATE	VALUATION EXPENSES	645.21
EFT24970	16-05-2023	WESTRAC EQUIPMENT PTY LTD	LOADER 1000HR SERVICE	3326.47
EFT24971	16-05-2023	WOODLANDS DISTRIBUTORS PTY LTD	DOGGY BAGS	3278.00
EFT24972	24-05-2023	BUILDING & CONST INDUSTRY TRAINING FUND	BCITF FEBRUARY 2023	2865.14
EFT24973	24-05-2023	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BRB FEBRUARY 2023	1905.44
EFT24974	24-05-2023	HOSEY'S CONTRACTING	PT GREG TIP ASBESTOS REMOVAL	4298.12
EFT24975	26-05-2023	MIDWEST SEASIDE CLEANING	RAKE PL RESIDENCE VACATE CLEAN	2223.90
EFT24976	25-05-2023	ANDREW CAMPBELL	REIMBURSE GRACE REMOVALIST	8567.36
EFT24977	25-05-2023	HAYLEY R WILLIAMS DEVISE URBAN PLANNING	PLANNING SERVICES	3575.00
EFT24978	25-05-2023	LEANNE ROWE	REIMB TRAINING FUEL/MEAL	207.69
EFT24979	30-05-2023	ABCO PRODUCTS PTY LTD	NTON TOILETS SOAP DISPENSER	31.10
EFT24980	30-05-2023	AERODROME MANAGEMENT SERVICES	KAL AIRPORT WINDSOCK	668.25
EFT24981	30-05-2023	AIRPORT LIGHTING SPECIALISTS PTY LTD	KAL AIRPORT RUNWAY LIGHTS	3348.40
EFT24982	30-05-2023	BABA MARDIA ROAD SERVICES (JUURLU BABA YAMITJI P/L)	HORROCKS ROAD TRAFFIC CONTROL	3679.46
EFT24983	30-05-2023	BRUCE ROCK ENGINEERING	LOW LOADER BRAKE REPAIRS	5330.46

**SHIRE OF NORTHAMPTON**

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<b>EFT #</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT24984	30-05-2023	BUNNINGS (GERALDTON WAREHOUSE)	RSL HALL PLANTS	183.60
EFT24985	30-05-2023	CENTRAL WEST PUMP SERVICE	DEPOT STANDPIPE PUMP	3557.40
EFT24986	30-05-2023	CITY OF GREATER GERALDTON	REFUSE DISPOSAL	22938.00
EFT24987	30-05-2023	CLEANAWAY OPERATIONS PTY LTD	DOM/COMM REFUSE COLL/SITE MTCE	30162.05
EFT24988	30-05-2023	CONCEPT MEDIA PTY LTD	KVC ADVERTISING	693.69
EFT24989	30-05-2023	WINC AUSTRALIA PTY LTD	P/COPIER MTCE	1113.71
EFT24990	30-05-2023	DGL WAREHOUSING & DISTRIBUTION	FREIGHT	274.35
EFT24991	30-05-2023	D'GUY CHARTERS	BUS BOND REFUND	200.00
EFT24992	30-05-2023	SIMON DRAGE	ROAD BOARDS BUILDING REPLACE WHITE ANT DAMAGED WALL	5993.35
EFT24993	30-05-2023	ELDERS RURAL SERVICES AUSTRALIA LIMITED	TOILET PAPER, HARDWARE, RETIC	1451.37
EFT24994	30-05-2023	FENN PLUMBING & GAS	SALLYS TREE DRINK FOUNTAIN REPAIRS	187.00
EFT24995	30-05-2023	FREEMANS LIQUID WASTE PTY LTD	KAL DEPOT DUMP POINT PUMP OUT	1152.60
EFT24996	30-05-2023	GERALDTON LOCK & KEY SPECIALISTS	KEYS	2202.30
EFT24997	30-05-2023	GREAT NORTHERN RURAL SERVICES	KAL FSHORE RETIC FITTINGS	645.70
EFT24998	30-05-2023	GREENFIELD TECHNICAL SERVICES	KALBARRI ROAD 2ND PROG BLACKSPOT	6117.12
EFT24999	30-05-2023	C + J HANSON PLUMBING CONTRACTORS	NCC PLUMBING	2005.23
EFT25000	30-05-2023	HERSEY'S SAFETY PTY LTD	PPE, HARDWARE	508.20
EFT25001	30-05-2023	HITACHI CONSTRUCTION MACHINERY (AUSTRALIA) PTY LTD	KAL LOADER MOTOR REPAIRS	13185.54
EFT25002	30-05-2023	AJS HULME & CO	KAL STOCKPILE GRAVEL	2587.20
EFT25003	30-05-2023	KALBARRI AUTO CENTRE	KAL TRUCK SERVICE	506.00
EFT25004	30-05-2023	KALBARRI EXPRESS FREIGHT	FREIGHT	75.91
EFT25005	30-05-2023	KALBARRI WAREHOUSE	SUPER WASH/HARDWARE	350.75
EFT25006	30-05-2023	KALBARRI CARRIERS	FREIGHT	3850.00
EFT25007	30-05-2023	KALBARRI GRAVEL & SAND SUPPLIES	KALB DRY HIRE LOADER	560.00
EFT25008	30-05-2023	KEMPTON ELECTRICAL CONTRACTING	NTON DEPOT INSTALL POWER POINT	962.90
EFT25009	30-05-2023	KALBARRI PEST CONTROL (BC DIGGINS & KP LAW)	KAL REC CENTRE PEST CONTROL	200.00
EFT25010	30-05-2023	LAKELINE RESOURCES PTY LTD (MOSS)	PT GREG WATER SUPPLY REPLACE SERVICE	836.00
EFT25011	30-05-2023	LGRCEU	PAYROLL DEDUCTIONS	41.00

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<b>EFT #</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT25012	30-05-2023	MIDWEST FINANCIAL	MARCH 2023 FBT LODGEMENT	935.00
EFT25013	30-05-2023	MIDWEST AIR	RAKE PL RES REPLACE AIRCONS	3731.20
EFT25014	30-05-2023	MITCHELL & BROWN COMMUNICATIONS	RSL HALL BISSELL FLOOR VACMOP	400.00
EFT25015	30-05-2023	THE WORKWEAR GROUP	UNIFORMS	235.84
EFT25016	30-05-2023	NORTHAMPTON NEWSAGENCY	STATIONERY, NEWSPAPERS	239.48
EFT25017	30-05-2023	NORTHAMPTON AUTO ELECTRICS	PLANT ELECTRICAL REPAIRS	1717.50
EFT25018	30-05-2023	NORTHAMPTON FAMILY STORE	UNIFORMS	409.80
EFT25019	30-05-2023	GERALDTON CLEANPAK TOTAL SOLUTIONS	TOILET PAPERS	399.40
EFT25020	30-05-2023	DEPARTMENT OF THE PREMIER AND CABINET	ADVERTISE LOCAL PLANNING SCHEME NO.11	285.60
EFT25021	30-05-2023	THINKPROJECT AUSTRALIA PTY LTD	RAMM TRANSPORT ASSET ANNUAL FEE	9919.68
EFT25022	30-05-2023	REPEAT PLASTICS WA	HORROCKS GLANCE OVER BRIDGE DECKING	4001.70
EFT25023	30-05-2023	PAUL SHERIFF	COMPUTER SUPPORT UPGRADE UNIVERSE	165.00
EFT25024	30-05-2023	SIMPLE LIFE PROJECTS	KERB DEPOSIT REFUND	827.48
EFT25025	30-05-2023	TELSTRA	TELEPHONE CHARGES	1620.94
EFT25026	30-05-2023	THURKLE'S EARTHMOVING & MAINTENANCE PTY LTD	DOZER HIRE GRAVEL STOCKPILE	22000.00
EFT25027	30-05-2023	2V NET IT SOLUTIONS	COMPTER MTCE	1074.00
EFT25028	30-05-2023	DATATRAX PTY LTD	QUARTERLY MOTIONSCREEN	395.00
EFT25029	30-05-2023	TRUCKLINE	TRAILER HOSE PARTS	20.30
EFT25030	30-05-2023	LANDGATE	VALUATION EXPENSES	700.50
EFT25031	30-05-2023	IT VISION	SYNERGYSOFT PURCHASING MODULE INSTAL	15593.60
EFT25032	30-05-2023	WESTRAC EQUIPMENT PTY LTD	GRADER PARTS HOSE ASSEMBLY	686.67
				<b>\$1,450,107.99</b>

ATTACHMENT 1

DIRECT DEBITS

Jnl #	Date	Name	Description	Amount
	11-05-2023	PAYROLL	FN/E 10/05/2023	106,663.99
	11-05-2023	SUPERCHOICE	SUPERANNUATION PAY FN/E 10/05/2023	24,197.48
	25-05-2023	PAYROLL	FN/E 24/05/2023	106,155.00
	26-05-2023	SUPERCHOICE	SUPERANNUATION PAY FN/E 24/05/2023	23,189.39
GJ1101	31-05-2023	NATIONAL AUSTRALIA BANK	BANK FEES	75.40
GJ1102	31-05-2023	NATIONAL AUSTRALIA BANK	BANK MERCHANT FEES	166.05
GJ1103	31-05-2023	COMMONWEALTH BANK	BPOINT FEES	106.80
GJ1104	31-05-2023	NATIONAL AUSTRALIA BANK	BPAY	80.08
GJ1107	31-05-2023	NAB DCEO CORPORATE CARD	BANK CHARGES	9.00
			KCC IINET	80.28
			COMPUTER EXPS 2VNET/ADOBE	1,468.18
			COMPUTER EXPS IIPONES/COVERS	932.93
			MOWER PARTS	115.83
			AIBS CONF ACCOMMODATION	554.68
			PLANT PARTS	135.30
				<u>3,296.20</u>
				<b>\$263,930.39</b>

**11.2 MONTHLY FINANCIAL STATEMENTS – MAY 2023 (ITEM 11.2)**

<b>File Reference</b>	1.1.1
<b>Date of Report</b>	8 <sup>th</sup> June 2023
<b>Reporting Officer</b>	Leanne Rowe, Finance Officer
<b>Responsible Officer</b>	Grant Middleton, Deputy Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Reference	Description	In Report	Separate Cover
Attachment 1	Monthly Financial Report for May 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 31 May 2023 are detailed from page 1 to page 22 per the attached Monthly Financial Report.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Not applicable

**FINANCIAL IMPLICATIONS:**

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

Total operating revenue has a surplus position of \$891,169 and operating expenditure has a deficit position of \$923,804 to the end of May 2023. The surplus revenue position is largely due to the receipt of \$750,000 for Insurance and LRC12 & LRC13 grant revenue component.

The expenditure variances are largely related to Cyclone Seroja building repair works that are offset by insurance payout revenue whilst the additional depreciation expenses are associated with the increased building valuations associated with the revaluation of Land and Buildings in 2021/2022.

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:**

*Simple Majority required*

**STAFF RECOMMENDATION – 11.2**

That Council adopts the Monthly Financial Report for the period ending 31 May 2023 in accordance with attachment 11.2 (1).

**COUNCIL RESOLUTION – 11.2**

**Moved Cr HAY seconded Cr BURGESS**

That Council adopts the Monthly Financial Report for the period ending 31 May 2023 in accordance with attachment 11.2 (1).

**CARRIED 6/0**  
**Minute Reference 06/23 - 05**

## ATTACHMENT 1

### SHIRE OF NORTHAMPTON

**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the period ending 31 May 2023**

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

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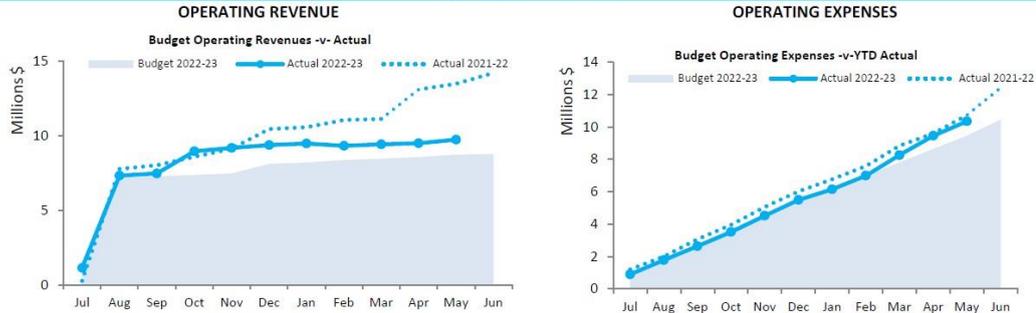
# SHIRE OF NORTHAMPTON

## Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

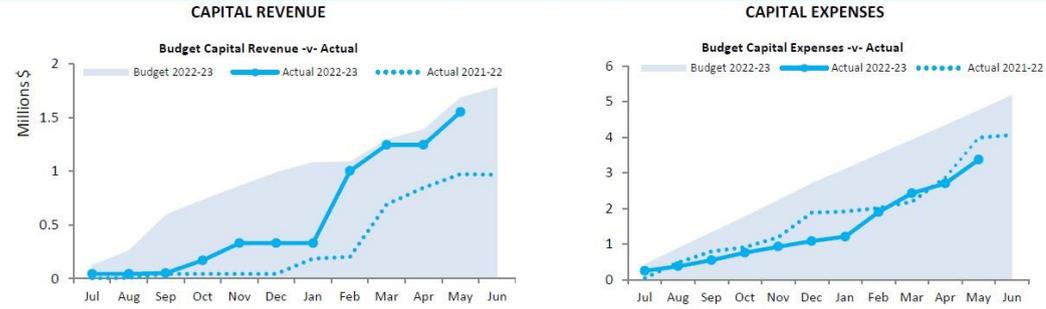
MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 MAY 2023

### SUMMARY INFORMATION - GRAPHS

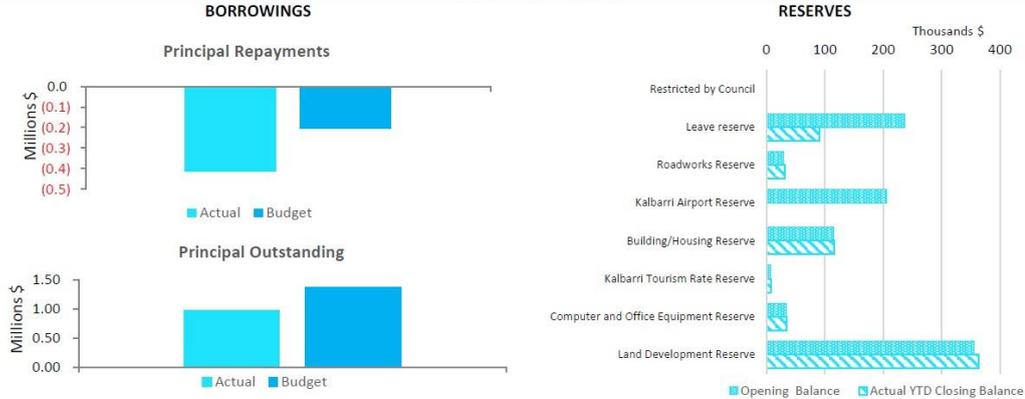
#### OPERATING ACTIVITIES



#### INVESTING ACTIVITIES



#### FINANCING ACTIVITIES



#### Closing funding surplus / (deficit)



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

## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 MAY 2023

#### EXECUTIVE SUMMARY

#### Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$3.01 M	\$3.01 M	\$2.39 M	(\$0.62 M)
Closing	\$0.00 M	\$0.65 M	\$2.44 M	\$1.78 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$2.87 M	% of total
Unrestricted Cash	\$2.23 M	77.6%
Restricted Cash	\$0.64 M	22.4%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$0.32 M	% Outstanding
Trade Payables	(\$0.00 M)	
0 to 30 Days		0.0%
Over 30 Days		100.0%
Over 90 Days		100%

Refer to Note 5 - Payables

Receivables		
	\$0.32 M	% Collected
Rates Receivable	\$0.19 M	96.1%
Trade Receivable	\$0.32 M	% Outstanding
Over 30 Days		56.1%
Over 90 Days		50.5%

Refer to Note 3 - Receivables

#### Key Operating Activities

Amount attributable to operating activities			
	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
	\$0.88 M	\$1.43 M	\$0.10 M

Refer to Statement of Financial Activity

Rates Revenue		
YTD Actual	\$4.82 M	% Variance
YTD Budget	\$4.77 M	1.0%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
YTD Actual	\$1.52 M	% Variance
YTD Budget	\$1.10 M	38.4%

Refer to Note 11 - Operating Grants and Contributions

Fees and Charges		
YTD Actual	\$1.28 M	% Variance
YTD Budget	\$1.31 M	(2.4%)

Refer to Statement of Financial Activity

#### Key Investing Activities

Amount attributable to investing activities			
	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
	(\$3.61 M)	(\$3.31 M)	\$1.90 M

Refer to Statement of Financial Activity

Proceeds on sale		
YTD Actual	\$0.27 M	%
Adopted Budget	\$0.24 M	8.7%

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
YTD Actual	\$2.96 M	% Spent
Adopted Budget	\$4.98 M	(40.6%)

Refer to Note 7 - Capital Acquisitions

Capital Grants		
YTD Actual	\$1.02 M	% Received
Adopted Budget	\$1.10 M	(7.4%)

Refer to Note 7 - Capital Acquisitions

#### Key Financing Activities

Amount attributable to financing activities			
	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
	(\$0.29 M)	(\$0.49 M)	\$0.41 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.41 M
Interest expense	\$0.05 M
Principal due	\$0.97 M

Refer to Note 8 - Borrowings

Reserves	
Reserves balance	\$0.64 M
Interest earned	\$0.02 M

Refer to Note 9 - Cash Reserves

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

**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on**  
**Friday 16<sup>th</sup> June 2023**

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**KEY TERMS AND DESCRIPTIONS**

**FOR THE PERIOD ENDED 31 MAY 2023**

**NATURE OR TYPE DESCRIPTIONS**

**REVENUE**

**RATES**

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

**OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

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

**NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

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

**REVENUE FROM CONTRACTS WITH CUSTOMERS**

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

**FEES AND CHARGES**

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

**SERVICE CHARGES**

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges.

**INTEREST EARNINGS**

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

**OTHER REVENUE / INCOME**

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

**PROFIT ON ASSET DISPOSAL**

Excess of assets received over the net book value for assets on their disposal.

**EXPENSES**

**EMPLOYEE COSTS**

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

**MATERIALS AND CONTRACTS**

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

**UTILITIES (GAS, ELECTRICITY, WATER)**

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

**INSURANCE**

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

**LOSS ON ASSET DISPOSAL**

Shortfall between the value of assets received over the net book value for assets on their disposal.

**DEPRECIATION ON NON-CURRENT ASSETS**

Depreciation expense raised on all classes of assets. Excluding Land.

**INTEREST EXPENSES**

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

**OTHER EXPENDITURE**

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

#### STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 MAY 2023

#### BY NATURE OR TYPE

	Ref	Adopted Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	1(c)	3,011,814	3,011,814	<b>2,389,563</b>	(622,251)	(20.66%)	▼
<b>Revenue from operating activities</b>							
Rates		4,770,499	4,770,499	<b>4,820,332</b>	49,833	1.04%	▲
Operating grants, subsidies and contributions	11	1,133,783	1,098,310	<b>1,520,549</b>	422,239	38.44%	▲
Fees and charges		1,345,971	1,309,064	<b>1,278,070</b>	(30,994)	(2.37%)	▼
Interest earnings		40,000	38,038	<b>170,924</b>	132,886	349.35%	▲
Other revenue		1,468,540	1,468,540	<b>1,750,000</b>	281,460	19.17%	▲
Profit on disposal of assets	6	137,500	137,496	<b>173,241</b>	35,745	26.00%	▲
		<b>8,896,293</b>	<b>8,821,947</b>	<b>9,713,116</b>	891,169	10.10%	
<b>Expenditure from operating activities</b>							
Employee costs		(4,033,035)	(3,707,603)	<b>(3,686,620)</b>	20,983	0.57%	▲
Materials and contracts		(2,681,458)	(2,457,800)	<b>(3,221,380)</b>	(763,580)	(31.07%)	▼
Utility charges		(339,634)	(311,102)	<b>(287,499)</b>	23,603	7.59%	▲
Depreciation on non-current assets		(2,382,850)	(2,184,193)	<b>(2,348,637)</b>	(164,444)	(7.53%)	▼
Interest expenses		(53,237)	(48,774)	<b>(51,598)</b>	(2,824)	(5.79%)	▼
Insurance expenses		(227,456)	(227,393)	<b>(223,935)</b>	3,458	1.52%	▲
Other expenditure		(542,031)	(497,163)	<b>(538,163)</b>	(41,000)	(8.25%)	▼
		<b>(10,259,701)</b>	<b>(9,434,028)</b>	<b>(10,357,832)</b>	(923,804)	9.79%	
Non-cash amounts excluded from operating activities	1(a)	2,245,350	2,046,697	<b>2,175,396</b>	128,699	6.29%	▲
<b>Amount attributable to operating activities</b>		<b>881,942</b>	<b>1,434,616</b>	<b>1,530,680</b>	96,064	6.70%	
<b>Investing activities</b>							
Proceeds from non-operating grants, subsidies and contributions	12	1,096,786	1,005,367	<b>1,016,118</b>	10,751	1.07%	▲
Proceeds from disposal of assets	6	244,000	239,657	<b>265,253</b>	25,596	10.68%	▲
Proceeds from financial assets at amortised cost - self supporting loans	8	37,470	37,468	<b>271,188</b>	233,720	623.79%	▲
Payments for property, plant and equipment and infrastructure	7	(4,984,264)	(4,588,631)	<b>(2,962,467)</b>	1,626,164	35.44%	▲
<b>Amount attributable to investing activities</b>		<b>(3,606,008)</b>	<b>(3,306,139)</b>	<b>(1,409,908)</b>	1,896,231	(57.35%)	
<b>Financing Activities</b>							
Proceeds from new debentures	8	200,000	0	<b>0</b>	0	0.00%	
Transfer from reserves	9	205,000	205,000	<b>360,335</b>	155,335	75.77%	▲
Repayment of debentures	8	(202,648)	(202,637)	<b>(412,042)</b>	(209,405)	(103.34%)	▼
Transfer to reserves	9	(490,100)	(490,100)	<b>(21,677)</b>	468,423	95.58%	▲
<b>Amount attributable to financing activities</b>		<b>(287,748)</b>	<b>(487,737)</b>	<b>(73,384)</b>	414,354	(84.95%)	
<b>Closing funding surplus / (deficit)</b>	1(c)	<b>0</b>	<b>652,554</b>	<b>2,436,951</b>	1,784,397	(273.45%)	▲

#### KEY INFORMATION

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

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

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

**MONTHLY FINANCIAL REPORT**  
**FOR THE PERIOD ENDED 31 MAY 2023**

**BASIS OF PREPARATION**

**BASIS OF PREPARATION**

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**THE LOCAL GOVERNMENT REPORTING ENTITY**

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 13 to these financial statements.

**SIGNIFICANT ACCOUNTING POLICES**

**CRITICAL ACCOUNTING ESTIMATES**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

**GOODS AND SERVICES TAX**

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

**ROUNDING OFF FIGURES**

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

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 06 June 2023

**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on**  
**Friday 16<sup>th</sup> June 2023**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MAY 2023**

**NOTE 1**  
**STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

**(a) Non-cash items excluded from operating activities**

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

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
		\$	\$	\$
<b>Non-cash items excluded from operating activities</b>				
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	6	(137,500)	(137,496)	(173,241)
Add: Depreciation on assets		2,382,850	2,184,193	2,348,637
<b>Total non-cash items excluded from operating activities</b>		<b>2,245,350</b>	<b>2,046,697</b>	<b>2,175,396</b>

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

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

		Adopted Budget	Last Year	Year to
		Opening	Closing	Date
		30 June 2022	30 June 2022	31 May 2023
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	9	(1,267,703)	(982,603)	(643,945)
Less: - Financial assets at amortised cost - self supporting loans	4	(37,470)	(35,627)	(16,353)
Less: Land Held for Resale		(235,000)		
- Other liabilities - Adjustment to current non current liabilities		39,605		(25,771)
Add: Borrowings	8	402,648	202,648	(209,393)
Add: Provisions employee related provisions	10	718,085	706,956	732,724
<b>Total adjustments to net current assets</b>		<b>(379,835)</b>	<b>(108,626)</b>	<b>(162,738)</b>

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

<b>Current assets</b>				
Cash and cash equivalents	2	1,452,197	4,180,625	2,870,771
Financial assets at amortised cost	2	37,740	0	0
Rates receivables	3		160,407	192,458
Receivables	3	427,563	260,289	316,062
Other current assets	4	246,568	47,195	63,671
<b>Less: Current liabilities</b>				
Payables	5	(663,501)	(717,614)	(319,942)
Borrowings	8	(402,648)	(202,648)	209,393
Contract liabilities	10		(497,341)	0
Provisions	10	(718,084)	(732,724)	(732,724)
<b>Less: Total adjustments to net current assets</b>	1(b)	<b>(379,835)</b>	<b>(108,626)</b>	<b>(162,738)</b>
<b>Closing funding surplus / (deficit)</b>		<b>0</b>	<b>2,389,563</b>	<b>2,436,951</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

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

**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on**  
**Friday 16<sup>th</sup> June 2023**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

**OPERATING ACTIVITIES**  
**NOTE 2**  
**CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash Deposits	Municipal	2,225,775.81		2,225,775.81		NAB		At call
Petty Cash	Cash on Hand	1,050.00		1,050.00				
Investment	Reserves	0.00	643,945.01	643,945.01		NAB	4.31%	30/06/2023
<b>Total</b>		<b>2,226,825.81</b>	<b>643,945.01</b>	<b>2,870,771</b>	<b>0</b>			
<b>Comprising</b>								
Cash and cash equivalents		2,226,825.81	643,945.00	2,870,771	0			
		<b>2,226,825.81</b>	<b>643,945.00</b>	<b>2,870,771</b>	<b>0</b>			

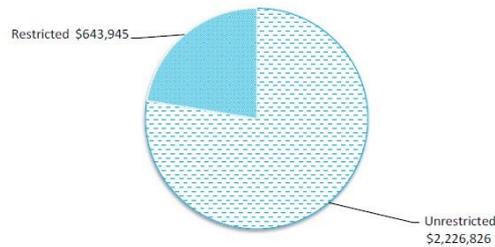
**KEY INFORMATION**

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

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

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

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



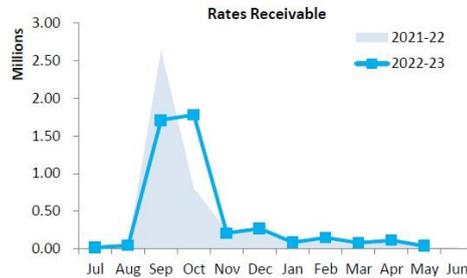
## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

#### OPERATING ACTIVITIES NOTE 3 RECEIVABLES

Rates receivable	30 June 2022	31 May 2023
	\$	\$
Opening arrears previous years	56,814	160,407
Levied this year	4,820,332	4,820,332
Less - collections to date	(4,716,739)	(4,788,281)
<b>Gross rates collectable</b>	<b>160,407</b>	<b>192,458</b>
<b>Net rates collectable</b>	<b>160,407</b>	<b>192,458</b>
% Collected	96.7%	96.1%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(5,266)	57,919	4,240	2,575	60,747	120,216
Percentage	(4.4%)	48.2%	3.5%	2.1%	50.5%	
<b>Balance per trial balance</b>						
Sundry receivable						120,216
GST receivable						98,109
Rubbish Receivables						40,102
Emergency Services Levy						57,635
<b>Total receivables general outstanding</b>						<b>316,062</b>

Amounts shown above include GST (where applicable)

#### KEY INFORMATION

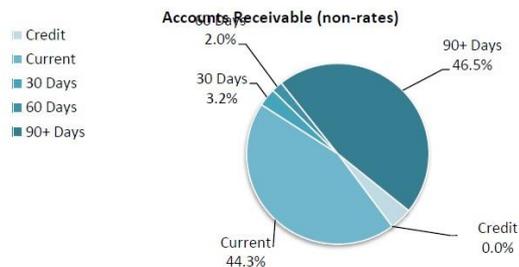
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

#### Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



**SHIRE OF NORTHAMPTON**  
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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

**OPERATING ACTIVITIES**  
**NOTE 4**  
**OTHER CURRENT ASSETS**

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 31 May 2023
<b>Other current assets</b>	\$	\$	\$	\$
<b>Other financial assets at amortised cost</b>				
Financial assets at amortised cost - self supporting loans	35,627		(19,274)	16,353
<b>Inventory</b>				
Fuel	11,568	35,750		47,318
<b>Total other current assets</b>	<b>47,195</b>	<b>35,750</b>	<b>(19,274)</b>	<b>63,671.02</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

**Other financial assets at amortised cost**

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

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

**Inventory**

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

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

**SHIRE OF NORTHAMPTON**  
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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MAY 2023**

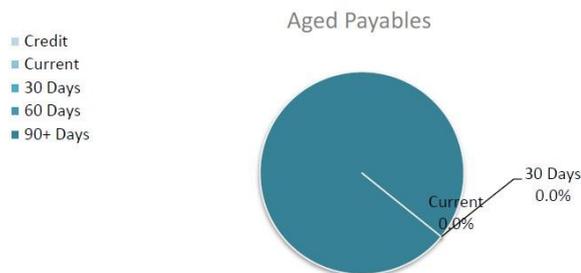
**OPERATING ACTIVITIES**  
**NOTE 5**  
**PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	0	0	0	(107)	(107)
Percentage	0%	0%	0%	0%	100%	
<b>Balance per trial balance</b>						
Sundry creditors						(107)
Accrued salaries and wages						4,616
ATO liabilities						66,467
Prepaid Rates						91,003
Bonds and Deposits						157,963
<b>Total payables general outstanding</b>						<b>319,942</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.

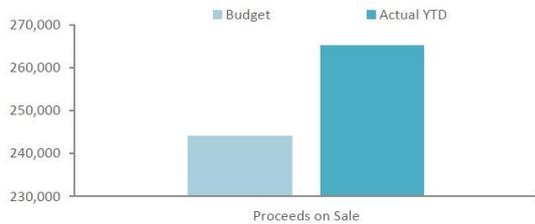


**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on**  
**Friday 16<sup>th</sup> June 2023**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 FOR THE PERIOD ENDED 31 MAY 2023

**OPERATING ACTIVITIES**  
**NOTE 6**  
**DISPOSAL OF ASSETS**

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book		Profit	(Loss)	Net Book		Profit	(Loss)
		Value	Proceeds			Value	Proceeds		
\$	\$	\$	\$	\$	\$	\$	\$		
	<b>Plant and equipment</b>								
	<b>Governance</b>								
41761	Toyota Prado - CEO	22,000	52,000	30,000	0	20,824	50,000	29,176	0
	<b>Law, order, public safety</b>								
41729	Ajana/Binnu Fast Attack - DFES			0	0	13,201	44,545	31,345	0
	<b>Transport</b>								
41769	P283 - Ute LH Kalbarri	11,000	12,000	1,000	0			0	0
41770	P284 - Ute LH Main't N'hpton	13,500	20,000	6,500	0			0	0
41758	P271 - Ute LH Road Construction	0	20,000	20,000	0	0	24,990	24,990	0
41716	P238 - Cat Grader 12M	60,000	140,000	80,000	0	57,987	127,273	69,286	0
41758	P258 - Ute General Northampton	0	0	0	0	0	18,445	18,445	0
		<b>106,500</b>	<b>244,000</b>	<b>137,500</b>	<b>0</b>	<b>92,012</b>	<b>265,253</b>	<b>173,242</b>	<b>0</b>



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023**

**INVESTING ACTIVITIES  
NOTE 7  
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	596,410	548,573	580,597	32,024
Plant and equipment	865,300	809,457	548,797	(260,660)
Infrastructure - Roads	2,352,084	2,156,066	1,107,546	(1,048,520)
Infrastructure - Footpaths & Carparks	376,470	345,037	3,526	(341,511)
Infrastructure - Parks & Ovals	109,000	101,585	41,655	(59,930)
Infrastructure - Airport	630,000	577,500	680,345	102,845
Infrastructure - Water & Sewer Reticulation	55,000	50,413	0	(50,413)
<b>Payments for Capital Acquisitions</b>	<b>4,984,264</b>	<b>4,588,631</b>	<b>2,962,467</b>	<b>(1,626,164)</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	1,096,786	1,005,367	1,016,118	10,751
Borrowings	200,000	0	0	0
Other (disposals & C/Fwd)	244,000	239,657	265,253	25,596
Cash backed reserves				
Leave reserve	0		155,335	155,335
Kalbarri Airport Reserve	(205,000)		205,000	205,000
Contribution - operations	3,648,478	3,343,607	1,320,761	(2,022,846)
<b>Capital funding total</b>	<b>4,984,264</b>	<b>4,588,631</b>	<b>2,962,467</b>	<b>(1,626,164)</b>

**SIGNIFICANT ACCOUNTING POLICIES**

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

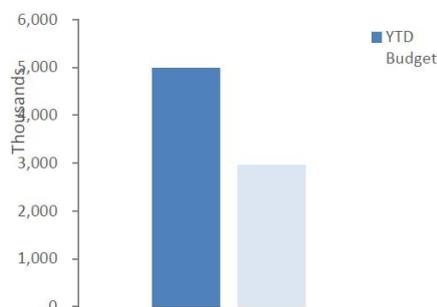
**Initial recognition and measurement for assets held at cost**

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognised at fair value. Assets held at cost are depreciated and assessed for impairment annually.

**Initial recognition and measurement between mandatory revaluation dates for assets held at fair value**

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

**Payments for Capital Acquisitions**



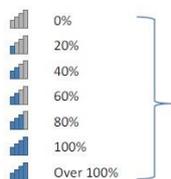
**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on**  
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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

**INVESTING ACTIVITIES**  
**NOTE 7**  
**CAPITAL ACQUISITIONS (CONTINUED)**

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

Account Description	Adopted			Variance (Under)/Over
	Budget	YTD Budget	YTD Actual	
	\$	\$	\$	\$
Office Generator changeover switching	13,300	13,299	13,257	(42)
CEO Vehicle	60,000	59,997	59,045	(952)
Northampton Recreation Ground Ablutions	140,060	117,016	185,267	68,252
Sallys Tree Ablutions outdoor showers	8,000	6,684	8,198	1,514
Chinamans ablutions outdoor showers	8,000	6,684	8,198	1,514
Seal Access Road to Horrocks Dump Point	27,500	25,201	23,636	(1,565)
Horrock Foreshore - stairs and shower	24,000	22,000	21,633	(367)
Kalbarri Recreation Jetty Repairs	65,000	59,587	0	(59,587)
NCC - Change Room Upgrade	40,000	39,996	0	(39,996)
Port Gregory Carpark and BBQ	141,310	129,514	0	(129,514)
Kalbarri Community Camp Kitchen	134,750	134,742	123,808	(10,934)
Stud Breeders Shed - Northampton	227,600	208,626	252,136	43,510
Kalbarri Multi-Use Centre	30,000	27,500	2,990	(24,510)
Horrocks North Holding Tanks	20,000	19,998	0	(19,998)
Shelters Hampton Gardens/Kal Fshore	0	0	20,022	20,022
Road Construction	2,324,584	2,130,865	1,083,911	(1,046,954)
Footpath/Carpark Construction	235,160	215,523	3,526	(211,997)
Maintenance Grader	440,000	403,331	426,178	22,847
Back Hoe	230,000	210,832	0	(210,832)
Ute Leading Hand M'tce Kalbarri	50,000	49,999	1,855	(48,144)
Ute Leading Hand M'tce Northampton	48,000	47,999	48,462	463
Safety Officer (50% share)	24,000	24,000	0	(24,000)
Kalbarri Depot Ablution	8,000	7,326	0	(7,326)
Airport - Runway and Apron Seal	630,000	577,500	680,345	102,845
Port Gregory Water Supply - Tank/Shed	55,000	50,413	0	(50,413)
	<b>4,984,264</b>	<b>4,588,631</b>	<b>2,962,467</b>	<b>(1,626,164)</b>

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

FINANCING ACTIVITIES  
NOTE 8  
BORROWINGS

Repayments - borrowings

Particulars	Loan No.	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
<b>Housing</b>										
Staff Housing	154	117,155	0	0	(37,792)	(37,792)	79,363	79,363	(4,844)	(4,344)
<b>Recreation and culture</b>										
RSL Hall Extensions	156	360,605	0	0	(24,077)	(48,402)	336,528	312,203	(4,592)	(9,604)
<b>Transport</b>										
Plant Purchases	153	46,346	0	0	(46,346)	(46,346)	(0)	0	(745)	(1,606)
Plant Purchases	157	276,264	0	0	(32,638)	(32,638)	243,626	243,626	(4,324)	(6,120)
Plant Purchases	158	0	0	200,000	0	0	0	200,000	0	0
		800,370	0	200,000	(140,854)	(165,178)	659,516	835,192	(14,504)	(21,674)
<b>Self supporting loans</b>										
<b>Education and welfare</b>										
Pioneer Lodge		327,177	0	0	(16,353)	(16,353)	310,824	310,824	(9,041)	(14,983)
<b>Other property and services</b>										
Staff Housing (CEO)		254,835	0	0	(254,835)	(21,117)	0	233,718	(28,053)	(16,580)
		582,012	0	0	(271,188)	(37,470)	310,824	544,542	(37,094)	(31,563)
<b>Total</b>		1,382,382	0	200,000	(412,042)	(202,648)	970,340	1,379,734	(51,598)	(53,237)
Current borrowings		202,648					(209,393)			
Non-current borrowings		1,179,734					1,179,733			
		1,382,382					970,340			

All debenture repayments were financed by general purpose revenue.  
Self supporting loans are financed by repayments from third parties.

New borrowings 2022-23

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Loan 158 - Plant Purchases	0	200,000	WATC	Fixed	10	0		0	0	0

The Shire has no unspent debenture funds as at 30th June 2022, nor is it expected to have unspent funds as at 30th June 2023.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**SHIRE OF NORTHAMPTON**  
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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 FOR THE PERIOD ENDED 31 MAY 2023

OPERATING ACTIVITIES  
 NOTE 9  
 RESERVE ACCOUNTS

Reserve accounts

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Council</b>									
Leave reserve	236,560	1,250	4,085	5,000	5,000	0	(155,335)	242,810	90,310
Roadworks Reserve	29,456	500	1,630	0	0	0	0	29,956	31,086
Kalbarri Airport Reserve	205,535	100	330	0	0	(205,000)	(205,000)	635	865
Building/Housing Reserve	114,710	500	1,630	480,000	0	0	0	595,210	116,340
Kalbarri Tourism Rate Reserve	6,975	0	0	0	0	0	0	6,975	6,975
Computer and Office Equipment Reser	33,861	250	820	0	0	0	0	34,111	34,681
Land Development Reserve	355,506	2,500	8,182	0	0	0	0	358,006	363,688
	<b>982,603</b>	<b>5,100</b>	<b>16,677</b>	<b>485,000</b>	<b>5,000</b>	<b>(205,000)</b>	<b>(360,335)</b>	<b>1,267,703</b>	<b>643,945</b>

**SHIRE OF NORTHAMPTON**  
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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

**OPERATING ACTIVITIES**  
**NOTE 10**  
**OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 May 2023
		\$		\$	\$	\$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
- Contract liabilities		497,341	0		(497,341)	0
<b>Total other liabilities</b>		497,341	0	0	(497,341)	0
<b>Employee Related Provisions</b>						
Annual leave		265,551	0			265,551
Long service leave		467,173	0			467,173
<b>Total Employee Related Provisions</b>		732,724	0	0	0	732,724
<b>Total other current assets</b>		<b>1,230,065</b>	<b>0</b>	<b>0</b>	<b>(497,341)</b>	<b>732,724</b>
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 11

**KEY INFORMATION**

**Provisions**

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**Employee Related Provisions**

**Short-term employee benefits**

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

**Other long-term employee benefits**

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

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

**Contract liabilities**

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

**Capital grant/contribution liabilities**

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

NOTE 11  
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 May 2023	Current Liability 31 May 2023	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	
<b>Operating grants and subsidies</b>								
<b>General purpose funding</b>								
GRANTS COMMISSION - GENERAL	0	0		0		280,291	280,288	280,291
LRCI PHASE 1/2/3 REVENUE 20/21,21/22,22/23	0	0		0				170,306
GRANTS COMMISSION - ROADS	0	0		0		173,134	173,132	173,134
<b>Law, order, public safety</b>								
EMERGENCY SERVICES LEVY - BFB	0	0		0		45,120	43,284	46,056
EMERGENCY SERVICES LEVY - SES	0	0		0		40,768	35,443	41,615
<b>Education and welfare</b>								
NCCA GRANTS/CONTRIBUTIONS REVENUE	0	0		0		32,500	32,500	65,000
<b>Transport</b>								
- MRD MAINTENANCE	0	0		0		201,476	201,476	205,809
	0	0	0	0	0	773,289	766,123	982,211
<b>Operating contributions</b>								
<b>Governance</b>								
CONTRIBUTIONS	0	0		0		0	0	55
CONTRIBUTIONS	0	0		0		15,000	13,750	10,132
REBATES AND COMMISSIONS	0	0		0		41,422	37,961	48,207
<b>General purpose funding</b>								
LEGAL CHARGES RATES (NO GST)	0	0		0		5,000	4,576	12,756
RATE EQUIVALENT PAYMENTS	0	0		0		22,372	22,372	2,900
<b>Law, order, public safety</b>								
REIMBURSEMENTS	0	0		0		2,000	1,826	12,197
<b>Health</b>								
CONTRIBUTIONS	0	0		0		16,000	14,663	0
REIMBURSEMENTS - OTHER	0	0		0		2,000	1,826	713
<b>Education and welfare</b>								
NCCA - REIMBURSEMENTS	0	0		0		0	0	47,837
NCCA CCS REBATE	0	0		0		5,000	4,576	1,944
SELF SUPPORTING LOAN INTEREST REIMBURSEMENTS -	0	0		0		0	0	12,764
NCCA GRANTS/CONTRIBUTIONS REVENUE	0	0		0		0	0	38
<b>Housing</b>								
REIMBURSEMENTS - HOUSING OTHER	0	0		0		20,000	18,326	12,118
<b>Community amenities</b>								
CONTRIBUTIONS	0	0		0		50,000	45,826	42,410
REIMBURSEMENTS - DRUMMUSTER	0	0		0		4,000	3,663	0
REIMBURSE (ADVERTISING/PLANNING COMMISSION)	0	0		0		200	176	0
REIMBURSEMENTS	0	0		0		7,400	6,776	13,401
OTHER COMMUNITY AMENITIES - CONTRIBUTIONS/GR	0	0		0		0	0	3,273
<b>Recreation and culture</b>								
CONTRIBUTIONS/REIMBURSEMENTS	0	0		0		0	0	15,802
CONTRIBUTIONS/DONATIONS	0	0		0		0	0	7,871
REIMBURSEMENTS	0	0		0		5,400	4,950	6,571
CONTRIBUTIONS	0	0		0		0	0	23,840
REIMBURSEMENTS- REC. CTRE/GOLF CLUB	0	0		0		12,000	11,000	32,092
REIMBURSEMENTS	0	0		0		0	0	581
150 YEAR CELEBRATIONS - REVENUE (INC BRICKS/MEM	0	0		0		0	0	12
CONTRIBUTIONS/REIMBURSEMENTS	0	0		0		0	0	6,320
<b>Transport</b>								
CONTRIBUTION (INC STREET LIGHTING)	0	0		0		3,750	3,432	3,438
<b>Economic services</b>								
BUILDING REIMBURSEMENTS	0	0		0		1,750	1,595	932
REIMBURSEMENTS	0	0		0		4,000	3,663	498
LIA (KITSON CIRCUIT) UNITS ANNUAL RENT	0	0		0		5,000	4,576	3,470
PT GREGORY SPEC AREA RATE	0	0		0		1,000	913	1,000
<b>Other property and services</b>								
LEASE FEES - HALF WAY BAY COTTAGES	0	0		0		16,000	14,663	16,000
INSURANCE CLAIMS - VEHICLES	0	0		0		2,000	1,826	2,200
DIESEL FUEL REBATE	0	0		0		30,000	27,500	34,476
WHS COORDINATOR INCOME RECOUP	0	0		0		47,620	43,648	25,344
SELF SUPPORTING LOAN INTEREST REIMBURSEMENTS -	0	0		0		16,580	15,191	29,275
CYCLONE SEROJA - DFRAWA INCOME	0	0		0		0	0	10,534
REIMB. - WORKERS COMPENS.	0	0		0		25,000	22,913	97,339
	0	0	0	0	0	360,494	332,187	538,338
<b>TOTALS</b>	0	0	0	0	0	1,133,783	1,098,310	1,520,549

**SHIRE OF NORTHAMPTON**  
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NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 FOR THE PERIOD ENDED 31 MAY 2023

**NOTE 12**  
**NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
	Liability	Increase in	Decrease in	Liability	Current	Adopted	YTD	YTD Revenue
	1 July 2022	Liability	Liability	31 May 2023	Liability	Budget	Budget	Actual
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
<b>Non-operating grants and subsidies</b>								
<b>Community amenities</b>								
LRCI - NCC ABLUTIONS				0		0	0	70,000
<b>Transport</b>								
ROADS TO RECOVERY FUNDING				0		453,484	415,690	464,484
LRCI - LITTLE BAY ROAD				0		290,302	266,101	275,000
WA BIKE NETWORK GRANT				0		61,000	55,913	20,000
REGIONAL ROAD GROUP FUNDING				0		92,000	84,337	41,333
RUNWAY RESEAL - LRCI GRANT				0		200,000	183,326	145,301
	0	0	0	0	0	1,096,786	1,005,367	1,016,118

**SHIRE OF NORTHAMPTON**  
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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MAY 2023**

**NOTE 13**  
**BONDS AND DEPOSITS**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance	Amount	Amount	Closing Balance
	1 July 2022	Received	Paid	31 May 2023
	\$	\$	\$	\$
Transportable House Bonds	4,500	12,300	0	16,800
Footpath Bonds	28,007	5,000	(7,000)	26,007
Building Levies (BCITF & BRB)	265	38,705	(33,137)	5,833
Community Bus Bond	5,200	800	(600)	5,400
Unclaimed Monies - Rates	5,179	0	0	5,179
RSL Hall Key Bond	430	230	(230)	430
Special Series Plates	3,520	2,480	(1,600)	4,400
Northampton Child Care Association	23,654	85	0	23,739
Horrocks Memorial Wall	515	1,750	(1,067)	1,198
One Life	940	0	0	940
Rubbish Tip Key Bond	1,800	0	0	1,800
Horrocks - Skate/Pump Park	0	2,000	0	2,000
RSL - Kalbarri Memorial	16,130	15,754	0	31,883
DOT - Department of Transport	0	264,441	(264,441)	0
Cyclone Seroja Donations	47,259	100	(47,359)	0
Rates - Overpaid	30,761	0	0	30,761
Horrocks Lookout	0	7,500	(6,147)	1,353
Miscellaneous Deposits	0	240	0	240
	<b>168,160</b>	<b>351,385</b>	<b>(361,582)</b>	<b>157,963</b>

## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023

NOTE 14  
BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	<b>Budget adoption</b>		Opening Surplus(Deficit)			(622,251)	(622,251)
152820.08	Eco Flora Kalbarri	10.10.3	Operating Expenses		15,000		(607,251)
150600.08	Municipal Roadworks – Smith Street	10.10.3	Operating Expenses			(15,000)	(622,251)
150620.02	Kings Park	10.10.3	Operating Expenses		1,250		(621,001)
149920.02	Parks, Reserves, Garden General	10.10.3	Operating Expenses			(1,250)	(622,251)
102720.01	Salaries	10.10.3	Operating Expenses		50,000		(572,251)
158500.08	Muni Road Maintenance – Dozer Hire	10.10.3	Operating Expenses			(25,000)	(597,251)
158500.08	Muni Road Maintenance – Verge Mowing/Mulchir	10.10.3	Operating Expenses			(25,000)	(622,251)
104080.08	Consultancy Services	11.12.6	Operating Expenses		8,000		(614,251)
138120.08	Refuse Collection	11.12.6	Operating Expenses			(8,000)	(622,251)
152140.08	R441 Grey Street Asphalt Works	11.4	Capital Expenses		600,000		(22,251)
152140.08	R440 Little Bay Road Construction	11.4	Capital Expenses			(600,000)	(622,251)
152100.08	RT41 Grey Street R2R Asphalt Works	11.4	Capital Expenses			(7,040)	(629,291)
150900.08	F707 Grey Street (Allen Centre) Footpath	11.4	Capital Expenses		7,040		(622,251)
150300.08	RRG Kalbarri Road Re-seal Works	11.4	Capital Expenses			(11,333)	(633,584)
155810.18	RRG Kalbarri Road Grant Revenue	11.4	Capital Revenue		11,333		(622,251)
150600.08	Muni - Kalbarri Road Re-seal Works	11.4	Capital Expenses			(5,667)	(627,918)
150900.08	F707 Grey Street (Allen Centre) Footpath	11.4	Capital Expenses		5,667		(622,251)
135150.08	Stud Breeders Shed (Ram Pavilion)	11.4	Capital Expenses			(20,000)	(642,251)
150900.08	F707 Grey Street (Allen Centre) Footpath	11.4	Capital Expenses		20,000		(622,251)
146110.19	Contract Liability	Budget Review	Capital Revenue		497,341		(124,910)
145010.11	General Rates	Budget Review	Operating Revenue		40,000		(84,910)
146030.17	Interest on Investments	Budget Review	Operating Revenue		100,000		15,090
111630.19	NCCA Grant	Budget Review	Operating Revenue		32,500		47,590
113320.09	Payment to Reed	Budget Review	Capital Expenses			(32,500)	15,090
128430.14	Property Rental	Budget Review	Operating Revenue			(5,000)	10,090
133230.14	Refuse Site Fees	Budget Review	Operating Revenue		10,000		20,090
133430.14	Business Refuse Fees	Budget Review	Operating Revenue			(2,500)	17,590
133630.14	Scrap Metal Sales	Budget Review	Operating Revenue		12,500		30,090
162810.19	MRD Grant	Budget Review	Operating Revenue		4,000		34,090
102720.01	Admin Salaries	Budget Review	Operating Expenses			(140,000)	(105,910)
138120.08	Rubbish Collection Charges	Budget Review	Operating Expenses		200,000		94,090
142820.08	Consultant Planning	Budget Review	Operating Expenses		20,000		114,090
155220.08	Old Police Station	Budget Review	Operating Expenses			(10,000)	104,090
164120.01	Building Salaries	Budget Review	Operating Expenses		15,000		119,090
171520.01	Superannuation	Budget Review	Operating Expenses		25,000		144,090
173120.02	Fuel & Oil	Budget Review	Operating Expenses			(25,000)	119,090
167520.08	Pt Gregory Water Supply	Budget Review	Operating Expenses			(11,000)	108,090
149820.08	Horrocks Recreational Oval	Budget Review	Operating Expenses			(3,000)	105,090
105020.08	Northampton Depot	Budget Review	Operating Expenses			(7,000)	98,090
154140.99	Pt Gregory Water Supply - Capital Works	Budget Review	Capital Expenses		21,000		119,090
104080.08	Asset Revaluation	Budget Review	Operating Expenses			(40,000)	79,090
105020.09	Computer Expenses	Budget Review	Operating Expenses			(8,000)	71,090
133440.08	Northampton Rec Ground Ablutions	Budget Review	Capital Expenses			(10,000)	61,090
Reserves	Transfer from Reserves	Budget Review	Capital Revenue		155,000		216,090
146240.08	Kalbarri Airport Runway Reseal Works	11.3	Capital Expenses			(70,000)	146,090
146750.18	Local Roads and Infrastructure (LRCI3) Grant	11.3	Capital Revenue		90,602		236,692
				0	1,941,233	(1,704,541)	236,692

## SHIRE OF NORTHAMPTON

### Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2023**

**NOTE 15  
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2022-23 year is \$5,000 or 0.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Explanation of positive variances		Explanation of negative variances	
			Timing	Permanent	Timing	Permanent
	\$	%				
<b>Opening funding surplus / (deficit)</b>	(622,251)	(20.66%) ▼				Ver due to LRCI Contract Liability and additional accruals @ 30 June 2022. Addressed in the March Budget Review.
<b>Revenue from operating activities</b>						
Rates	49,833	1.04% ▲		Additional Interim Rating largely Cyclone Seroja related		
Operating grants, subsidies and contributions	422,239	38.44% ▲		Var due to LRCI final revenue component and contributions revenue		
Fees and charges	(30,994)	(2.37%) ▼				Reduced rental and lease fees.
Interest earnings	132,886	349.35% ▲		Additional revenue due to increased interest investment rates		
Other revenue	281,460	19.17% ▲		Var associated with additional insurance payment of \$250k		
Profit on disposal of assets	35,745	26.00% ▲		Profit on disposal of CEO vehicle, (x2) utes and the Cat 12M Grader only		
<b>Expenditure from operating activities</b>						
Employee costs	20,983	0.57% ▲		Variance due to payout offset by savings due to vacant positions.		
Materials and contracts	(763,580)	(31.07%) ▼				Var due to insurance funded Cyclone Seroja repair works
Utility charges	23,603	7.59% ▲		Variance associated with power costs		
Depreciation on non-current assets	(164,444)	(7.53%) ▼				Variance due to additional depreciation associated with building revaluation process
Other expenditure	(41,000)	(8.25%) ▼				Will reconcile EOY
Non-cash amounts excluded from operating activities	128,699	6.29% ▲		Refer above, this variance is largely associated with additional depreciation and profit on disposal of assets		
<b>Investing activities</b>						
Proceeds from non-operating grants, subsidies and contributions	10,751	1.07% ▲		Will reconcile EOY		
<b>Financing activities</b>						
Transfer from reserves	155,335	75.77% ▲		All transfers completed.		

**11.3 2023-2024 FEES AND CHARGES SCHEDULE & MINIMUM RATES (ITEM 11.3)**

<b>File Reference</b>	1.1.1
<b>Date of Report</b>	10 <sup>th</sup> June 2023
<b>Reporting Officer</b>	Grant Middleton, Deputy Chief Executive Officer
<b>Responsible Officer</b>	Grant Middleton, Deputy Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Reference	Description	In Report	Separate Cover
Attachment 11.3 (1)	Draft Fees and Charges Schedule 2023-2024	✓	

**DISCLOSURE OF INTEREST:**

Nil

**BACKGROUND:**

Council to consider the recommended Fees and Charges Schedule for 2023/2024 and the minimum rate charge, interest rates & instalment fee for inclusion in the Draft 2023/2024 Budget.

Each year Council is presented with information in relation to the Fees and Charges Schedule and the minimum rate in the dollar for the next financial year commencing 1<sup>st</sup> July. Section 6.2(1) of the Local Government Act 1995 allows for the early adoption of the Schedule of Fees and Charges.

By adopting the Fees and Charges schedule staff can implement any new fee structure for the upcoming financial year prior to the adoption of the budget. While the adoption of the rates fee and interest rates will allow staff to complete rates modelling accurately in preparation for the adoption of a rate in the dollar for GRV and UV properties.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Not applicable

**FINANCIAL IMPLICATIONS:**

Any budget items listed for inclusion will be included in the 2023/2024 draft budget.

**STATUTORY IMPLICATIONS:**

Local Government Act 1995

**6.2. Local government to prepare annual budget**

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

*\* Absolute majority required.*

**6.16. Imposition of fees and charges**

(1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

*\* Absolute majority required.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed\* during a financial year; and

(b) amended\* from time to time during a financial year.

*\* Absolute majority required.*

**6.19. Local government to give notice of fees and charges**

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed

**6.35. Minimum payment**

(1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.

(2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —

(a) 50% of the total number of separately rated properties in the district; or

(b) 50% of the number of properties in each category referred to in subsection (6),

on which a minimum payment is imposed.

(4) A minimum payment is not to be imposed on more than the prescribed percentage of —

(a) the number of separately rated properties in the district; or

(b) the number of properties in each category referred to in subsection (6),

unless the general minimum does not exceed the prescribed amount.

**POLICY/PROCEDURE IMPLICATIONS:**

No Policy or Procedure implications

**COMMENT:**

**FEES AND CHARGES**

Council is requested to review and adopt the schedule of fees and charges for 2023/2024. The adopted schedule of fees and charges is a key document used in preparing the 2023/2024 annual budget.

There were no increases to Fees and Charges for 2020/2021 and 2021/2022 budget due to COVID 19 initially and cyclone Seroja during 2021, a 3.00% increase was imposed for 2022/2023. Council will need to determine the inflation rate to be applied for the 2023/2024 financial year for lease hold fees or if Council revert to a CPI % based increase methodology. The CPI methodology was used in prior pre-pandemic years for calculating leasehold property increases and other fees and charges that may be subject to increases. However, due to the high inflation rate for the March 2022 to March 2023 year of 7.6% and 5.8% respectively it is proposed to use the inflation rate used to formulate the proposed Corporate Business Plan 2023 to 2026 which has a range of 3.0% to 5.0%

Therefore, the attached Fees and Charges schedule has an inflation rate of 4.0% applied to lease properties and other charges that are generally linked to an annual increase pending Council determination.

Inflationary impacts on expenditure are pertinent when officers prepare the Schedule of Fees and Charges and minimum rate calculation due to the impact higher wages and material costs will have on Councils annual budget.

For information purposes the CPI and WA Local Government (LGCI) inflation cost factors are as follows:

Consumer Price Index (ABS) – Perth (CPI) for March 2022 to March 2023 is 5.8%.

The WA Local Government (LGCI) cost Index for the 2022/2023 financial year is 2.9%.

**RATE INSTALLMENT AND INTEREST FEES**

Council is requested to consider the instalment interest fee, instalment charge and late payment penalty interest percentage rate. The Local Government COVID-19 Response Amendment Order 2021 resulted in Late Payment Penalty Interest rate being reduced from 8.0% to 7.0% for 2021/2022 and this percentage was retained for 2022/2023. Staff are requested the rate remain at 7.0% while the region continues to recover from the impacts of Cyclone Seroja with Rate Instalment Interest rate remains at 5.00%.

	Actual 2019/2020	Actual 2020/2021	Actual 2021/2022	Actual 2022/2023	Proposed 2023/2024
Rate Instalment Fee	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00
Rate Instalment Interest	5.00%	5.00%	5.00%	5.00%	5.00%
Late Payment Penalty Interest	10.00%	8.00%	7.00%	7.00%	7.00%

**SETTING OF MINIMUM RATE**

It is recommended that the minimum rate amount increase to \$600.00 for 2023/2024 which equates to an approximate increase of 4.00%. The minimum rate was increased to \$580.00 per annum last financial year 2022/2023 and the rate had remained at \$565.00 from 2019/2020 to 2021/2022.

The minimum rate for 2014/2015 to 2022/2023 was set as per the following:

2023/2024	-	\$600.00	Proposed
2022/2023	-	\$580.00	Adopted
2021/2022	-	\$565.00	Adopted
2020/2021	-	\$565.00	Adopted
2019/2020	-	\$565.00	Adopted
2018/2019	-	\$550.00	Adopted
2017/2018	-	\$535.00	Adopted
2016/2017	-	\$520.00	Adopted
2015/2016	-	\$495.00	Adopted
2014/2015	-	\$475.00	Adopted

There are legislative restrictions involved with setting a minimum rate, the Local Government Act that stipulates that no more than 50% of properties can be charged the minimum rate. The Shire is well below the legislated threshold and the proposed minimum of \$600.00 is relatively low when compared to the Gross Rental Value (GRV) minimum of other localities for 2023/2024 but higher than the Unimproved Value (UV) minimum that Chapman Valley will impose for 2023/2024.

Comparison with other Shires (23/24 proposed)

		<u>UV</u>	<u>GRV</u>
Shire of Chapman Valley	23/24	\$700	\$400
Mullewa (City of Greater Geraldton)	23/24	\$1,027	\$1,027
City of Greater Geraldton	23/24	\$1,027	\$1,027
Shire of Irwin	23/24	\$1,050	\$1,050
Shire of Mingenew	23/24	\$840	\$1,263

**RISK ASSESSMENT:**

The associated risk of not approving the Fees and Charges schedule and minimum rate prior to the 2023/2024 financial year is considered moderate. The Fees and Charges Schedule and Minimum Rate are adopted as part of the annual Budget adoption process.

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:**

*Absolute Majority Required*

**STAFF RECOMMENDATION – 11.3**

1. That Council reviews and adopts the Schedule of Fees and Charges for the 2023/2024 Financial Year as presented including the inflation rate of 4.0% for lease hold properties.
2. In accordance with 6.19 of the Local Government Act 1995 give local public notice for a period of 14 days of the intention to impose the proposed fees and charges from 1<sup>st</sup> July 2023.
3. That Council acknowledge the proposed minimum rate on rateable Gross Rental Value and Unimproved Value properties be set at \$600 per assessment for the 2023/2024 Financial Year.
4. That Council acknowledge the proposed interest rate of 7.0% applicable to overdue and unpaid rate and service charges, a charge of \$5.00 and an interest rate of 5.0% applicable to rate and service charge instalment arrangements.

**COUNCIL RESOLUTION – 11.3**

**Moved Cr HAY seconded Cr HORSTMAN**

1. That Council reviews and adopts the Schedule of Fees and Charges for the 2023/2024 Financial Year as presented including the inflation rate of 4.0% for lease hold properties.
2. In accordance with 6.19 of the Local Government Act 1995 give local public notice for a period of 14 days of the intention to impose the proposed fees and charges from 1<sup>st</sup> July 2023.
3. That Council acknowledge the proposed minimum rate on rateable Gross Rental Value and Unimproved Value properties be set at \$600 per assessment for the 2023/2024 Financial Year.
4. That Council acknowledge the proposed interest rate of 7.0% applicable to overdue and unpaid rate and service charges, a charge of \$5.00 and an interest rate of 5.0% applicable to rate and service charge instalment arrangements.

**CARRIED BY AN ABSOLUTE MAJORITY 6/0**  
**Minute Reference 06/23-06**

ATTACHMENT 1

SHIRE OF NORTHAMPTON - SCHEDULE OF FEES AND CHARGES  
2023/2024

SCHEDULE 3 - GENERAL PURPOSE REVENUE

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE	
		Total	Rate	Total	Rate
<b>SALE OF REPORTS</b> Owners & Occupiers Electoral Roll Property Addresses Report		\$25.00 \$20.00	\$25.00 \$20.00	NII NII	per roll per report
<b>RATES INSTALMENT FEES &amp; CHARGES</b> Rate Instalment Fee Rate Instalment Interest Percent Late Payment Penalty Interest	Charged on each additional instalment notice sent Interest % charged on rate instalment option Interest charged per annum calculated on daily	\$5.00 5.0% 7.0%	\$5.00 5.0% 7.0%	NII NII NII	per instalment per instalment per annum/daily
<b>LOCAL AUTHORITY PROPERTY ENQUIRY REPORTS</b> Account Inquiry - Rates, Orders and Requisitions Account Inquiry - Orders and Requisitions Only Account Inquiry - Rates Only	4.0% increase applied 2023/2024	\$90.00 \$55.00 \$35.00	\$95.00 \$55.00 \$35.00	NII NII NII	per inquiry per inquiry per inquiry
Provide additional Rates Instalment Notice	Discretionary Charge	\$5.00	\$5.00	NII	per account

SCHEDULE 4 - GOVERNANCE

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE	
		Single side incl GST	Double sided incl GST	Single side incl GST	Double sided incl GST
<b>PHOTOCOPY/PRINTING CHARGES</b> A4 Copies A3 Copies A4 use of own paper A4 Copies - Colour A3 Copies - Colour A4 Laminating A3 Laminating Binding		\$0.30 \$0.40 \$0.10 \$0.50 \$1.00 \$1.00 \$2.00 \$2.00	\$0.40 \$0.50 \$0.20 \$1.00 \$2.00	\$0.27 \$0.36 \$0.09 \$0.45 \$0.91 \$0.91 \$1.82 \$1.82	\$0.30 \$0.40 \$0.10 \$0.50 \$1.00 \$1.00 \$2.00 \$2.00
<b>FACSIMILE CHARGES</b> Free to Receive		\$0.50		\$0.45	\$0.50
<b>SEND/SCAN EMAIL</b> Send/Scan 1 - 5 pages Send/Scan per additional 20 pages		\$1.00 \$1.00		\$0.91 \$0.91	\$1.00 \$1.00
<b>COUNCIL AGENDAS</b> Purchase of Council documents (Printed Version)	Includes Agenda, Minutes, other large documents	\$15.00		\$18.18	\$20.00

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SCHEDULE 5 - LAW, ORDER AND PUBLIC SAFETY

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE		Lifetime
		1 Year	3 Years	1 Year	3 Years	
<b>DOG REGISTRATION FEES</b>						
Unsterilised Dog/Bitch	Fees as per the DOG Act 1976	\$50.00	\$120.00	\$50.00	\$120.00	\$250.00
Sterilised Dog/Bitch		\$20.00	\$42.50	\$20.00	\$42.50	\$100.00
Working Dog (Farm)		\$25.00	\$60.00	\$25.00	\$60.00	\$125.00
Sterilised Dog/Bitch (Pensioner)		\$10.00	\$21.25	\$10.00	\$21.25	\$50.00
Sterilised Dog/Bitch (Pensioner)						
Sterilisation Refund within 1st Year	Pensioners 50% of Listed Refund	\$30.00	\$77.50	\$30.00	\$77.50	\$150.00
Sterilisation Refund in 2nd Year		N/A	\$51.66	N/A	\$51.66	\$100.00
Sterilisation Refund in 3rd Year		N/A	\$25.83	N/A	\$25.83	\$50.00
<b>DOG POUND AND OTHER RELATED CHARGES</b>						
Seizure & Impounding Fee	Set by Council	\$44.00	N/A	\$44.00	N/A	N/A
Sustenance	Set by Council	\$16.50	N/A	\$16.50	N/A	per day
Animal Destruction Fee	Set by Council	\$55.00	N/A	\$55.00	N/A	per animal
Possum/Cat Trap Hire	Set by Council	\$55.00	N/A	\$55.00	N/A	refundable
Kennel Application Fee	Fixed under local law	\$100.00	N/A	\$100.00	N/A	per application
Annual Kennel Registration Fee	Fixed under local law	\$50.00	N/A	\$50.00	N/A	per annum
Renewal of Kennel Licence	Fixed under local law	\$50.00	N/A	\$50.00	N/A	per annum
Dog Barking Control Device	Fixed under local law	\$22.00	N/A	\$25.00	N/A	per week
Dog Barking Control Device	Hire Fee per week deposit	\$55.00	N/A	\$100.00	N/A	refundable
<b>CAT REGISTRATION FEES</b>						
Sterilised Cat		\$20.00	\$42.50	\$20.00	\$42.50	\$100.00
Pensioner Owned Cat		\$10.00	\$21.25	\$10.00	\$21.25	\$50.00
Annual application to Breed (per cat)		\$100.00	N/A	\$100.00	N/A	
<b>CAT POUND AND OTHER RELATED CHARGES</b>						
Seizure & Impounding Fee	Set by Council	\$44.00	N/A	\$44.00	N/A	per animal
Sustenance	Set by Council	\$16.50	N/A	\$16.50	N/A	per day
Animal Destruction Fee	Set by Council	\$55.00	N/A	\$55.00	N/A	per animal
Cat Trap Hire	Set by Council	\$55.00	N/A	\$55.00	N/A	refundable

**SCHEDULE 7 – HEALTH**

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE		
		Total	Std Rate	GST	Total	
Kalbarri Doctors Surgery	4.0% increase applied 2023/2024	\$5,836.65	\$5,518.24	\$551.82	\$6,070.06	per annum
Northampton Doctors Surgery	New Lease - To be finalised	N/A	\$5,306.00	\$530.60	\$5,836.60	per annum
Trading in Public Places Policy	Annual fee	\$220.00	\$200.00	\$20.00	\$220.00	per annum
Offensive Trades Licenses	Health (Offensive Trades Fees) Regulations 1976 as amended	\$298.00	\$298.00	Nil	\$298.00	License per annum
Offensive Trades Licenses	Piggeries Fee	\$298.00	\$298.00	Nil	\$298.00	License per annum
Offensive Trades Licenses	Fish Processing Fee	\$60.00	\$60.00	Nil	\$60.00	minimum per inspection
Water Monitoring of Private Water Samples	Inspection of OT Premises	\$44.00	\$44.00	Nil	\$44.00	per sample
Water Monitoring of Semi Public Pools	Microbiological Water Sample	\$275.00	\$250.00	\$25.00	\$275.00	per sample
Food Act Registration	Chemical Water Sample	\$35.00	\$35.00	Nil	\$35.00	per sample
	Microbiological Water Sample	\$225.00	\$240.00	Nil	\$240.00	License per annum

SCHEDULE 9 - HOUSING

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE	
		Total	Std Rate	GST	Total
<b>STAFF</b>					
Lot 43 Bateman Street - Northampton	Per Employment Contract		Set by Employment Contract		
Lot 605 Salami Place - Kalbarri	Per Employment Contract		Set by Employment Contract		
Lot 454 Fitzgerald St - Northampton	Per Employment Contract		Set by Employment Contract		
Lot 23 Rake Place - Northampton	Per Employment Contract		Set by Employment Contract		
<b>OTHER</b>					
Oval Residence	Doctors Residence provided rent free	\$190.00	\$190.00	Nil	\$190.00 per week
Lot 72 Seventh Avenue - Northampton	July/August 2023/2024	\$133.00	\$133.00	Nil	\$133.00 per week
Lot 6 Robinson Street - Northampton	Doctors Residence provided rent free	\$130.00	\$130.00	Nil	\$130.00 per week
Lot 14 Callion Way - Kalbarri	Rent of accommodation and shed	N/A	N/A	N/A	N/A
Lot 454 Fitzgerald St - Northampton		\$190.00	\$190.00	Nil	\$190.00 per week
Lot 42 Bateman Street - Northampton		N/A	N/A	N/A	N/A
Lucky Bay Caretakers Accommodation		\$100.00	\$100.00	\$0.00	\$100.00 Per Week

SCHEDULE 10 - REFUSE/TOWN PLANNING/CEMETERY/PUBLIC CONVENIENCES/SEWERAGE

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE	
		Total	Std Rate	GST	Total
<b>PLANNING REPORTS</b>					
Rural Strategy			Cost Recovery + 10% Admin Fee		per copy
Town Planning Scheme Reports			Cost Recovery + 10% Admin Fee		per copy
Digital copy of planning document		\$30.00	\$30.00	Nil	\$30.00
Digital/hardcopy of Plans and Permits		N/A	\$30.00	Nil	\$30.00
<b>PLANNING SERVICES</b>					
Development Applications	(a) Not more than \$50,000	\$147.00	\$147.00	Nil	\$147.00
	(b) More than \$50,000 but not more than \$500,000				
	(c) More than \$500,000 but not more than \$2.5 million				
	(d) More than \$2.5 million but not more than \$5 million				
	(e) More than \$5 million but not more than \$21.5 million				
	(f) More than \$21.5 million				
	If development has commenced, or been carried out, an additional amount by way of penalty, that is twice the amount of the fee payable for determination of the application.(in addition to the initial application fee)				
Penalty Provisions NOTE:		\$34,196.00	\$34,196.00		
Mobile Food Vehicle Application	Pre-approved site per Local Planning Policy	\$50.00	\$45.45	\$4.55	\$50.00
Mobile Food Vehicle Application	Other sites	\$297.00	\$270.00	\$27.00	\$297.00
Mobile Food Vehicle Permit	Three months (MFV) permit	\$250.00	\$227.27	\$22.73	\$250.00 Three month permit
Mobile Food Vehicle Permit	Six month (MFV) permit	\$500.00	\$454.55	\$45.45	\$500.00 Six month permit
Mobile Food Vehicle Permit	Twelve month (MFV) permit	\$1,000.00	\$909.09	\$90.91	\$1,000.00 Twelve month permit
Mobile Food Vehicle Permit	Temporary (MFV) permit less than three months	\$100.00	\$90.91	\$9.09	\$100.00 Temporary permit

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SCHEDULE 10 - REFUSE/TOWN PLANNING/CEMETERY/PUBLIC CONVENIENCES/SEWERAGE

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE	
		Total	Std Rate	GST	Total
<b>SUBDIVISION CLEARANCE - LANDSCAPING</b> Legal Agreement Bond	not more than \$10,000 More than \$10,000				
Amended Plans	(this applies where a determination is already given by the Council or where amended plans are submitted and not requested by the Council)				
<b>SUBDIVISION CLEARANCE - LANDSCAPING</b> Subdivision Clearances	not more than 5 lots between 6 and 195 lots (first 5 lots charged at \$73 each) more than 195 lots	\$73.00 \$35.00 \$7,393.00	\$73.00 \$35.00 \$7,393.00	Nil Nil Nil	\$73.00 \$35.00 \$7,393.00 per lot per lot
Extractive Industry	Initial Fee Renewal Fee	\$739.00 \$315.00	\$739.00 \$315.00	Nil Nil	\$739.00 \$315.00
Penalty Provisions NOTE:	If development has commenced, or been carried out, an additional amount of \$1,478 by way of penalty				
Home Occupations/Cottage Industries	initial fee renewal fee	\$222.00 \$73.00	\$222.00 \$73.00	Nil Nil	\$222.00 \$73.00
Penalty Provisions NOTE:	If the home occupation or cottage industry has commenced, an additional amount of \$444 by way of penalty				
Other Planning Charges	Change of use/continuation of non-conforming use where development is not occurring				
Penalty Provisions NOTE:	If the change of use or the alteration or extension or change of the non-conforming use has commenced, an additional amount of \$390 by way of penalty.				
	Demolition where Planning Approval is required	\$147.00	\$147.00	Nil	\$147.00
	Relocation of Building Envelope	\$147.00	\$147.00	Nil	\$147.00
	Reply to Property Settlement Questionnaire	\$90.00	\$90.00	Nil	\$90.00
	Issue of written planning advice	\$73.00	\$73.00	Nil	\$73.00
	Extension of current Planning Approval	\$145.00	\$131.82	\$13.18	\$145.00
	Issue of Section 40 Certificate	\$90.00	\$81.82	\$8.18	\$90.00
	Issue of Zoning Certificate	\$73.00	\$73.00	Nil	\$73.00
	Road/ROW/PAW request for closure	\$760.00	\$690.91	\$69.09	\$760.00

**SCHEDULE 10 - REFUSE/TOWN PLANNING/CEMETERY/PUBLIC CONVENIENCES/SEWERAGE**

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		Sid Rate	GST	2023/2024 UNIT RATE	
		Total				Total	
Town Planning Scheme Amendments  Advertising/Consulting Fee's	Basic Scheme Amendment	\$2,205.00		\$2,205.00	Nil	\$2,205.00	50% refundable if not advertised
	Standard Scheme Amendment	\$4,410.00		\$4,410.00	Nil	\$4,410.00	50% refundable if not advertised
	Complex Scheme Amendment	\$8,820.00		\$8,820.00	Nil	\$8,820.00	50% refundable if not advertised
	Structure Plan	\$6,930.00		\$6,930.00	Nil	\$6,930.00	
	Modification to plans once approval given	\$2,310.00		\$2,310.00	Nil	\$2,310.00	
	Local Development Plan (other than required as part of subdivision)	\$760.00		\$760.00	Nil	\$760.00	
	Modification to plans once approval given	\$315.00		\$315.00	Nil	\$315.00	
	On site signage (per sign)	\$375.00		\$340.91	\$34.09	\$375.00	
	Newspaper advertising (per advertisement)	\$375.00		\$340.91	\$34.09	\$375.00	
	Level A Consultation	N/A		\$0.00	Nil	\$0.00	no additional charge
	Level B Consultation	\$150.00		\$136.36	\$13.64	\$150.00	
	Level C Consultation	\$300.00		\$272.73	\$27.27	\$300.00	
	Level D/E Consultation	\$600.00		\$545.45	\$54.55	\$600.00	
	(1) "Basic", "Standard" and "Complex" Town Planning Scheme Amendments are as defined within the Planning and Development (Local Planning Schemes) Regulations 2015 (2) "Cost Recovery" is calculated on the basis of costs incurred by the Shire from outside suppliers plus a 10% Administration charge. (3) Fees are non-refundable unless otherwise stated.						
	Pre-Strata inspection	\$380.00		\$345.45	\$34.55	\$380.00	

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SCHEDULE 10 - REFUSE/TOWN PLANNING/CEMETERY/PUBLIC CONVENIENCES/SEWERAGE

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		Std Rate	GST	2023/2024 UNIT RATE	
		Total				Total	
<b>REFUSE SITES</b> Northampton & Kalbarri Refuse Sites Commercial/Business Vehicles	General Waste - Builders Rubble, contaminated with refuse \$17.50/m3 (Small trailer 6x4 or ute = \$35.00) Putrescible Waste (Placed in bulk bins) Cardboard (Small trailer 6x4 or ute = \$30.00) Green Waste Only Mattress - Single Mattress - Double or larger  Non-commercial/Private Vehicles Tray Back/Utility type vehicles/Trailers	\$58.00 \$17.50 \$58.00 \$58.00 \$11.50 \$10.00 \$20.00  \$5.00 \$2.00	\$54.55 \$15.91 \$52.73 \$52.73 \$10.45 \$11.82 \$20.91  \$4.55 \$1.82	\$5.45 \$1.59 \$5.27 \$5.27 \$1.05 \$1.18 \$2.09  \$0.45 \$0.18	\$60.00 \$17.50 \$58.00 \$58.00 \$11.50 \$13.00 \$23.00  \$5.00 \$2.00	per load per m <sup>3</sup> per load per load per load per unit per unit  per load per load	Note: Load = double trailer or small truck
	Bulk Putrescible Waste Putrescible Waste (200L/240L)	\$16.00 \$5.50	\$14.55 \$5.00	\$1.45 \$0.50	\$16.00 \$5.50	per small trailer per drum/bin	
	Cardboard Mattress - Single Mattress - Double/Queen/King Tractor Tyres (No rim) 1M to 2M Tall Tractor Tyres (No rim) up to 1M Tall Truck Tyres (No rim) Four Wheel Drive (4WD) Tyres - (No rim) Motor Vehicle Tyres (No rim) Motor Cycle Tyres (No rim) Fire Extinguishers LPG Bottles - Small LPG Bottles - Large (9kg) White Goods (Stove/Fridge/Freezer/Washing Machine etc) Car Bodies	\$30.00 \$7.50 \$16.00 \$116.00 \$44.00 \$30.00 \$10.00 \$7.70 \$4.50 \$2.00 \$2.00 \$10.00 \$10.00 \$10.00	\$31.82 \$9.09 \$18.18 \$109.09 \$54.55 \$30.00 \$10.91 \$9.09 \$6.36 \$1.82 \$1.82 \$9.09 \$9.09 \$9.09	\$3.18 \$0.91 \$1.82 \$10.91 \$5.45 \$3.00 \$1.09 \$0.91 \$0.64 \$0.18 \$0.18 \$0.91 \$0.91 \$0.91	\$35.00 \$10.00 \$20.00 \$120.00 \$60.00 \$33.00 \$12.00 \$10.00 \$7.00 \$2.00 \$2.00 \$10.00 \$10.00 \$10.00	per load per unit per unit each each each each each each each each each each each each	
Asbestos - Special Burials (Kalbarri Refuse Site Only)	Asbestos - Non Commercial Operators - up to 10m <sup>2</sup> Asbestos - Commercial Operators	\$10.00 \$75.00	\$9.09 \$68.18	\$0.91 \$6.82	\$10.00 \$75.00	per sheet/minimum \$20.00 per m <sup>3</sup> /minimum \$150.00	
240L Wheelie Bin Rubbish Bin Parts	Recoup of cost of 240L bins Wheels Axles Lids Pins	\$100.00 \$10.00 \$10.00 \$18.00 \$1.00	\$90.91 \$9.09 \$9.09 \$16.36 \$0.91	\$9.09 \$0.91 \$0.91 \$1.64 \$0.09	\$100.00 \$10.00 \$10.00 \$18.00 \$1.00	per bin per item per item per item per item	

**SCHEDULE 10 - REFUSE/TOWN PLANNING/CEMETERY/PUBLIC CONVENIENCES/SEWERAGE**

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		Std Rate	GST	2023/2024 UNIT RATE	
		Total				Total	
<b>REFUSE CONTINUED</b>							
Port Gregory Fishermans Wharf	1.5m <sup>3</sup> - Front Loader Bin (Serviced Weekly)	\$44.50		\$40.45	\$4.05	\$44.50	per bin/ service
Kalbarri Fishermans Wharf	3.0m <sup>3</sup> - Front loader Bin (Serviced Weekly)	\$89.50		\$81.36	\$8.14	\$89.50	per bin/ service
Half Way Bay - Rubbish Removal		\$290.00		\$263.64	\$26.36	\$290.00	per bin/ year
Septic Tank Application Fee	Charges are fixed by State legislation.	\$118.00		\$118.00	Nil	\$118.00	per application
Inspection Fee	Charges are fixed by State legislation.	\$118.00		\$118.00	Nil	\$118.00	per inspection
Local Government Report Fee	Charges are fixed by State legislation.	\$118.00		\$118.00	Nil	\$118.00	per report
<b>COMMUNITY BUS</b>							
Hire of Bus	All fuel costs plus fee	\$0.65		\$0.59	\$0.06	\$0.65	per kilometre
	Seniors and school children	\$0.55		\$0.50	\$0.05	\$0.55	per kilometre
	Northampton Active Seniors	\$0.25		\$0.23	\$0.02	\$0.25	per kilometre
Deposit	Refundable deposit	\$200.00		\$200.00	Nil	\$200.00	refundable
<b>CEMETERY BURIAL FEES</b>							
Ordinary Grave for an adult (Mon to Friday)		\$500.00		\$454.55	\$45.45	\$500.00	
Ordinary Grave for an adult (Sat, Sun or Public Holiday)		\$600.00		\$545.45	\$54.55	\$600.00	
Grave for a child under 7 years (Mon to Fri)		\$300.00		\$272.73	\$27.27	\$300.00	
Grave for a child under 7 years (Sat, Sun or Public Holiday)		\$400.00		\$363.64	\$36.36	\$400.00	
Test dig via request (at cost to applicant)							
Excavator/Rock Breaker if required charged back to applicant at cost.							
<b>CEMETERY REOPENING FEES</b>							
Ordinary Grave for an adult		\$200.00		\$181.82	\$18.18	\$200.00	
Grave for a child under 7 years		\$160.00		\$145.45	\$14.55	\$160.00	
<b>CEMETERY/MISCELLANEOUS CHARGES</b>							
Funeral Directors Licence		\$100.00		\$100.00	Nil	\$100.00	
Monument Fee (Adult)		\$55.00		\$50.00	\$5.00	\$55.00	
Monument Fee (Baby/Infant)		\$27.50		\$25.00	\$2.50	\$27.50	
Single Niche Wall Fee		\$27.50		\$25.00	\$2.50	\$27.50	
Double Niche Wall Fee		\$55.00		\$50.00	\$5.00	\$55.00	
Plaque for Niche Wall							
Horrocks Memorial Wall Plaques		\$250.00		\$250.00	Nil	\$250.00	
							At cost plus 10% GST

**SCHEDULE 11 - RECREATION AND CULTURE / LIBRARIES**

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE		
<b>FORESHORE LEASES</b> Baileys Marine Fuels - Lot 200 Grey St Kalbarri	4.0% increase applied 2023/2024	\$4,346.87	\$4,109.77	\$410.98	\$4,520.75	per annum
<b>OVAL RESERVE RENTALS</b> Northampton Agricultural Society	4.0% increase applied 2023/2024	\$629.54	\$595.20	\$59.52	\$654.72	per annum
Northampton Football club	4.0% increase applied 2023/2024	\$2,556.64	\$2,417.18	\$241.72	\$2,658.90	per annum
Northampton Cricket Club	4.0% increase applied 2023/2024	\$231.85	\$219.21	\$21.92	\$241.13	per annum
Education Department	4.0% increase applied 2023/2024	\$3,525.18	\$3,332.89	\$333.29	\$3,666.18	per annum
<b>KALBARRI FORESHORE RESERVE</b> Kalbarri Boat Hire	4.0% increase applied 2023/2024	\$1,243.31	\$1,175.49	\$117.55	\$1,293.04	per annum

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SCHEDULE 11 - RECREATION AND CULTURE/LIBRARIES

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		Std Rate	GST	2023/2024 UNIT RATE	
		Total	At Cost			Total	At Cost
<b>RSL HALL NORTHAMPTON HIRE CHARGES</b>							
Weddings/Parties/Functions	(No GST)	\$125.00	\$136.36	\$136.36	10%	\$150.00	per booking
Bond for Weddings/Parties/etc...		\$230.00	\$250.00	\$250.00	N/A	\$250.00	per booking
Meetings	where use does not fit into other categories	\$25.00	\$22.73	\$22.73		\$25.00	per booking
Miscellaneous Use Hire		\$20.00	\$45.45	\$45.45		\$50.00	per booking
Travelling Shows/Films		\$65.00	\$68.18	\$68.18		\$75.00	per booking
Local Club/Organisations Meeting		No charge	No charge	No charge		\$22.00	per 50 chairs
Chair Hire Fee		\$22.00	\$20.00	\$20.00		\$22.00	min of 50 chairs
Trestle Hire Fee		\$11.00	\$10.00	\$10.00		\$11.00	per trestle
<b>ALLEN CENTRE MEETING ROOM HIRE CHARGES</b>							
Local Club Meeting		No charge	No charge	No charge			
Local Club Meeting with drinks/food		\$20.00	\$22.73	\$22.73		\$25.00	per booking/day
Hire of Meeting room by outside groups/organisations		\$65.00	\$68.18	\$68.18		\$75.00	per booking/day
Miscellaneous Use Hire	where use does not fit into other categories	\$20.00	\$45.45	\$45.45		\$50.00	per booking
Bond for Hire (outside groups etc)		N/A	\$250.00	\$250.00	N/A	\$250.00	per booking
Other uses		At discretion of Council				At discretion of Council	

SCHEDULE 12 - TRANSPORT

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		Std Rate	GST	2023/2024 UNIT RATE	
		Total	At Cost			Total	At Cost
<b>DIRECTIONAL SIGNS</b>							
Single Sided Sign	At cost of sign and freight	At Cost	At Cost	At Cost	10%		per sign
Double Sided Sign	At cost of sign and freight	At Cost	At Cost	At Cost	10%		per sign
Installation of signs (Existing Post/Structure)		\$60.00	\$54.55	\$54.55		\$60.00	per sign
Installation of signs (New Location)		At Cost	At Cost	At Cost	10%		per sign
<b>KALBARRI AIRSTRIP CHARGES</b>							
Pexton Nominees Hangar Fees	4.0% increase applied 2023/2024	\$726.15	\$686.55	\$686.55		\$755.20	per annum
Pexton Nominees Landing Fees		\$3,750.00	\$3,409.09	\$3,409.09		\$3,750.00	per annum
Voluntary Landing contribution		\$15.00	\$18.18	\$18.18		\$20.00	per landing
Additional Hangar Site	per square metre	\$5.50	\$5.00	\$5.00		\$5.50	per annum
Hangar No 2 - G McFarlane	4.0% increase applied 2023/2024	\$406.83	\$384.64	\$384.64		\$423.11	per annum
Permanent private aircraft parking	in lieu of landing charges	\$264.00	\$240.00	\$240.00		\$264.00	per annum

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023**

**SCHEDULE 13 - RURAL SERVICES/TOURISM/BUILDING CONTROL/WATER SUPPLY**

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE		
		Total	Std Rate	GST	Total	
<b>CARAVAN PARK LEASES</b>						
Summerstar Pty Ltd - Lot 121.58 Glance Street, Horrocks	4.0% increase applied 2023/2024	\$22,823.15	\$21,578.25	\$2,157.83	\$23,736.08	per annum
Summerstar Pty Ltd - Lot 101 Mitchell Street, Horrocks	4.0% increase applied 2023/2024	\$13,172.82	\$12,454.31	\$1,245.43	\$13,699.74	per annum
Tasman Tourism Property - Lot 588 Grey Street, Kalbarri	4.0% increase applied 2023/2024	\$24,779.76	\$23,428.13	\$2,342.81	\$25,770.95	per annum
Tasman Tourism Property - Lot 589 Grey Street, Kalbarri	4.0% increase applied 2023/2024	\$15,327.22	\$14,491.19	\$1,449.12	\$15,940.31	per annum
R.Reynolds - Reserve 49842 Little Bay	No Annual Increase	\$550.00	\$500.00	\$50.00	\$550.00	per annum
<b>BUILDING PERMITS</b>						
Class 1 and 10 Buildings (Uncertified)	Set by state legislation	0.32%	0.32%	Nil	0.32%	value of application
Class 1 and 10 Buildings (Certified)	Set by state legislation	0.19%	0.19%	Nil	0.19%	value of application
Minimum Building application Fee	Set by state legislation	\$105.00	\$110.00	Nil	\$110.00	per application
All other Building Classes - Class 2 to 9 (Certificate)	Set by state legislation	0.09%	0.09%	Nil	0.09%	value of application
Application to Extend a Building Permit	Set by state legislation	\$105.00	\$110.00	Nil	\$110.00	per application
Demolition Permit Class 1 & 10	Set by state legislation	\$105.00	\$110.00	Nil	\$110.00	per application
Demolition Permit Class 2 to 9 (Each Storey)	Set by state legislation	\$105.00	\$110.00	Nil	\$110.00	per application
Application for occupancy permit (strata scheme)	Set by state legislation	\$115.00	\$115.00	Nil	\$110.00	per storey
Building Services Levy (BSL) < \$45,000	Set by state legislation	\$61.65	\$61.65	Nil	\$61.65	\$11.60 per unit, min = \$110
Building Services Levy (BSL) > \$45,000	Set by state legislation	0.1377%	0.1377%	Nil	0.1377%	value of application
CITF Levy (BSL) - \$20,000	Set by state legislation	0.20%	0.20%	Nil	0.20%	value of application
Bond For kerbs, verges & patios	Bond requested at discretion of Building Surveyor	\$500.00	\$500.00	Nil	\$500.00	value of application
Bond - Relocated Dwellings	Bond refundable on completion of building	\$10,000.00	\$10,000.00	Nil	\$10,000.00	prior to application
Building Certification Service	Under New Building Act 2011	\$176.00	\$160.00	\$16.00	\$176.00	prior to application
Septic Tank & Effluent Disposal Fees	Set by state legislation - includes application fee and inspection fee	\$236.00	\$236.00	Nil	\$236.00	per application
<b>SWIMMING POOL INSPECTION FEES</b>						
Annual Pool Inspection Fee	Pool inspection every 4 years, charge is per annum.	\$16.50	\$16.50	Nil	\$16.50	per annum
<b>WATER</b>						
Water purchase from Shire standpipe	Charged at cost plus additional administration component of 10%. Minimum charge of \$2.50 per KL & \$20.00 per Vessel	\$2.00	\$2.00	Nil	\$2.00	per KL (minimum)
Port Gregory Water Supply	Contribution to water consumption (BASF)	\$1,000.00	\$1,000.00	Nil	\$1,000.00	per annum

SCHEDULE 14 - PRIVATE WORKS/OTHER PROPERTY

DESCRIPTION	COMMENTS	2022/2023 UNIT RATE		2023/2024 UNIT RATE	
		Total	Std Rate	GST	Total
<b>PLANT HIRE CHARGES</b>					
Prime Mover & Low Loader	Wet hire only	\$175.00	\$159.09	\$15.91	\$175.00
12 Tonne Tip Truck (no trailer)	Wet hire only	\$130.00	\$118.18	\$11.82	\$130.00
12 Tonne Tip Truck with trailer	Wet hire only	N/A	\$136.36	\$13.64	\$150.00
Small Tip Truck	Wet hire only	\$85.00	\$90.91	\$9.09	\$100.00
Grader	Wet hire only	\$165.00	\$168.18	\$16.82	\$185.00
Loader	Wet hire only	\$135.00	\$136.36	\$13.64	\$150.00
Backhoe	Wet hire only	\$110.00	\$136.36	\$13.64	\$150.00
Tractor	Wet hire only	\$100.00	\$90.91	\$9.09	\$100.00
Roller	Wet hire only	\$100.00	\$136.36	\$13.64	\$150.00
Plate Compactor	Per day minimum hire	\$110.00	\$100.00	\$10.00	\$110.00
Jack Hammer	Per day minimum hire	\$100.00	\$100.00	\$10.00	\$110.00
Genset	Per day minimum hire	\$90.00	\$81.82	\$8.18	\$90.00
Sale of Gravel	Dependant on location - refer Manager of Works		Cost Recovery + 10% Admin Fee		
Sale of Sand	Dependant on location - refer Manager of Works		Cost Recovery + 10% Admin Fee		
<b>LEASE CHARGES</b>					
Unit 1 Lot 83 Kitson Circuit, Northampton	4.0% increase applied 2023/2024	\$7,284.14	\$6,886.82	\$688.68	\$7,575.50
Unit 2 Lot 83 Kitson Circuit, Northampton	4.0% increase applied 2023/2024	\$7,284.14	\$6,886.82	\$688.68	\$7,575.50
Unit 3 Lot 83 Kitson Circuit, Northampton	4.0% increase applied 2023/2024	\$8,498.16	\$8,034.63	\$803.46	\$8,838.09
Unit 4 Lot 83 Kitson Circuit, Northampton	4.0% increase applied 2023/2024	\$8,498.16	\$8,034.63	\$803.46	\$8,838.09
Lot 81 Kitson Circuit, Northampton	New Lease	N/A	\$500.00	\$50.00	\$550.00
Halfway Bay Cottages	Lease fees per lease conditions	\$550.00	\$500.00	\$50.00	\$550.00

**11.4 Corporate Business Plan Review**

<b>File Reference</b>	4.2.4 & 1.1.2
<b>Date of Report</b>	8 <sup>th</sup> June 2023
<b>Reporting Officer</b>	Acting Chief Executive Officer
<b>Responsible Officer</b>	Acting Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Reference	Description	In Report	Separate Cover

**DISCLOSURE OF INTEREST:**

Nil

**BACKGROUND:**

The draft Corporate Business Plan agenda was presented to Council at the May 2023 meeting. Due to several items being deferred staff have addressed the respective items and presented the items below for Council determination.

As elaborated in the May agenda item Council is required to review the Corporate Business Plan and the Asset Management Plans each year. This will allow the corresponding year of the Corporate Business Plan to accurately inform the annual budget. Each review is to be carried out with consideration of changing internal, external, community and business environments.

The projects in this review have all been listed as unchanged, unless reported otherwise, and Council is requested to decide which ones should be undertaken and which ones should be deferred. Projects that are likely or are subject to grant funding should be retained.

Any projects approved for inclusion in the Corporate Business Plans but not supported by grant funding or other external funding sources will need to be funded by Council's own resources which may require an additional rate increase to fund the associated project. Council does have reserve funds however these are set aside for specific purposes and should not be used for projects outside that reserve purpose.

The costs listed in the asset management plans have been updated where possible however some of the listed items may require further investigation by staff. Accordingly, any items to be listed in the draft 2023/2024 Budget will reflect updated costs estimates.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Community consultation was undertaken with advertising on Council's web site. Submissions were to be lodged to the CEO by 31<sup>st</sup> March 2022.

Overall, 23 submissions were received for projects with 12 being presented to Council for consideration at the April meeting of Council. And the remaining 11 submissions were included in the Corporate Business Plan agenda submitted to the May 2023 meeting of Council for consideration.

**FINANCIAL IMPLICATIONS:**

All items approved by Council for listing in the Corporate Business Plan will be included in the draft 2023/2024 Budget.

**STATUTORY IMPLICATIONS:**

Council as per statutory requirements must review the Corporate Business Plan (CBP) including the Asset Management Plans which includes projects for the future.

Each year the Council's Annual Report must contain:

- i. An overview of the Strategic Community Plan and the Corporate Business Plan, which together constitute the Plan for the Future
- ii. Major initiatives to commence or continue in the next financial year
- iii. Any modifications that were made to the Strategic Community Plan during the financial year; and
- iv. Any significant modifications that were made to the Corporate Business Plan during the financial year.

**POLICY/PROCEDURE IMPLICATIONS:**

No Shire Policy or Procedure affected.

**COMMENT:**

Council is required to progress through the items presented that were deferred from the May meeting.

The revised Corporate Business Plan will provide Council with the level of rate increases required for 2023/2024 and beyond due to the inclusion and deletion of projects.

The current Corporate Business Plan requires a rate increase of approximately 3% to 5% to achieve the currently listed projects and for normal operation. Once the review has been completed a revised Corporate Business Plan (CBP) including the Long Term Financial Plan (LTFP) will then be presented to the Council for formal endorsement at the June 2023 meeting.

**RISK ASSESSMENT:**

The associated risk of not approving the Corporate Business Plan is considered "Moderate/Major".

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

**VOTING REQUIREMENT:**

*Simple Majority required*

**STRATEGIC PLAN PROJECTS**

There are no projects identified in the current Community Strategic Plan that can be considered within the Corporate Business Plan.

**11.4.1 CORPORATE BUSINESS PLAN REVIEW 2022 – BUILDINGS**

**11.4.1.1 Kalbarri Multi-Purpose Evacuation & Community Centre**

Whilst community consultation has been undertaken for the construction of a multi-purpose evacuation and community centre for Kalbarri the project remains in its conceptual stage due to uncertainty in relation to the final design, costs to build and location. Staff presented Council with a budget request from the KMECC Committee at the April meeting which was deferred pending the provision of future funding. The need for a multipurpose center was identified as a priority in the Local Operational Recovery Plan.

For the purpose of forward planning it is considered prudent to retain this project in the CBP while the future of the project would be dependent on securing funding. A project of this size and value represents a significant risk for Council and accordingly no costs can be provided for inclusion within the CBP at this stage. Whilst there will be some funds in reserve from the cyclone Seroja insurance payout a project of this magnitude is beyond the scope of Councils current economic capabilities.

However Council will receive \$500,000 from the State Government Resilience Fund for cyclone Seroja impacted communities which could be allocated as seed funding for the project or put towards another project. One condition associated with the funding is the requirement to spend the funds within a two-year period.

Additionally, there has been a large amount of interest from the Kalbarri community in relation to replacing the PCYC Hall with a facility of a similar size and functionality. The hall at the Kalbarri Camp site off anchorage lane was destroyed by cyclone Seroja and this has left a gap in the facilities that are available for gymnastics and other youth activities. This community interest was further demonstrated at the recent Local Recovery Coordination Group (LRCC) meeting held in Kalbarri on 2<sup>nd</sup> May 2023.

<b>Projected Capital Upgrade/New Works Program - Buildings</b>		
<b>Revised 2023</b>		
<b>Year</b>	<b>Description</b>	<b>Estimate</b>
TBA	Kalbarri Multi-Purpose Community Centre	TBA
TBA	Replacement for ex PCYC Building	TBA
	<b>Total</b>	<b>TBA</b>



Prior Recommendation/Resolution from the May Council Meeting

STAFF RECOMMENDATION/COUNCIL RESOLUTION – ITEM 1.1.2

Moved Cr SUCKLING seconded Cr HORSTMAN

That Council defer consideration on the new works proposed for the Evacuation Community Centre until the June 2023 meeting of Council.

CARRIED 7/0  
Minute Reference 05/23-12

Recommendation June Council Meeting

**STAFF RECOMMENDATION – 11.4.1.1**

**That Council defer consideration on the proposed for the Evacuation Community Centre for a future meeting and request a detailed options report be prepared for further consideration.**

**COUNCIL RESOLUTION – ITEM 11.4.1.1****Moved Cr SUCKLING seconded Cr HORSTMAN\****That Council defer consideration on the proposed for the Evacuation Community Centre for a future meeting and request a detailed options report be prepared for further consideration.****CARRIED 6/0****Minute Reference 06/23 – 07****11.4.2 CAPITAL - RECREATION 2023 REVIEW****11.4.2.1 COMMUNITY REQUESTS – KALBARRI SKATE PARK**

A detailed submission was received for works at the Skate Park in Kalbarri. The submission details several maintenance issues at the facility including the bowl and street skate area. One of the most urgent works is the removal of the material in the center of the skate track area. The small stones incorporated into area are loose and tend to get spread over the park making it dangerous to users. (refer to pictures on page 12) The suggestion was for this area to be concreted. Also, the submission suggests installing suitable material to retain the sand around the site and the lawn is in poor condition.

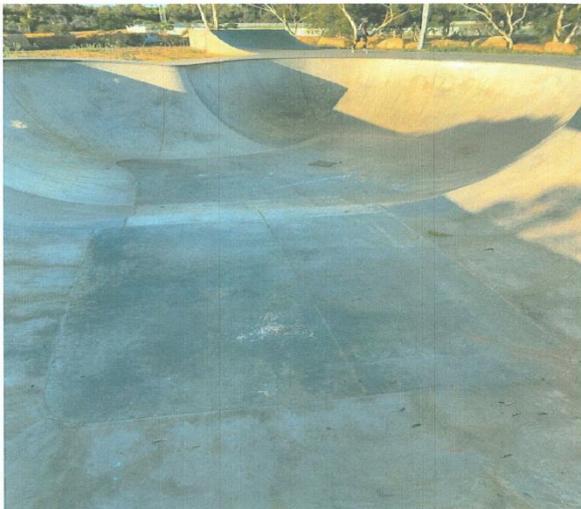
This facility will need a maintenance plan to address some of the identified issues and staff to work with the stakeholders and prepare a submission for Council to consider.

**RECOMMENDATION – ITEM 2.1.4**

That staff investigate the skate park for any maintenance required and obtain a quotation for the remediation of the center track area and include this in the draft 2024/2024 Budget.

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Prior Recommendation/Resolution from the May Council Meeting

STAFF RECOMMENDATION/COUNCIL RESOLUTION – ITEM 2.1.4

Moved Cr BURGESS seconded Cr SUCKLING

That staff defer consideration on the maintenance required for the Kalbarri skate park until the June 2023 meeting of Council.

CARRIED 7/0  
Minute Reference 05/23-18

Recommendation June Council Meeting

#### **STAFF RECOMMENDATION – 11.4.2.1**

**That Council defer consideration on the maintenance required for the Kalbarri skate park for a future meeting and request a detailed options report be prepared for further consideration.**

#### **COUNCIL RESOLUTION – ITEM 11.4.2.1**

Moved Cr SUCKLING seconded Cr SUDLOW

**That Council defer consideration on the maintenance required for the Kalbarri skate park for a future meeting and request a detailed options report be prepared for further consideration.**

**CARRIED 6/0**  
**Minute Reference 06/23 - 08**

### **11.4.3 CARPARK DEVELOPMENT WORKS 2023 REVIEW**

#### **11.4.3.1 Overall Program Adjustment**

The carpark development works program has not progressed due to a number of reasons including availability of contractors and other works being completed by the outside construction crew.

The Porter Street (Skate Park) carpark was listed in the 2022 CBP but subsequently deferred and the Land Backed Warf (Marina) carpark was also listed in the 2022 CBP but has not progressed.

Pending confirmation from DFES it is anticipated that the Jacques Beach car park will be funded by the DRFAWA process, and this project will be able to proceed. However, all other planned, works will now need to be re-evaluated as our current works program and financial position won't support the volume of carpark works listed in the program for 2023/2024.

Below is a list of the projects that will need to be re-scheduled in the program:

2023/2024

Land Back Wharf- Seal unsealed parking and access road areas	\$200,000
Jakes Beach – Seal access road & car park	\$190,000
Back Beach - Seal access road & car park	\$150,000

Porter Street - Skate Park Car Park	\$125,000
2024/2025	
SiphonsSeal - Access road & car park	\$115,000
Essex Street Car parking on north of Hampton	\$83,000
Carry Over Project	
Pt Gregory - Upgrade car park & BBQ area	\$141,310

As a result other planned works will now need to be deferred to future years.

#### RECOMMENDATION – ITEM 3.4.1

That Council amended the car park development program for 2023/2024 to 2026/2027 and future years.

Prior Recommendation/Resolution from the May Council Meeting

#### STAFF RECOMMENDATION/COUNCIL RESOLUTION – ITEM 3.4.1

Moved Cr HORSTMAN seconded Cr SUDLOW

That Council defer consideration of the car park development program for 2023/2024 to 2026/2027 and future years until June 2023 meeting of Council, excluding the Port Gregory car park upgrade.

CARRIED 7/0

Minute Reference 05/23-24

Recommendation June Council Meeting

#### STAFF RECOMMENDATION 11.4.3.1

**That Council supports the listing of the revised car park development program as presented in the Corporate Business Plan for 2023/2024 to 2025/2026.**

#### COUNCIL RESOLUTION – ITEM 11.4.3.1

**Moved Cr GIBB seconded Cr BURGESS**

**That Council supports the listing of the revised car park development program as presented in the Corporate Business Plan for 2023/2024 to 2025/2026.**

**CARRIED 6/0**

**Minute Reference 06/23 - 09**

**CAR PARK DEVELOPMENT WORKS PROGRAM**

CAR PARK	Works Description	Year Works Planned					Funding Sources
		2023/24	2024/25	2025/26	2026/27	2027/28	
Land Back Wharf	Seal unsealed parking and access road areas (carried over from 2021/22)	\$ 200,000					Own Resources
Jakes Beach	Seal access road and car park (DRFAWA)	\$ 190,000					DRFAWA
Back Beach	Seal access road & car park		\$ 150,000				Own Resources
Porter Street	Skate Park Car Park - Removed from LRCI programme and from 2022/23 Budget			\$ 125,000			Own Resources
Siphons	Seal access road & car park		\$ 115,000				Own Resources
Essex Street	Car parking on north of Hampton Gardens		\$ 83,000				Own Resources
Pt Gregory	upgrade car park & BBQ area (carried over form 2022/23)	\$ 141,310					Own Resources
<b>Estimated Cost</b>		<b>\$ 531,310</b>	<b>\$ 348,000</b>	<b>\$ 125,000</b>	<b>\$ -</b>	<b>\$ -</b>	

**11.4.4 CORPORATE BUSINESS PLAN 2023 REVIEW – FOOTPATHS**

**11.4.4.1 Current Plan Status**

The footpath program has also suffered from lack of contractors and other works being prioritised which has meant footpath works have been delayed further. None of the works listed in the 2022 CBP have been completed. Carry over works from 2021/2022 program include Stephen Street, Kaiber Street and Grey Street (Allen Centre). Additionally, the George Grey Drive footpath from Red Bluff to Eco Flora is a carry-over from the 2022/2023 program.

All the footpaths are own source funded apart from the George Grey Drive footpath which is part grant funded and this project will need to be completed by December 2024 otherwise the grant (\$61,000) will be forfeited, Council has received a \$20,000 upfront payment for this project. The Allen Centre footpath was deferred due to the asphalt works along Grey Street and therefore will have to be re-scheduled for 2023/2024.

The amount of footpath works listed in the draft 2023 CBP is excessive and its considered unrealistic this level of work can be completed next financial year due to the requirement to complete the associated drainage and other pre-work that is required to construct the footpaths. Additionally the program in its current form will have a significant negative impact Councils financial position.

Below is a list of the projects that will need to be re-scheduled in the program:

**2023/2024**

Stephen Street- Renew from Hampton Rd to West Street	\$57,350
Grey Street Replace section at Allen Centre	\$50,000
George Grey Drive Red Bluff to Eco Flora	\$127,810
Clotworthy Street Grey to Smith (240)	\$53,000
Kaiber Street Whole Street, east side	\$73,000

**2024/2025**

Auger Street - Smith to Mallard	\$48,000
Auger Street - Mortimer to Mallard	\$29,000
Ralph Street - Gantheaume to Walker via Harvey (600)	\$124,000
Boat Pen Car Park - DUP on river side of car park	\$41,000

**2025/2026**

Nanda Drive Red Bluff to Pederick (950)	\$210,000
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**Future Projects**

Callion Way Waikiri to Gantheaume (230)	\$52,000
Gantheaume Crescent – DUP Waikiri to Sequita (192)	\$43,000
Hasleby Street - Construct Dual Use Pathway (to Golf Club)	\$38,000
Nanda Drive & Porter St - Porter Street to Sun River Chalets	\$75,000
Orabanda Close - Batavia to Gantheaume (120)	\$27,000
Sequita Way - Gallant to Gantheaume (180)	\$64,000
Blue Holes - From Malaleuca Trail to Car Park	\$37,000

RECOMMENDATION – ITEM 4.2.1

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That Council amended the dual use footpath plan for 2023/2024 to 2026/2027 and future years.

Prior Recommendation/Resolution from the May Council Meeting

STAFF RECOMMENDATION/COUNCIL RESOLUTION – ITEM 3.4.1

Moved Cr HORSTMAN seconded Cr SUDLOW

That Council defer consideration of the car park development program for 2023/2024 to 2026/2027 and future years until June 2023 meeting of Council, excluding the Port Gregory car park upgrade.

CARRIED 7/0  
Minute Reference 05/23-24

Recommendation June Council Meeting

**STAFF RECOMMENDATION – 11.4.4.1**

**That Council supports the listing of the revised dual use footpath plan as presented in the Corporate Business Plan for 2023/2024 to 2027/2028 and beyond.**

**COUNCIL RESOLUTION – ITEM 11.4.4.1**

**Moved Cr HORSTMAN seconded Cr BURGESS**

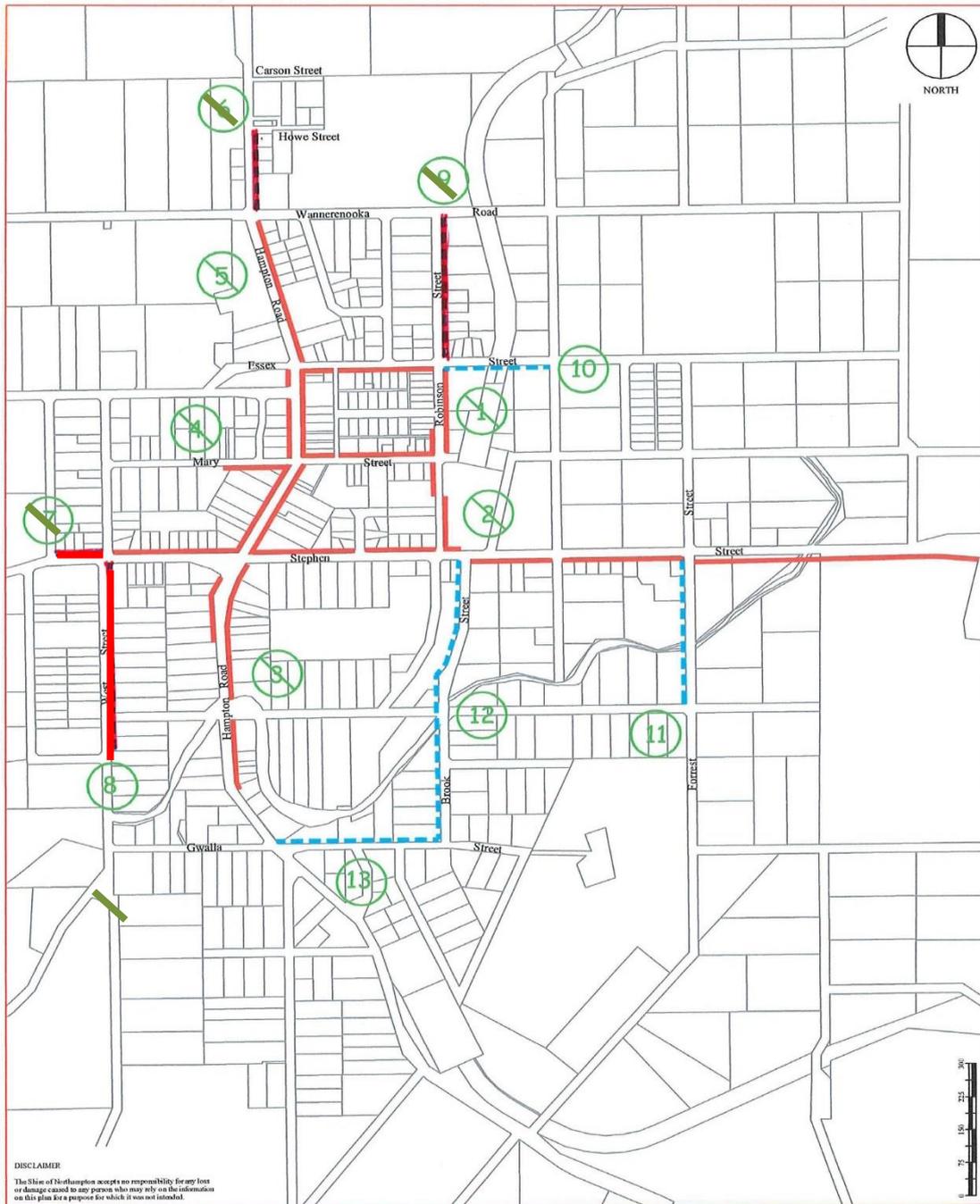
**That Council supports the listing of the revised dual use footpath plan as presented in the Corporate Business Plan for 2023/2024 to 2027/2028 and beyond.**

**CARRIED 6/0**  
**Minute Reference 06/23 - 09**

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DUAL USE PATHWAY PLAN 2023 TO 2027							
Road Name	Works Description	2023/24	2024/25	2025/26	2026/27	2027/2028	Beyond 2028
<b><u>Carried Over from 2021/22 &amp; 2022/23</u></b>							
Stephen Street	Renew from Hampton Rd to West Street - c/over from 22/23	\$ 57,350					
Grey Street	Replace section at Allen Centre - c/over from 22/23	\$ 50,000					
George Grey Drive	Red Bluff to Eco Flora (c/over from 22/23) (note grant of \$61,000 applied)	\$ 127,810					
<b><u>Future Projects</u></b>							
Auger Street	Smith to Mallard		\$ 48,000				
	Mortimer to Mallard		\$ 29,000				
Clotworthy Street	Grey to Smith (240)		\$ 53,000				
Callion Way	Waikiri to Gantheaume (230)						\$ 52,000
Gantheaume Crescent	Construct Dual Use Pathway Waikiri to Sequita (192)						\$ 43,000
Hasleby Street	Construct Dual Use Pathway End of existing to Golf Club						\$ 38,000
Kaiber Street	Whole Street, east side		\$ 73,000				
Nanda Drive	Red Bluff to Pederick (950)				\$ 210,000		
Nanda Drive & Porter St	Porter Street to Sun River Chalets						\$ 75,000
Orabanda Close	Batavia to Gantheaume (120)						\$ 27,000
Ralph Street	Gantheaume to Walker via Harvey (600)			\$ 124,000			
Sequita Way	Gallant to Gantheaume (180)					\$ 64,000	\$ 64,000
Blue Holes	From Malaleuca Trail to Car Park					\$ 37,000	\$ 37,000
Boat Pen Car Park	DUP on river side of car park			\$ 41,000			
	<b>Total Estimated Cost</b>	<b>\$ 235,160</b>	<b>\$ 203,000</b>	<b>\$ 165,000</b>	<b>\$ 210,000</b>	<b>\$ 101,000</b>	<b>\$ 336,000</b>

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**DISCLAIMER**  
 The Shire of Northampton accepts no responsibility for any loss or damage caused to any person who may rely on the information on this plan for a purpose for which it was not intended.

V Datum: AHD  
 H Datum: MGA  
 Date: 28/07/06  
 File No: 12.1.1.1



SHIRE OF NORTHAMPTON  
 PO Box 61, Northampton WA 6535  
 Phone: 9934 1202 Fax: 9934 1072  
 Scale: 1 : 7 500 (A3)

**Dual Use Path Plan**  
**NORTHAMPTON**

Contours at: Drawing: DUP Northampton Revision: 3

**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,**  
**Northampton on Friday 16<sup>th</sup> June 2023**



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V Datum: AHD  
 H Datum: MGA  
 Date: 28/02/06  
 File No: 12.1.1.1



**SHIRE OF NORTHAMPTON**  
 PO Box 61, Northampton WA 6535  
 Phone: 9934 1202 Fax: 9934 1072  
 Scale 1 : 7,500 (A3)      Contours at:

**Dual Use Path Plan**  
**KALBARRI**  
 Drawing: DUP Kalbarri      Revision: 2

## 12 Corporate and Administration Report

- 12.1 Review of the Code of Conduct for Staff and Contractor/s 2021
- 12.2 Review of the Code of Conduct for Council Members, Committee Members and Candidates 2021
- 12.3 Review of the Gift Policy
- 12.4 CEO Mobile Phone
- 12.5 Consideration of the use of Information Briefing Sessions

### 12.1 REVIEW OF THE CODE OF CONDUCT FOR STAFF AND CONTRACTOR/S 2021

<b>Location</b>	Whole of Shire
<b>Applicant</b>	Chief Executive Officer
<b>Owner/Lessee</b>	N/A
<b>File Reference</b>	
<b>Date of Report</b>	30 May 2023
<b>Reporting Officer</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer

#### SUPPORTING DOCUMENTS:

Reference	Description	In Report	Separate Cover
Appendix 1	Shire of Northampton Code of Conduct for Staff and Contractor/s	✓	
Attachment 1	Proposed Shire of Northampton Code of Conduct for Employees and Contractors	✓	

#### DISCLOSURE OF INTEREST:

Nil.

#### BACKGROUND:

One of the first tasks of the new Chief Executive Officer (CEO) upon appointment to the Shire of Northampton has been to ensure governance practices are current and adequate. It is a statutory requirement under the *Local Government Act 1995* to ensure that a Code of Conduct for Employees is up to date and is also available on the local government website. Further to this it is imperative that all employees and contractors adhere to the governance provisions contained within the document.

The Shire of Northampton's Code of Conduct for Staff and Contractor/s was last reviewed in February 2021 and there is some concern from the author of this report that the level of awareness within the organisation is not at the level it should be. The existing Code of Conduct for Staff and Contractor/s does not currently appear of the Shire of Northampton's website.

The existing Code of Conduct for Staff and Contractors is appended for reference.

#### APPENDIX 1

It is considered that an immediate review of the Code of Conduct for Staff and Contractors is necessary and this is the purpose of this report.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**STATUTORY IMPLICATIONS:**

Under s.5.51A of the *Local Government Act 1995*, the Shire of Northampton is required to have a Code of Conduct for Employees:

**5.51A. Code of conduct for employees**

- (1) The CEO must prepare and implement a code of conduct to be observed by employees of the local government.
- (2) The CEO may amend the code of conduct.
- (3) The CEO must publish an up-to-date version of the code of conduct on the local government’s official website.
- (4) Regulations may prescribe the content of, and other matters in relation to, codes of conduct under this section.
- (5) A code of conduct under this section is of no effect to the extent that it is inconsistent with regulations made for the purposes of subsection (4).

**POLICY/PROCEDURE IMPLICATIONS:**

Not only is a Code of Conduct for Employees a statutory requirement, it also provides the fundamental basis for strong governance within a local government organisation.

There are no direct policy implications attached to this report.

**COMMENT:**

During the course of review of the Code of Conduct for Staff and Contractor/s, a number of matters in the existing document were identified as requiring attention as follows:

Change	Reasoning
The word “staff” has been changed to “employees” throughout the document.	Makes terminology consistent with the <i>Local Government Act 1995</i> .
CEO signature added under preamble on Page 3	Personalise the document.
Additional paragraph added at bottom of clause 2.1.	Notation to avoid uncertainty of impinging on statutory rights of an individual.
Existing Clause 3.4	Wording completely removed.

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Northampton on Friday 16<sup>th</sup> June 2023**

New Clause 3.4 Gifts (General) - Definitions added that includes exclusion of CEO from the category.	Definitions provide clarity. Exclusion of CEO as that role is specifically picked up by statutory gift provisions of the <i>Local Government Act 1995</i> and subsidiary legislation.
New Clause 3.4(a)	Ties all employees and others to the gift provisions.
New Clause 3.4(b)	Caps gifts to senior employees to a maximum of \$300. Senior employees include the Deputy CEO and Manager Works and Technical Services.
New Clause 3.4(c)	All gifts received under Clause 3.4(b) must be reported to the CEO and included in an appropriate non-statutory register within 10 days. Gifts received of a value of less than \$50 must be recorded directly into a self-
	administered communal non-statutory register.
New Clause 3.4(d)	All other employees, non-employees and non-Councillor committee members are limited gifts with a maximum value of \$50 unless otherwise approved in writing by the CEO.
New Clause 3.4(e)	Gifts received by all other employees, non-employees and non-Councillor committee members of a value of less than \$50 must be recorded directly into a self-administered communal non-statutory register.
New Clause 3.4(f)	This clause is designed to facilitate the receipt of a gift above a maximum value threshold on behalf of the Shire of Northampton and then distributed to the relevant work area. An example of this may be the receipt of a carton of beer valued at more than \$50 by a member of the Works crew which is then received on behalf of the organisation and appropriately distributed to the relevant work area.
New Clause 3.4(g)	This clause is included to minimise conflicts of interest of decisions of the local government involving discretion.
Minor spelling, grammar and document structure amendments.	As required.

The proposed Code of Conduct for Employees and Contractors 2023 is provided to Council for consideration and decision.

**ATTACHMENT 1**

If the Code of Conduct for Employees and Contractors 2023 is endorsed by Council, it will

require a separate consideration and decision of Council to amend the existing Gift Policy in line with the Code of Conduct for Employees and Contractors 2023.

**RISK ASSESSMENT:**

The associated risk would be the failure to comply with the requirements of the *Local Government Act 1995* in relation to a Code of Conduct for Employees could result in reputational damage, financial impacts and potentially service interruption. Risk rating is considered Level 3 – Moderate.

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

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.*

**STAFF RECOMMENDATION – 12.1**

**That Council adopt the Code of Conduct for Employees and Contractors 2023 in accordance with ATTACHMENT 1.**

**COUNCIL RESOLUTION – 12.1**

**Moved Cr HORSTMAN seconded Cr SUCKLING**

**That Council adopt the Code of Conduct for Employees and Contractors 2023 in accordance with ATTACHMENT 1 with the following change:**

**Remove the words in the definition text box on page 7 “Director Business”, “Director Community Services”, “Director Development and Regulation”, and “Director Works and Services” and replace with the “Deputy Chief Executive Officer” and “Manager of Works and Technical Services”.**

**CARRIED 6/0**

**Minute Reference 06/23 - 10**

**APPENDIX 1**



# **CODE OF CONDUCT**

**for**

**Staff and Contractor/s**

**APPENDIX 1**

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## APPENDIX 1

**PREAMBLE**

This Code of Conduct provides staff and contractor/s in the Shire of Northampton with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability.

The Code is complementary to the principles adopted in the *Local Government Act* and regulations which incorporates four fundamental aims to result in:-

- (a) better decision-making by the Shire of Northampton;
- (b) greater community participation in the decisions and affairs of the Shire of Northampton;
- (c) greater accountability of the Shire of Northampton to their communities; and
- (d) more efficient and effective Local Government.

This Code provides a guide and a basis of expectations for staff and contractor/s. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

**STATUTORY ENVIRONMENT**

This Code of Conduct observes statutory requirements of *Section 5.51A of the Local Government Act 1995* and the *Local Government Regulations Amendment (Employee Coded of Conduct) Regulations 2021*.

Staff are to acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with *Local Government Regulations Amendment (Employee Coded of Conduct) Regulations 2021*.

Contractor/s acknowledge that they are subject to the provisions of the Code upon being engaged as a contractor/s and whilst they remain as a contractor/s for the Shire of Northampton.

APPENDIX 1

## 1. ROLES & RESPONSIBILITIES

### 1.1 Role of the CEO and Staff

The CEO is appointed by Council and is the communication link between Councillors and staff.

All other Council staff are responsible to the CEO.

The CEO is responsible to the Council for the implementation of Council policies, decisions and budgeted works, the provision of accurate and timely advice to Council and the efficient administration of the Council.

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the *Local Government Act 1995*: -

*"The CEO's functions are to —*

- (a) advise the council in relation to the functions of a Local Government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the Local Government;*
- (e) liaise with the mayor or president on the Local Government affairs and the performance of the Local Government functions;*
- (f) speak on behalf of the Local Government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the Local Government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the Local Government or imposed under this Act or any other written law as a function to be performed by the CEO."*

## 2. CONFLICT AND DISCLOSURE OF INTEREST

### 2.1 Conflict of Interest

(a) Staff and contractor/s will ensure that there is no actual (or perceived) conflict of interest between their personal interests, including those of their immediate family, business partners or close associates, and the impartial fulfillment of their professional duties.

(b) Staff will not engage in private work with or for any person or body with an interest in

a proposed or current contract with the Shire of Northampton, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

#### APPENDIX 1

- (c) Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of Northampton area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Staff who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

## 2.2 Financial Interest

Staff will adopt the principles of disclosure of financial interest as contained within sections 5.59 – 5.90 of the Local Government Act 1995

## 2.3 Disclosure of Interest – Impartiality - Staff

*In this clause "interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.*

- (a) An employee who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter –
  - (i) in a written notice given to the CEO before the meeting; or
  - (ii) at the time the advice is given.
- (b) A requirement described under items (a) and (b) excludes an interest referred to in S 5.60 of the *Local Government Act 1995*.
- (d) A person who is an employee is excused from a requirement made under item (a) to disclose the nature of an interest if -
  - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
  - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as

possible after becoming aware of the discussion of a matter of that kind.

- (e) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then –
  - (i) before the meeting, the CEO is to cause the notice to be given to the person who is to preside at the meeting; and

**APPENDIX 1**

- (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
  - (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
  - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
  - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

**3. PERSONAL BENEFIT**

**3.1 Use of Confidential Information (Rules of Conduct – Reg 6 refers)**

Staff and contractor/s will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

**3.2 Intellectual Property**

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire of Northampton upon its creation unless otherwise agreed by separate contract.

**3.3 Improper or Undue Influence**

Staff will not take advantage of their position to improperly influence other Councillors or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Similarly, staff and contractor/s will not take advantage of their position to the detriment of Council, the Shire or other persons.

### 3.4 Gifts (LGA s5.82)

All staff must declare:

- (a) A gift worth above \$300.
- (b) A gift that is one or two or more gifts given to the employee by the same person within a period of six (6) months that are in total worth of \$300.
- (c) Gifts worth \$300 or more are 'prohibited gifts' and simply cannot be accepted.

A gift includes:

#### APPENDIX 1

*“any disposition of property, or conferral of any other financial benefit, made by one person in favour of another otherwise than by will, without consideration in money or money’s worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel”.*

Employees do not have to declare a notifiable gift if it is:

- (a) Less than \$300.
- (b) Received from a relative as defined by 5.74(1) of the Local Government Act 1995.
- (d) A gift from a statutory authority, government instrumentality or non-profit association for professional training.

## 4. CONDUCT OF STAFF AND CONTRACTOR/S

### 4.1 Personal Behaviour

(a) Staff and contractor/s will:

- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (ii) perform their duties impartially and in the best interests of the Shire of Northampton uninfluenced by fear or favour;
- (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Northampton and its communities and shall be particularly mindful to avoid interference in commercial relationships between developers and objectors or between developers competing for the right to develop.

- (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (v) always act in accordance with their obligation of fidelity to the Shire of Northampton and not publicly reflect adversely upon any decision of the Council or Council's management.

## **4.2 Honesty and Integrity**

Staff and contractor/s will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;

### **APPENDIX 1**

- (b) bring to the notice of the Chief Executive Officer any dishonesty or possible dishonesty on the part of any other employee, and in the case of a contractor/s to the employee who is responsible for overseeing their activities.
- (c) be frank and honest in their official dealing with each other.
- (d) Endeavour to resolve serious conflict through initial discussion facilitated by the CEO or, in the event that CEO is too closely involved, an independent impartial person or peer group.

## **4.3 Discrimination**

Staff and contractor/s are required to treat each other and members of the community with respect and observe the requirements of Discrimination and Equal Opportunity legislation by:

- (a) Ensuring the workplace is free from any form of discrimination.
- (b) Applying the philosophy and principles of EEO at all levels of the organisation.
- (c) Ensuring they do not engage in unlawful harassment or bullying in the workplace.

## **4.4 Performance of Duties**

While on duty, staff will give their whole time and attention to the Shire of Northampton's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire of Northampton.

#### 4.5 Compliance with Lawful Orders

- (a) Staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Staff will give effect to the lawful policies of the Shire of Northampton, whether or not they agree with or approve of them.

#### 4.6 Administrative and Management Practices

Staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

#### 4.7 Corporate Obligations

- (a) Standard of Dress

Staff are expected to comply with neat and responsible dress standards at all times. Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

#### APPENDIX 1

- (b) Communication and Public Relations

- (i) All aspects of communication by staff (including verbal, written or personal), involving Shire of Northampton's activities should reflect the standards and objectives of the Shire of Northampton. Communications should be accurate, polite and professional.
- (ii) Statements to the press on behalf of the Shire will only be made by the President or the CEO, or unless the President directs otherwise.

It shall be incumbent on staff when referring a member of the community to their local Councillor over issues that the officer cannot resolve due to current Council policy, that the officer notify the ward Councillors of the referral and any information that may assist in resolving the issue.

### 5. DEALING WITH COUNCIL PROPERTY

#### 5.1 Use of Shire of Northampton Resources

Staff and contractor/s will:

- (a) be scrupulously honest in their use of the Shire of Northampton's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Shire of Northampton resources entrusted to them effectively and

economically in the course of their duties; and

- (c) not use the Shire of Northampton's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).
- (d) Not use Council vehicles for private use unless authorised to do so.
- (e) Foster an awareness of the community's ownership of the Shires natural and built environment.

## 5.2 Travelling and Sustenance Expenses

Staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Shire of Northampton in accordance with Councils policy and the provisions of the *Local Government Act 1995*.

## 5.3 Access to Information

Staff will ensure that Councillors are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.

### APPENDIX 1

## 5.4 Freedom of Information

Staff and contractor/s acknowledge that:

- (a) The *Freedom of Information Act 1992* (FOI Act) was introduced to facilitate public access to documents and an application can be made seeking access to any information held by the Shire of Northampton.
- (b) An object of the FOI Act is to 'make the persons and bodies that are responsible for State and local government more accountable to the public'.
- (c) They are obligated to assist the Shire's CEO and the Shire's Freedom of Information officers in locating documents relevant to an application made under the FOI Act.

## 6. BREACHES AND MISCONDUCT

Complaints regarding a breach of this Code or of misconduct will be dealt with quickly and fairly in accordance with the principles of procedural fairness and natural justice.

### 6.1 Employees and Contractor/s

A complaint alleging that an employee or contractor/s has breached this Code shall be made in writing. Complaints regarding:

- (a) An employee are to be made to the Chief Executive Officer or in the case of a contractor/s to the employee who is responsible for overseeing their activities.
- (b) The Chief Executive Officer is to be made to the President. The complaint will be investigated in a manner that is in accordance with the Shires Complaint Handling Procedure, Public Interest Disclosure Procedures and the principles of natural justice.

## 6.2 Misconduct

For the purposes of this Code, misconduct is defined in accordance with section 4 of the *Corruption, Crime and Misconduct Act 2003*.

The Chief Executive Officer has a statutory obligation to report to the Corruption and Crime Commission allegations of suspected serious misconduct.

Allegations of suspected minor misconduct are dealt with by the Public Sector Commission.

## 6.3 Public Interest Disclosure

The Shire has a public interest disclosure procedure that provides confidential mechanisms for reporting and investigating misconduct allegations or improper conduct and other public interest information in accordance with the *Public Interest Disclosure Act 2003*.

**ATTACHMENT 1**



# **CODE OF CONDUCT**

**for**

# **Employees and Contractors**

**Revised June 2023**

**ATTACHMENT 1**

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**PREAMBLE**

This Code of Conduct provides employees and contractor/s in the Shire of Northampton with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability.

The Code is complementary to the principles adopted in the *Local Government Act* and regulations which incorporates four fundamental aims to result in:-

- (a) better decision-making by the Shire of Northampton;
- (b) greater community participation in the decisions and affairs of the Shire of Northampton;
- (c) greater accountability of the Shire of Northampton to their communities; and
- (d) more efficient and effective Local Government.

This Code provides a guide and a basis of expectations for employees and contractor/s. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.



**Andrew Campbell**  
**CHIEF EXECUTIVE OFFICER**  
**June 2023**

**STATUTORY ENVIRONMENT**

This Code of Conduct observes statutory requirements of *Section 5.51A of the Local Government Act 1995* and the *Local Government Regulations Amendment (Employee Coded of Conduct) Regulations 2021*.

Employees are to acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021*.

Contractor/s acknowledge that they are subject to the provisions of the Code upon being engaged as a contractor/s and whilst they remain as a contractor/s for the Shire of Northampton.

## ATTACHMENT 1

**1. ROLES & RESPONSIBILITIES****1.1 Role of the CEO and Employees**

The Chief Executive Officer (CEO) is appointed by Council and has a direct responsibility to Council for the administration of the organisation. The CEO has direct oversight and responsibility for all employees of the Shire of Northampton.

The CEO is responsible to the Council for the implementation of Council policies, decisions and budgeted works, the provision of accurate and timely advice to Council and the efficient administration of the Council.

The role of employees is determined by the functions of the CEO as set out in S 5.41 of the *Local Government Act 1995*: -

*“The CEO’s functions are to —*

- (a) advise the council in relation to the functions of a Local Government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the Local Government;*
- (e) liaise with the mayor or president on the Local Government affairs and the performance of the Local Government functions;*
- (f) speak on behalf of the Local Government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the Local Government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the Local Government or imposed under this Act or any other written law as a function to be performed by the CEO.”*

**2. CONFLICT AND DISCLOSURE OF INTEREST****2.1 Conflict of Interest**

- (a) Employees and contractor/s will ensure that there is no actual (or perceived) conflict of interest between their personal interests, including those of their

**ATTACHMENT 1**

immediate family, business partners or close associates, and the impartial fulfillment of their professional duties.

- (b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Northampton, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Employees will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of Northampton area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Employees who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

An individual's rights to maintain their own political convictions are not impinged upon by the clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discrimination legislation.

**2.2 Financial Interest**

Employees will adopt the principles of disclosure of financial interest as contained within sections 5.59 – 5.90 of the *Local Government Act 1995*.

**2.3 Disclosure of Interest – Impartiality - Employees**

*In this clause "interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.*

- (a) An employee who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter –
  - (i) in a written notice given to the CEO before the meeting; or
  - (ii) at the time the advice is given.
  
- (b) A requirement described under items (a) and (b) excludes an interest referred to in S 5.60 of the *Local Government Act 1995*.

**ATTACHMENT 1**

- (d) A person who is an employee is excused from a requirement made under item (a) to disclose the nature of an interest if -
  - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
  - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
  
- (e) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then –
  - (i) before the meeting, the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
  
- (f) If -
  - (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
  - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
  - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

**3. PERSONAL BENEFIT****3.1 Use of Confidential Information**

Employees and contractor/s will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

**3.2 Intellectual Property**

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire of Northampton upon its creation unless otherwise agreed by separate contract.

**3.3 Improper or Undue Influence****ATTACHMENT 1**

Employees will not take advantage of their position to improperly influence other Councillors or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Similarly, employees and contractor/s will not take advantage of their position to the detriment of Council, the Shire or other persons.

### 3.4 Gifts

For the purposes of clauses 3.4 and 3.5 the following definitions apply:

Employee means any employee of the Shire of Northampton other than the CEO or Senior Employee.

Gift means any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate.

Non-Employee and Non-Councillor Committee Members means any member of a statutory committee of Council that is not an existing CEO, Senior Employee, Employee or existing Councillor.

Same Donor has the same meaning or intent established in the Local Government Act 1995 and subsidiary legislation.

Senior Employee means the positions designated as Director Business, Director Community Services, Director Development and Regulation and Director Works and Services but does not include the Chief Executive Officer. (Note: the Local Government Act 1995 deals specifically with the responsibilities of the CEO).

- a) Senior Employees, Employees and Non-Employee or Non-Councillor Committee Members shall at all times comply with the statutory gift provisions of the *Local Government Act 1995* and subsidiary legislation;
- b) A gift (including moderate acts of hospitality) for Senior Employees shall have a maximum value of \$300, provided that multiple gifts from the same donor in a twelve (12) month period shall not exceed these amounts in aggregate;
- c) In accordance with clause 3.4(b) all gifts accepted by Senior Employees of \$50 or more must be disclosed in the appropriate form to the Chief Executive

## ATTACHMENT 1

Officer within 10 days of receipt for recording in the non-statutory gift notification register held by the CEO. Any gift less than \$50 must be disclosed directly in the non-statutory gift register located in the safe at the Northampton Shire Office, at the Northampton Works Depot or by email to the CEO as soon as practicable;

- d) Unless otherwise authorised in writing by the CEO after consideration of relevant statutory restrictions, a gift (including moderate acts of hospitality) for Employees and Non-Employee or Non-Councillor Committee Members shall have a maximum value of \$50, provided that multiple gifts from the same donor in a twelve (12) month period shall not exceed those amounts in aggregate;
- e) In accordance with clause 3.4(d) all gifts accepted by Employees and Non-Employee or Non-Councillor Committee Members up to \$50 must be disclosed directly in the non-statutory gift register located in the safe at the Northampton Shire Office, at the Northampton Works Depot or by email to the CEO as soon as practicable; and
- f) Gifts valued less than \$300 may be received on behalf of the Shire of Northampton by Senior Employees, Employees and Non-employees or Non-Councillor Committee Members and be distributed between the relevant work area. All gifts received under this clause must be recorded by the primary receiver of the gift in the non-statutory gift register located in the safe at the Northampton Shire Office, at the Northampton Works Depot or by email to the CEO as soon as practicable;
- g) Unless otherwise authorised in writing by the CEO after consideration of relevant statutory restrictions, Senior Employees, Employees and Non-employees or Non-Councillor Committee Members will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit, other than moderate acts of hospitality for themselves or anybody else from any other person or body who:
- is undertaking or seeking to undertake an activity involving a local government discretion; or
  - it is reasonable to believe is intending to undertake an activity involving a local government discretion.

### 3.5 Travel Contributions

Contributions to travel for Senior Employees, Employees and Non Employee or Non Councillor Committee Members must be disclosed in accordance with the requirements of the Local Government Act 1995 and subsidiary legislation.

**ATTACHMENT 1**

**4. CONDUCT OF EMPLOYEES AND CONTRACTOR/S**

**4.1 Personal Behaviour**

(a) Employees and contractor/s will:

- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (ii) perform their duties impartially and in the best interests of the Shire of Northampton uninfluenced by fear or favour;
- (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Northampton and its communities and shall be particularly mindful to avoid interference in commercial relationships between developers and objectors or between developers competing for the right to develop.
- (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (v) always act in accordance with their obligation of fidelity to the Shire of Northampton and not publicly reflect adversely upon any decision of the Council or Council's management.

**4.2 Honesty and Integrity**

Employees and contractor/s will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the Chief Executive Officer any dishonesty or possible dishonesty on the part of any other employee, and in the case of a contractor/s to the employee who is responsible for overseeing their activities.
- (c) be frank and honest in their official dealing with each other.
- (d) Endeavour to resolve serious conflict through initial discussion facilitated by the CEO or, in the event that CEO is too closely involved, an independent impartial person or peer group.

**4.3 Discrimination**

Employees and contractor/s are required to treat each other and members of the community with respect and observe the requirements of Discrimination and Equal Opportunity legislation by:

- (a) Ensuring the workplace is free from any form of discrimination.

#### **ATTACHMENT 1**

- (b) Applying the philosophy and principles of EEO at all levels of the organisation.
- (c) Ensuring they do not engage in unlawful harassment or bullying in the workplace.

#### **4.4 Performance of Duties**

While on duty, employees will give their whole time and attention to the Shire of Northampton's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire of Northampton.

#### **4.5 Compliance with Lawful Orders**

- (a) Employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Employees will give effect to the lawful policies of the Shire of Northampton, whether or not they agree with or approve of them.

#### **4.6 Administrative and Management Practices**

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

#### **4.7 Corporate Obligations**

- (a) Standard of Dress

Employees are expected to comply with neat and responsible dress standards at all times. Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees.

- (b) Communication and Public Relations

- (i) All aspects of communication by employees (including verbal, written or personal), involving Shire of Northampton's activities should reflect the standards and objectives of the Shire of Northampton. Communications should be accurate, polite and professional.
- (ii) Statements to the press on behalf of the Shire will only be made by the President or the CEO, or unless the President directs otherwise.

It shall be incumbent on employees when referring a member of the community to

their local Councillor over issues that the officer cannot resolve due to current Council policy, that the officer notify the ward Councillors of the referral and any information that may assist in resolving the issue.

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### 5. DEALING WITH SHIRE OF NORTHAMPTON PROPERTY

#### 5.1 Use of Shire of Northampton Resources

Employees and contractor/s will:

- (a) be scrupulously honest in their use of the Shire of Northampton's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Shire of Northampton resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Shire of Northampton's resources (including the services of Council employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).
- (d) Not use Council vehicles for private use unless authorised to do so.
- (e) Foster an awareness of the community's ownership of the Shire's natural and built environment.

#### 5.2 Travelling and Sustenance Expenses

Employees will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Shire of Northampton in accordance with Councils policy and the provisions of the *Local Government Act 1995*.

#### 5.3 Access to Information

Employees will ensure that Councillors are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.

#### 5.4 Freedom of Information

Employees and contractor/s acknowledge that:

- (a) The *Freedom of Information Act 1992* (FOI Act) was introduced to facilitate public access to documents and an application can be made seeking access to any information held by the Shire of Northampton.

ATTACHMENT 1

- (b) An object of the FOI Act is to 'make the persons and bodies that are responsible for State and local government more accountable to the public'.
- (c) They are obligated to assist the Shire's CEO and the Shire's Freedom of Information officers in locating documents relevant to an application made under the FOI Act.

**6. BREACHES AND MISCONDUCT**

Complaints regarding a breach of this Code or of misconduct will be dealt with quickly and fairly in accordance with the principles of procedural fairness and natural justice.

**6.1 Employees and Contractor/s**

A complaint alleging that an employee or contractor/s has breached this Code shall be made in writing. Complaints regarding:

- (a) An employee are to be made to the CEO or in the case of a contractor/s to the employee who is responsible for overseeing their activities.
- (b) The CEO is to be made to the President. The complaint will be investigated in a manner that is in accordance with the Shires Complaint Handling Procedure, Public Interest Disclosure Procedures and the principles of natural justice.

**6.2 Misconduct**

For the purposes of this Code, misconduct is defined in accordance with section 4 of the *Corruption, Crime and Misconduct Act 2003*.

The CEO has a statutory obligation to report to the Corruption and Crime Commission allegations of suspected serious misconduct.

Allegations of suspected minor misconduct are dealt with by the Public Sector Commission and the CEO has a statutory obligation to report as required.

**6.3 Public Interest Disclosure**

The Shire has a public interest disclosure procedure that provides confidential mechanisms for reporting and investigating misconduct allegations or improper conduct and other public interest information in accordance with the *Public Interest Disclosure Act 2003*.

**12.2 REVIEW OF THE CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES 2021**

<b>Location</b>	Whole of Shire
<b>Applicant</b>	Chief Executive Officer
<b>Owner/Lessee</b>	N/A
<b>File Reference</b>	
<b>Date of Report</b>	31 May 2023
<b>Reporting Officer</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Reference	Description	In Report	Separate Cover
Appendix 1	Shire of Northampton Code of Conduct for Council Members, Committee Members and Candidates	✓	
Attachment 1	Proposed Shire of Northampton Code of Conduct for Council Members, Committee Members and Candidates 2023	✓	

**DISCLOSURE OF INTEREST:**

Nil.

**BACKGROUND:**

One of the first tasks of the new Chief Executive Officer (CEO) upon appointment to the Shire of Northampton has been to ensure governance practices are current and adequate. It is a statutory requirement under the *Local Government Act 1995* to ensure that a Code of Conduct for Council Members, Committee Members and Candidates is up to date and is also available on the local government website. Further to this it is imperative that all Council Members, Committee Members and Candidates adhere to the governance provisions contained within the document.

The Shire of Northampton's Code of Conduct for Council Members, Committee Members and Candidates was last reviewed in 2021 and good governance practice would recommend a review at least every two years.

The existing Council Members, Committee Members and Candidates is appended for reference and the purpose of this report is to review this document.

**APPENDIX 1**

**COMMUNITY & GOVERNMENT CONSULTATION:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**STATUTORY IMPLICATIONS:**

Under the *Local Government (Model Code of Conduct) Regulations 2021*, the Shire of Northampton is required to have a Code of Conduct for Council Members, Committee Members and Candidates

**POLICY/PROCEDURE IMPLICATIONS:**

Not only is a Code of Conduct for Council Members, Committee Members and Candidates a statutory requirement, it also provides the fundamental basis for strong governance within a local government organisation.

There are no direct policy implications attached to this report.

**COMMENT:**

The Shire of Northampton's Code of Conduct for Council Members, Committee Members and Candidates follows the industry best practice template and is considered not requiring any significant amendment. Minor amendments such as adding dates and minor spelling and grammatical changes have been implemented.

The proposed Code of Conduct for Council Members, Committee Members and Candidates is provided to Council for consideration and decision.

**ATTACHMENT 1**

**RISK ASSESSMENT:**

The associated risk would be the failure to comply with the requirements of the *Local Government Act 1995* in relation to a Code of Conduct for Council Members, Committee Members and Candidates could result in reputational damage, financial impacts and potentially service interruption. Risk rating is considered Level 3 – Moderate.

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

**VOTING REQUIREMENT:**

*Simple Majority.*

**STAFF RECOMMENDATION – 12.2**

**That Council adopt the Code of Conduct for Council Members, Committee Members and Candidates in accordance with ATTACHMENT 1.**

**COUNCIL RESOLUTION – 12.2**

**Moved Cr SUCKLING seconded Cr HORSTMAN**

**That Council adopt the Code of Conduct for Council Members, Committee Members and Candidates in accordance with ATTACHMENT 1.**

**CARRIED 6/0**

**Minute Reference 06/23 - 11**

APPENDIX 1



**Code of Conduct**  
**for**  
**Council Members, Committee**  
**Members and Candidates**

## APPENDIX 1

### Division 1 — Preliminary provisions

#### 1. Citation

This is the *Shire of Northampton's Code of Conduct for Council Members, Committee Members and Candidates*.

#### 2. Terms used

(1) In this code —

**Act** means the *Local Government Act 1995*;

**candidate** means a candidate for election as a council member;

**complaint** means a complaint made under clause 11(1);

**publish** includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

### Division 2 — General principles

#### 3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

#### 4. Personal integrity

(1) A council member, committee member or candidate should —

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

(a) act in accordance with the trust placed in council members and committee members; and

(b) participate in decision-making in an honest, fair, impartial and timely manner; and

(c) actively seek out and engage in training and development opportunities to improve the performance of their role; and

(d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

#### 5. Relationship with others

(1) A council member, committee member or candidate should —

- (a) treat others with respect, courtesy and fairness; and
- (b) respect and value diversity in the community.

## APPENDIX 1

- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

### 6. **Accountability**

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

## Division 3 — Behaviour

### 7. **Overview of Division**

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates;
- (b) the mechanism for dealing with alleged breaches of those requirements; and
- (c) Team Values & Behaviours (see *Additional Explanatory Notes* below).

### 8. **Personal integrity**

- (1) A council member, committee member or candidate —
  - (a) must ensure that their use of social media and other forms of communication complies with this code; and
  - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
  - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
  - (b) must comply with all policies, procedures and resolutions of the local government.

### 9. **Relationship with others**

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and

- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and

## APPENDIX 1

- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

### **10. Council or committee meetings**

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

### **11. Complaint about alleged breach**

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

### **12. Dealing with complaint**

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the

local government may —

- (a) take no further action; or
- (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

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- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
  - (a) engage in mediation;
  - (b) undertake counselling;
  - (c) undertake training;
  - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
  - (a) its finding and the reasons for its finding; and
  - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

#### 13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
  - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
  - (b) either —
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

#### 14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

#### 15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.

- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

## **APPENDIX 1**

### **Division 4 — Rules of conduct**

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

**16. Overview of Division**

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

**17. Misuse of local government resources**

- (1) In this clause —  
**electoral purpose** means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
**resources of a local government** includes —
  - (a) local government property; and
  - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

**18. Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office —
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
  - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

**19. Prohibition against involvement in administration**

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

**20. Relationship with local government employees**

- (1) In this clause —  
**local government employee** means a person —
  - (a) employed by a local government under section 5.36(1) of the Act; or
  - (b) engaged by a local government under a contract for services.

APPENDIX 1

- (2) A council member or candidate must not —
  - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
  - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
  - (a) make a statement that a local government employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

**21. Disclosure of information**

- (1) In this clause —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

**non-confidential document** means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
  - (a) derived from a confidential document; or
  - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
  - (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or

- (g) if the disclosure is required or permitted by law.

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### **22. Disclosure of interests**

- (1) In this clause —  
***interest*** —
- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
  - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
- (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

### **23. Compliance with plan requirement**

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

ATTACHMENT 1



# Code of Conduct for Council Members, Committee Members and Candidates

June 2023

## ATTACHMENT 1

### Division 1 — Preliminary provisions

#### 1. Citation

This is the *Shire of Northampton's Code of Conduct for Council Members, Committee Members and Candidates*.

#### 2. Terms used

(1) In this code —

**Act** means the *Local Government Act 1995*.

**candidate** means a candidate for election as a council member.

**complaint** means a complaint made under clause 11(1).

**publish** includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

### Division 2 — General principles

#### 3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

#### 4. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision-making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

#### 5. Relationship with others

(1) A council member, committee member or candidate should —

## ATTACHMENT 1

- (a) treat others with respect, courtesy and fairness; and
  - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

### 6. **Accountability**

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

## Division 3 — Behaviour

### 7. **Overview of Division**

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates;
- (b) the mechanism for dealing with alleged breaches of those requirements; and
- (c) Team Values & Behaviours.

### 8. **Personal integrity**

- (1) A council member, committee member or candidate —
- (a) must ensure that their use of social media and other forms of communication complies with this code; and
  - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
  - (b) must comply with all policies, procedures and resolutions of the local government.

### 9. **Relationship with others**

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and

**ATTACHMENT 1**

- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

**10. Council or committee meetings**

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

**11. Complaint about alleged breach**

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

**12. Dealing with complaint**

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
  - (a) take no further action; or
  - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
  - (a) engage in mediation;
  - (b) undertake counselling;
  - (c) undertake training;
  - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
  - (a) its finding and the reasons for its finding; and
  - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

### **13. Dismissal of complaint**

- (1) The local government must dismiss a complaint if it is satisfied that —
  - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
  - (b) either —
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

### **14. Withdrawal of complaint**

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

## **ATTACHMENT 1**

### **15. Other provisions about complaints**

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

#### Division 4 — Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

#### 16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

#### 17. Misuse of local government resources

- (1) In this clause —  
**electoral purpose** means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
**resources of a local government** includes —
  - (a) local government property; and
  - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

#### 18. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office —
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
  - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

#### 19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.

#### ATTACHMENT 1

- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

**20. Relationship with local government employees**

(1) In this clause —

**local government employee** means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
- (b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

- (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
- (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
- (c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
- (b) use an offensive or objectionable expression when referring to a local government employee.

(5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

**21. Disclosure of information**

(1) In this clause —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act.

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed.

**document** includes a part of a document.

**non-confidential document** means a document that is not a confidential document.

(2) A council member must not disclose information that the council member —

(a) derived from a confidential document; or ATTACHMENT 1

- (b) acquired at a closed meeting other than information derived from a non-confidential document.

- (3) Subclause (2) does not prevent a council member from disclosing information —
- (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

## 22. Disclosure of interests

- (1) In this clause —
- interest** —
- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
  - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
- (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.

**ATTACHMENT 1**

- (7) The nature of the interest must be recorded in the minutes of the meeting.

**23. Compliance with plan requirement**

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

**12.3 REVIEW OF THE GIFT POLICY**

<b>Location</b>	Whole of Shire
<b>Applicant</b>	N/A
<b>Owner/Lessee</b>	N/A
<b>File Reference</b>	
<b>Date of Report</b>	31 May 2023
<b>Reporting Officer</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Reference	Description	In Report	Separate Cover
Appendix 1	Shire of Northampton Gift Policy	✓	
Attachment 1	Proposed Shire of Northampton Gift Policy	✓	

**DISCLOSURE OF INTEREST:**

Nil.

**BACKGROUND:**

Arising from the review of Shire of Northampton Code of Conduct for Staff and Contractor/s as part of this Agenda, matters related to gifts for employees were appropriately included in the document. As a direct result of this, elements of the Shire of Northampton's Gift Policy, last reviewed in June 2022, require amendment subject to the adoption by Council of the staff recommendation for the review of Shire of Northampton's Code of Conduct for Staff and Contractor/s.

The existing Gift Policy is appended for reference.

**APPENDIX 1**

During the review of the Gift Policy, the author of this report noted that the existing Gift Policy could be improved and provide much more clarity for Councillors, Chief Executive Officer (CEO) and employees when participating in or attending events and functions.

The purpose of this report is for Council to consider reviewing and amending its existing Gift Policy.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**STATUTORY IMPLICATIONS:**

Gift provisions are made under the *Local Government Act 1995* and subsidiary legislation.

**POLICY/PROCEDURE IMPLICATIONS:**

This report is a review of the existing Gift Policy.

Gifts are one of the most prescriptive legislative requirements applicable to local government in Western Australia. Defining procedures and processes through Council policy is an excellent mechanism to ensure compliance is achieved.

**COMMENT:**

From previous experience it is the professional opinion of the CEO that those associated with a local government organisation struggle to come to terms with the correct application of the *Local Government Act 1995* gift provisions particularly associated with events and functions. As a result of the review, a new section has been included in the amended Gift Policy to capture specific event and function scenarios that often arise through the ordinary course of local government business.

In addition to the above, references to employees have been removed from the Tangible Gifts, Accommodation and Travel part of the policy as it is adequately covered in the reviewed Shire of Northampton Code of Conduct for Employees and Contractors. Minor spelling and grammatical changes were also introduced into the document.

The amendment of the Gift Policy arising from the review is provided to Council for consideration and decision.

**ATTACHMENT 1**

**RISK ASSESSMENT:**

The associated risk would be the failure to comply with the requirements of the *Local Government Act 1995* in relation to a Code of Conduct for Employees could result in reputational damage, financial impacts and compliance. Risk rating is considered Level 3 – Moderate.

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

**VOTING REQUIREMENT:**

*Simple Majority.*

**STAFF RECOMMENDATION – 12.3**

**That Council adopt the amended Gift Policy in accordance with ATTACHMENT 1.**

**COUNCIL RESOLUTION – 12.3**

**Moved Cr SUDLOW seconded Cr HORSTMAN**

**That Council adopt the amended Gift Policy in accordance with ATTACHMENT 1.**

**CARRIED 6/0**

**Minute Reference 06/23 - 12**

**APPENDIX 1**

**GIFTS**

**Policy reviewed by Council 17 June 2022**

- (a) Members and staff are not to accept a gift, other than a gift of or below \$300 from a person who is undertaking, or is likely to undertake, business-
- that requires the person to obtain any authorization from the Shire of Northampton.
  - by way of contract between the person and the Shire of Northampton; or
  - by way of providing any service to the Shire of Northampton.
- (b) Members and staff who accept a gift of or below \$300 from a person referred to in (a) above are to record in a register of token gifts-
- a description of the gift;
  - the name and address of the person who made the gift;
  - the date on which the gift was received;
  - the estimated value of the gift at the time it was made;
  - the nature of the relationship between the relevant person and the person who made the gift.

unless the Shire of Northampton decided that –

- specified gifts given by way of hospitality; or
- specified classes of gift given by way of hospitality,

need not be recorded.

- (c) This clause does not apply to gifts received from a relative (as defined in section 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

(note amount changed to \$300 by legislation 2019)

**ATTACHMENT 1**

**GIFTS**

**Policy reviewed by Council 17 June 2023**

**Tangible Gifts, Accommodation and Travel**

- 1) This part of the policy does not apply to employees with the exception of the Chief Executive Officer (CEO). Requirements relating to gifts, accommodation and travel for all employees is provided in the Code of Conduct for Employees and Contractors;
- 2) Councillors and the CEO are not to accept a gift in this part, other than a gift of or below \$300 from a person who is undertaking, or is likely to undertake, business-
  - that requires the person to obtain any authorisation from the Shire of Northampton;
  - by way of contract between the person and the Shire of Northampton; or
  - by way of providing any service to the Shire of Northampton.
- 3) Councillors or the CEO who accepts a gift of or below \$300 from a person referred to in 2) are to record in a register held by the Chief Executive Officer of token gifts-
  - a description of the gift;
  - the name and address of the person who made the gift;
  - the date on which the gift was received;
  - the estimated value of the gift at the time it was made; and
  - the nature of the relationship between the relevant person and the person who made the gift.
- 4) Clauses (2) and (3) do not apply to gifts received from a relative (as defined in section 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- 5) Any gift not defined in this part that is accepted by Councillors or the CEO above \$300 must comply with requirements, and be declared in the appropriate form in accordance with the provisions, of the *Local Government Act 1995*.

**Attendance at Events and Functions**

- 6) This part of the policy applies to Councillors, CEO and employees. When employees are considering this policy they must read it in conjunction with the Code of Conduct for Employees and Contractors which will take precedence where any inconsistency arises.

- 7) The following situations are specifically excluded where the event or function ticket (gift) is received from one of the following organisations:
- WALGA (but not LGIS);
  - Local Government Professionals Australia (WA);
  - Australian Local Government Association;
  - A department of the WA public service;
  - A government department of another State, a Territory or the Commonwealth; or
  - A local government or regional local government.

**ATTACHMENT 1**

- 8) In considering whether a benefit such as an invitation to an event or hospitality given to a Councillor, CEO or an employee is a gift for the purposes of the Act and Regulations, the key issues include:
- Who is a donor, the person who is offering or giving the benefit?
  - What is the value of the benefit?
  - Does the Councillor, CEO or employee of the benefit contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards?
  - If so, does the value of that contribution outweigh the value of the benefit?

- 9) Event attendance may create a perceived or actual conflict of interest, which may preclude Councillors participating, or the CEO and employees providing advice at a future Council meeting.

If the amount of an event or function ticket (gift) is less than \$1,000, and relates to a matter before Council, under section 5.68 of the Act, Council may allow the disclosing Councillor to participate on the condition that the interest, the Council's decision and the reasons for that decision are recorded in the minutes of the Council meeting.

If the amount of the gift is above \$1,000 the Councillor or Chief Executive Officer must apply to the Minister for Local Government for permission to allow the Councillor, CEO or employee to participate in a future meeting.

10) **Community / Local Business Events**

Acceptance of reasonable and modest hospitality by a Councillor, CEO or employee at an unpaid event run by a local community group for local business would not generally be classified as a 'gift' where the contribution by the Councillor, CEO or employee to the event is reasonably considered to outweigh the value of the hospitality.

This is more likely where the Councillor, CEO or employee attends the event in his or her capacity - preferably where the attendance has been specifically authorised by the Shire, but otherwise where the person is performing their duties or functions.

11) **Commercial Entertainment Events**

Any tickets accepted by a Councillor, CEO or employee without payment for any commercial entertainment event, for which a member of the public is required to

pay, whether sponsored by the Shire of Northampton or not, will generally be classified as a gift for the purposes of the *Local Government Act 1995*.

An exception to this is where the Shire President or their representative attends the event in an official capacity to perform a civic or presidential function.

Where there is a commercial entertainment event that, in the opinion of the CEO, it is in the interests of the Shire of Northampton for one or more Councillors, CEO or employees to attend in order to assess and understand first-hand the impacts on the community or business, then one or more tickets for that event will be purchased for the relevant Councillor, CEO or employee by the Shire of Northampton at full cost.

#### ATTACHMENT 1

##### 12) **Non-Entertainment Commercial Events**

For other commercial (non-entertainment) events, such as a conference or seminar, for which a member of the public is required to pay, where the CEO is of the opinion that it is in the interests of the Shire of Northampton for one or more Councillor, CEO or employees to attend (such as for their professional development or to undertake a function as a Councillor, CEO or employee), then one or more registrations or other benefits for that event will be purchased by the Shire of Northampton at full cost to enable attendance.

If the Shire of Northampton does not pay for the event, free registration or any other benefit (such as hospitality) given to a Councillor, CEO or employee would be classified as a 'gift' unless the contribution of the participant at the event (such as by way of a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the Councillor, CEO or employee.

##### 13) **Gifts Received Through Event Sponsorship**

Any tickets received through the Shire of Northampton's sponsorship of an event by Councillors, CEO or employees are to be considered by Council as to how and who they are to be disbursed to prior to the event.

**12.4 CHIEF EXECUTIVE OFFICER - MOBILE PHONE**

<b>Location</b>	N/A
<b>Applicant</b>	Chief Executive Officer
<b>Owner/Lessee</b>	N/A
<b>File Reference</b>	
<b>Date of Report</b>	31 May 2023
<b>Reporting Officer</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Nil.

**DISCLOSURE OF INTEREST:**

This report directly relates to and benefits the Chief Executive Officer who declares a Financial Interest in the matter.

**BACKGROUND:**

Prior to commencement of employment with the Shire of Northampton, the Chief Executive Officer (CEO) expressed an interest in retaining his existing mobile phone number and own device during employment.

Normally a device and mobile phone number would be provided for the CEO's position, however the existing device available did not suit the current business needs of the CEO. In addition, the existing mobile phone number was still receiving personal phone calls belonging to the previous incumbent.

The purpose of this report is for Council to consider the CEO providing his own device and mobile phone number with the Shire of Northampton reimbursing the cost of the mobile phone usage plan.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Nil.

**FINANCIAL IMPLICATIONS:**

There is a mobile phone usage allocation of \$1,250 in the 2022/23 Shire of Northampton budget. In addition to this the Shire of Northampton is responsible for the purchase and maintenance of the actual device.

Under the proposal for Council's consideration, the cost of the CEO's existing mobile phone usage plan is \$864 per annum. This annual cost is for usage only as the device is owned outright by the CEO. The CEO will accept all current and future costs associated with the device.

**STATUTORY IMPLICATIONS:**

Nil.

**POLICY/PROCEDURE IMPLICATIONS:**

It is possible that a future "Bring Your Own Device" policy may be a worthwhile organisational consideration for other employees.

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,  
Northampton on Friday 16<sup>th</sup> June 2023**

**COMMENT:**

The outcome of this proposal allows the CEO to retain a fit for purpose device without the need to rely on the Shire of Northampton for acquisition or maintenance. In addition to this the CEO will also retain his existing number.

The benefit for the Shire of Northampton is that they no longer have responsibility to acquire or maintain a suitable device and there is also a small annual saving on the mobile phone usage plan.

If Council resolves to proceed with this arrangement, the reimbursement to the CEO would be facilitated on the production of paid invoices from the carrier.

**RISK ASSESSMENT:**

The associated risk would be the failure to comply with Local Government Financial Regulations requiring monthly reporting of Financial Activity. Risk rating is considered Level 1 – Insignificant.

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

**VOTING REQUIREMENT:**

Simple Majority

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,  
Northampton on Friday 16<sup>th</sup> June 2023**

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Chief Executive Officer, Mr Andrew Campbell, left the meeting at 1.42pm

**STAFF RECOMMENDATION – 12.4**

**That Council endorse the use of a private mobile phone device and mobile phone number by the Chief Executive Officer and agree to reimburse the Chief Executive Officer the actual cost of the mobile phone usage plan on production of paid invoices from the carrier.**

**COUNCIL RECOMMENDATION – 12.4**

**Moved Cr HORSTMAN seconded Cr SUCKLING**

**That Council endorse the use of a private mobile phone device and mobile phone number by the Chief Executive Officer and agree to reimburse the Chief Executive Officer the actual cost of the mobile phone usage plan on production of paid invoices from the carrier.**

**CARRIED 6/0**

**Minute Reference 06/23 – 13**

Chief Executive Officer, Mr Andrew Campbell, entered the meeting at 1.45pm.

**12.1.5 – CONSIDERATION OF THE USE OF INFORMATION BRIEFING SESSIONS**

<b>Location</b>	N/A
<b>Applicant</b>	Chief Executive Officer
<b>Owner/Lessee</b>	N/A
<b>File Reference</b>	4.1.1
<b>Date of Report</b>	8 June 2023
<b>Reporting Officer</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer

**SUPPORTING DOCUMENTS:**

Nil.

**DISCLOSURE OF INTEREST:**

Nil.

**BACKGROUND:**

With the appointment of the new Chief Executive Officer (CEO), it has been highlighted that communication and interaction between Councillors and Administration could be improved. One such way the CEO successfully has managed the Councillor and Administration interaction at his previous employer was through the use of Information Briefing Sessions immediately before Council meetings.

The purpose of this report is to determine if Information Briefing Sessions are something that the Council of the Shire of Northampton may consider implementing.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**STATUTORY IMPLICATIONS:**

Nil.

**POLICY/PROCEDURE IMPLICATIONS:**

Nil.

**COMMENT:**

Information Briefing Sessions have been previously used by the CEO as an effective tool to brief and receive feedback from Council to assist the Administration to fulfil its strategic and operational responsibilities. Typically an Information Briefing Session would operate for 1 hour to 1.5 hours and occur before the Council meeting commences. Items of business generally include, but are not limited to:

- Presentations from employees on a variety of matters including projects, documents and policies, and issues of National, State, Regional and Local implication;
- Major project updates from employees;
- Presentations from prospective proponents, community groups, government agencies and others;
- A forum for Councillors to raise relevant discussion and share information;
- A forum for Councillors to raise issues;
- Presentations of the proposed Annual Budget and other strategic documents;
- Questions on the Council Agenda (noting debate is strictly prohibited); and
- Any other relevant matter for discussion.

Brief notes are recorded at all Information Briefing Sessions and are circulated to Councillors and relevant employees. Matters requiring further action are then followed up and documented for information so task progress can be tracked.

It is recommended that Council give due consideration to the merits of Information Briefing Sessions and agree to implement them at the Council meeting to be held in July 2023.

**RISK ASSESSMENT:**

The risk rating of this proposal is considered Level 1 – Insignificant.

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,  
Northampton on Friday 16<sup>th</sup> June 2023**

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

**STAFF RECOMMENDATION – 12.5**

That Council agree to implement Information Briefing Sessions on the same day of, and prior to, Council meetings commencing from July 2023.

**COUNCIL RESOLUTION – 12.5**

**Moved Cr SUDLOW seconded Cr HORSTMAN**

That Council agree to implement Information Briefing Sessions on the same day of, and prior to, Council meetings commencing from July 2023.

**CARRIED 6/0**

**Minute Reference 06/23 - 14**

### **13 COUNCILLOR'S AND DELEGATE'S REPORTS**

#### **13.1 PRESIDENT'S REPORT**

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

01/06/2023 British Petroleum (BP) presentation, Northampton  
13/06/2023 Bendigo Bank Community Awards, Geraldton

#### **13.2 DEPUTY PRESIDENT'S REPORT**

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

24/05/2023 Drought Resilience Management online meeting with AgDots  
01/06/2023 British Petroleum (BP) presentation, Northampton  
13/06/2023 Bendigo Bank Community Awards, Geraldton

### **13.3 COUNCILLOR'S REPORTS**

**13.3.1** Since the last Council meeting Cr GIBB reported on his attendance at:

22/05/2023 Kalbarri Visitors Centre meeting, Kalbarri  
28/05/2023 Murchison Hydrogen Project

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

31/05/2023 Local Emergency Management Meeting, Kalbarri

**13.3.3** Since the last Council meeting Cr BURGESS reported on his attendance at:

22/05/2023 Kalbarri Development Association meeting, Kalbarri

### **14 NEW ITEMS OF BUSINESS FOR DECISION**

#### **14.1 REQUEST FOR RENT WAIVER 21 FITZGERALD STREET, NORTHAMPTON**

<b>Location</b>	21 Fitzgerald Street, Northampton
<b>Applicant</b>	Mrs Hannah Cross
<b>Owner/Lessee</b>	N/A
<b>File Reference</b>	9.1.2
<b>Date of Report</b>	15 June 2023
<b>Reporting Officer</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer

#### **SUPPORTING DOCUMENTS:**

Nil.

#### **DISCLOSURE OF INTEREST:**

Nil.

#### **BACKGROUND:**

In May 2023 the Shire of Northampton served a residential lease termination on the tenant of a Shire owned residence at 21 Fitzgerald Street, Northampton to facilitate the relocation of the Deputy Chief Executive Officer to Northampton. The date to vacate was set for two months being the 14 July 2023 in accordance with the residential tenancy agreement however this was later extended by agreement until 14 August 2023.

The tenant has recently advised that she has been able to source alternate accommodation, however due to her husband recently sustaining a significant injury, will have to undertake the move over a period of time. The tenant has indicated that she will have vacated the property before the original termination date of 14 July 2023. At this point an assumption is made that the tenant is likely to be paying for two properties at once and as a result she has requested a waiver of the rent for a short period whilst she vacates.

The purpose of this report is for Council to consider the request for a short term rent waiver.

**COMMUNITY & GOVERNMENT CONSULTATION:**

Nil.

**FINANCIAL IMPLICATIONS:**

The cost of this proposal is in the order of \$760.

**STATUTORY IMPLICATIONS:**

Under s6.12(b) a Local Government can waive any amount of money.

**POLICY/PROCEDURE IMPLICATIONS:**

Nil.

**COMMENT:**

The termination notice to vacate the residential property at 21 Fitzgerald Street, Northampton was initiated by the Shire of Northampton to facilitate the relocation of the Deputy Chief Executive Officer to Northampton. It is understood that due to the current rental market crisis in Northampton that the tenant of the property has been under considerable duress due to future uncertainty about remaining in the community. Added to this is the recent injury to the tenant's husband would undoubtedly made their personal situation worse.

Fortunately the tenant has been able to secure alternate rental accommodation and will be able to move out before the agreed vacation date which will facilitate a quicker relocation for the Deputy Chief Executive Officer. The request from the tenant is not unreasonable and given the circumstances surrounding this matter, it is recommended that a rent waiver be granted to Mrs Hannah Cross for the rental of 21 Fitzgerald Street, Northampton until 14 July 2023.

**RISK ASSESSMENT:**

Based on the risk matrix, the risk rating of this proposal is considered Level 1 – Insignificant.

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

**STAFF RECOMMENDATION – 14.1**

That Council grant Mrs Hannah Cross, tenant of 21 Fitzgerald Street, Northampton a waiver of rent from 16 June 2023 to 14 July 2023.

**COUNCIL RESOLUTION – 14.1**

Moved Cr HORSTMAN seconded Cr SUCKLING

That Council grant Mrs Hannah Cross, tenant of 21 Fitzgerald Street, Northampton a waiver of rent from 16 June 2023 to 14 July 2023.

**CARRIED 6/0**  
**Minute Reference 06/23 – 15**

**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,**  
**Northampton on Friday 16<sup>th</sup> June 2023**

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**14.2 REQUEST FOR LEAVE OF ABSENCE CR SUCKLING**

**COUNCIL RESOLUTION – 14.2**

**Moved Cr HORSTMAN seconded Cr GIBB**

**That Council grant Cr Ros SUCKLING leave of absence for the next Council meeting to be held on Friday 21 July 2023.**

**CARRIED 6/0**  
**Minute Reference 06/23 - 16**

**15 NEXT MEETING**

The next Ordinary Meeting of Council will be held on Friday 21<sup>st</sup> July 2023 commencing at 1.00pm at the Northampton Council Chambers.

**16 CLOSURE**

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 2.00pm

THESE MINUTES CONSISTING OF PAGES 1 TO 167 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 21<sup>ST</sup> JULY 2023.

PRESIDING MEMBER: \_\_\_\_\_

DATE: \_\_\_\_\_