



AGENDA

COUNCIL MEETING

17 NOVEMBER 2023

SHIRE OF NORTHAMPTON – COUNCIL MEETING AGENDA**17 November 2023****NOTICE TO ALL COUNCILLORS**

An Ordinary Meeting of Council is called for Friday 17 November 2023 commencing at 1:00pm in the Allen Centre, Kalbarri.



Andrew Campbell
CHIEF EXECUTIVE OFFICER

10 November 2023

DISCLAIMER

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

SHIRE OF NORTHAMPTON COUNCIL MEETING FRIDAY 17 NOVEMBER 2023 TO BE HELD IN THE ALLEN CENTRE, KALBARRI COMMENCING AT 1:00PM

AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

2. ANNOUNCEMENTS BY THE PRESIDENT:

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. ATTENDANCE:

3.1 Apologies:

3.2 Approved Leave of Absence:

4. DECLARATIONS OF INTEREST:

[Part 5, Division 6 of the Local Government Act 1995 requires that a member must disclose the interest of the member and the nature of the interest in writing before the meeting or immediately before the matter is discussed.]

5. PUBLIC QUESTION TIME:

5.1 Response to public questions taken on notice

5.2 Public Question Time

[Under meeting procedure this is the only opportunity for members of the public to ask up to a maximum of two questions of Council. There is no further opportunity to question the Shire of Northampton during the meeting. Questions can be asked on any Shire matter, not just on issues included in the meeting agenda and each person shall have up to 3 minutes to ask their questions which may be extended by an additional 3 minutes where considered appropriate by the Presiding Member. Persons asking questions are entitled to a response unless the question is declared "out of order" by the Presiding Member. If a matter requires further investigation, that response may be in writing. Any person asking questions of Council must state their correct name and address as this will form part of the public record of this meeting]

6. PRESENTATIONS:

6.1 Petitions:

6.2 Presentations:

6.3 Deputations:

6.4 Councillor reports:

- Cr Sudlow (Shire President)
- Cr Horstman (Deputy Shire President)
- Cr K Suckling
- Cr Burges
- Cr Gibb
- Cr Hay
- Cr Pike
- Cr R Suckling

6.5 Conference reports:

7. CONFIRMATION OF PREVIOUS MINUTES:

_____ / _____

That the Minutes of the Ordinary Meeting of the Council held on 20 October 2023 be confirmed.

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**9. OFFICERS' REPORTS:**

MAJORITY	ITEM	COUNCIL OFFICERS' REPORTS	Page No.
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COMMITTEES		
9.8.1	Nil	

ITEM 9.1.1: Proposed Councillor Appointments to External Bodies

PROPONENT:	Chief Executive Officer
OWNER:	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.14
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	13 October 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

After an ordinary election of Council, it is common practice for Council to nominate Councillors to represent the Shire of Northampton (Shire) at meetings not controlled by the Shire under the *Local Government Act 1995*.

The purpose of this report is for Council to consider appointing Councillor delegates to represent the Shire at meetings of external bodies.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Following the 2021 election, Council appointed delegates to the following external bodies:

- Northampton Visitors Centre
- Kalbarri Development Association – (includes Kalbarri Foreshore Re Development Plan)
- Kalbarri Visitors Centre
- Kalbarri Sport & Recreation Club
- Kalbarri Roadwise Committee
- Coastal Sub Group of the Regional Road Group
- Batavia Local Emergency Management Committee
- Development Assessment Panel
- Drought Resilience Planning Group
- Northampton Community Centre

It is understood that since this time there has been additions and changes both formally and informally to this list. Rather than prepare an exhaustive list of external bodies, it is considered that a more appropriate way to deal with this is for Councillors and staff to collectively determine which groups are relevant and then assign Councillors to those groups as part of Council's resolution.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

It is important that Council keep in touch with community groups and other groups that are relevant to the conduct of Shire business.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 2 – Minor mainly based on possible reputational damage.

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

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

That Council appoint the following Councillors to the external bodies listed:

EXTERNAL BODY	COUNCILLOR

ATTACHMENTS

1. Nil.

APPENDICES

1. Nil.

ITEM 9.1.2: Proposed RSL War Memorial Monument Concept - Kalbarri

PROPONENT:	Chief Executive Officer
OWNER:	Shire of Northampton
LOCATION / ADDRESS:	Kalbarri Foreshore Reserve
ZONE:	Parks and Recreation
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	5.1.8
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	13 October 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

After commencing a discussion with the Kalbarri RSL and receiving a small amount of funding back in 2017, the Shire of Northampton has been contemplating the replacement of the Kalbarri War Memorial Monument. The current War Memorial is in poor condition.

As part of the 2023/24 budget, Council included a total amount of \$60,000 to undertake the works in collaboration with the Kalbarri RSL. After recently initiating the project for delivery, the Chief Executive Officer (CEO) has been in discussion with representatives of the Kalbarri RSL who have now produced a basic concept for Council's consideration. The concept and the accompanying correspondence is provided in the attachment.

ATTACHMENT 9.1.2(1)

The purpose of this report is for Council to consider the concept proposal from the Kalbarri RSL and if supportive, consent to a detailed design being produced to progress the project.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The concept produced by the Kalbarri RSL is simple and appears to be cost effective and most likely able to be completed within budget. Council should note however this concept has not been publicly consulted and as such the CEO will be initiating the development application process to ensure the proposal is consulted with the Kalbarri community.

On this basis, the preliminary support by Council for the concept is recommended to enabled detailed design and a development approval process the commence.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Council has already approved funding for the replacement of the Kalbarri War Memorial Monument in the 2023/24 budget and it is important that the project is delivered.

Operational type issues such as lawn irrigation, mowing and monument maintenance will be determined during the detailed design phase.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 2 – Minor mainly based on possible reputational damage.

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
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Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Council has allocated \$60,000 in the 2023/24 budget and these funds should be sufficient to complete the project.

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

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

That Council endorse the Kalbarri War Memorial Monument Concept in accordance with ATTACHMENT 9.1.2(1).

ATTACHMENTS

1. Kalbarri RSL Correspondence.

APPENDICES

1. Nil.

ITEM 9.2.1 Accounts for Endorsement to 17th November 2023

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Grant Middleton
DATE OF REPORT:	7 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

A copy of the Payment Listing is attached.

ATTACHMENT 9.2.1(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT (Includes Options):

Council is requested to endorse the payments as presented.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note Municipal Fund Cheques 22419 to 22431 inclusive totalling \$30,724.25, Municipal EFT payments numbered EFT25502 to EFT25614 totalling \$685,495.48, Direct Debit payments numbered GJ0401 to GJ0409 inclusive, payroll and superannuation totalling \$266,039.50 be declared as authorised expenditure.

ATTACHMENTS

1. Payments list to 31 October 2023

APPENDICIES

1. Nil

ITEM 9.2.2 Monthly Financial Statements for the Period Ending 31 October 2023

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Grant Middleton
DATE OF REPORT:	7 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

The Monthly Statements of Financial Activity for the period ending 31 October 2023 are detailed from page 1 to page 24 per the attached Monthly Financial report.

A copy of the Monthly Finance Report is attached.

ATTACHMENT 9.2.2(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT (Includes Options):

Council is requested to adopt the monthly Financial Report as presented. The financial implications associated with the monthly report are detailed below.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34 1996

Local Government Act 1995 Section 6.4

POLICY / STRATEGIC IMPLICATIONS:

Nil

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

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

- Total operating revenue has a surplus position of \$153,342 and operating expenditure has a surplus position of \$505,079 to the end of October 2023. It is anticipated that operating revenue and operating expenditure variances will be temporary and converge with the budget as the year progresses.
- The revaluations process for Infrastructure Roads and Other Infrastructure assets for June 2023 has been finalised and Depreciation for the months of July to October 2023 has been posted.
- Investing and Financing variances will reconcile as the year progresses and it is anticipated there will be no significant budget variations.

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

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

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

ATTACHMENTS

- 1. Monthly Financial Statements to 31 October 2023**

APPENDICIES

- 1. Nil**

ITEM 9.2.3 Proposed Budget Variation November 2023

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Grant Middleton
APPROVING OFFICER:	Grant Middleton
DATE OF REPORT:	7 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is requested to consider the proposed budget variation to allocate the additional Local Roads and Community Infrastructure (LRCIP) Program Phase 4 Part B Grant Revenue to the Little Bay Road project and utilise additional operational revenue to fund the Kalbarri Airport line marking works.

The budget variation is required for the following:

- Little Bay Road LRCIP Phase 4 Part B \$282,816
- Kalbarri Airport Line Markings \$11,536

Little Bay Road LRCIP Phase 4 Part B \$282,816

There has been an additional funding component provided for the LRCIP Phase 4 program under Part B provided, funding under this component can only be utilised for Local Road Projects. The approved revenue budget for LRCI4 is currently \$490,301, the additional \$282,816 will increase the total grant funding available for the works to \$773,117. The adopted expense budget for the project is currently \$600,000 with the additional allocation increasing the total budget to \$882,816.

Kalbarri Airport Line Markings \$11,536

The Safety Findings (SF) from the Kalbarri Airport CASA safety report process have highlighted the lack of edge line marking. The edge line markings were present when the original strip works were completed but the markings were subsequently removed and not replaced following earlier reseal works. Additionally, the works carried out earlier this year did not allow for edge marking in the “scope of works”. The edge line marking are an important visual guide for pilots being able to identify the edge of the tarmac and need to be re-instated as a matter of urgency. No funding allocation was requested during the 2023/2024 budget process to reinstate the edge line markings.

COA/Job No.	COA/Job Description	Adopted Budget	Proposed Revised Budget	Budget Variance	Comments
152090.18	LRCI Phase 4 Revenue (Little Bay Road Construction)	\$490,301	\$773,117	+\$282,816	Additional LRCI4 funding under part B for Local Roads
152100.08	Little Bay Road Construction Expenditure)	\$600,000	\$882,816	+\$282,816	Additional LRCI4 funding under part B for Local Roads
101530.20	Rebates & Commissions (Revenue)	\$25,000	\$36,500	+\$11,500	Additional W/C and DOT Revenue
146240.08	Kalbarri Airport Runway Reseal (Expense)	\$0	\$11,500	+\$11,500	No provision in the 23/24 budget for the edge line markings

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT (Includes Options):

Little Bay Road

The adopted expenditure budget to construct the Little Bay Road is currently \$600,000. This estimate was calculated several years ago and costs have increased significantly over the last 2-3 years due to high inflation and escalating contractor costs. The additional funding will alleviate the inflationary impacts and allow the road to be constructed to a higher standard which will improve safety and reduce future on-going maintenance costs.

This is a relatively difficult road project which will pose a number of issues during the construction phase due to the nature of the in-situ material and terrain and the cadastral alignment within a 20m road reserve.

Summary of proposed works:

- Undertake feature survey of the cadastral and adjoining lands. ie road reserve plus 20m each side.
- Undertake a simple design for 9m gravel road (150mm thick) formation placed centrally within road reserve. Simple cross section allowing 3% cross fall with simple corner consideration.
- Minimal cut and fill but achieve workable grades (to be confirmed pending survey/design).

- Closure and rehab of existing tracks.
- No drainage considerations required at this stage.

The road will be built by external contractors and require additional supervision from a construction and heritage aspect which will add to the overall costs. Staff are proposing that pending Council approval the additional LRCI Phase 4 Part B funding is allocated to the Little Bay Road construction project.

The additional \$282,816 will increase the overall budget allocation to \$882,816.

Kalbarri Airport Line Markings

The line markings at the Kalbarri airport were not included as part of the recent reseal works and also not reinstated when the prior reseal works were undertaken. The airport was inspected and audited in June by a Civil Aviation Safety inspector. The audit raised a number of items that need to be addressed.

There are 11 Safety Observations (SO) and 4 Safety Findings (SF) listed in the report. The Safety Observations are issues that need to be dealt with prior to the next CASA inspection (the previous one was five years ago) and the Safety Findings are issues require a response but not necessarily rectified within three weeks, ie by 30.10.23.

Below is a quote/cost to undertake the line edge markings.

Mobilise & de-mobilise Kalbarri 2 x trucks 4 x crew	\$1,536
Accommodation meals etc 1 x night 4 x crew	\$1,200
Line marking 300mm width 3000 L/M 2 x coats (6000 L/M) approx. 800m2. Price includes survey set out of edge line marking	\$8,800
Quote Total	\$11,536

STATUTORY ENVIRONMENT:

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

Local Government Act (1995) – Section 6.8. - Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

(1a) In subsection (1):

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

POLICY / STRATEGIC IMPLICATIONS:

Nil

ORGANISATIONAL RISK MANAGEMENT:

The associated risk of not completing the Little Bay Road project to a higher standard is considered Level 3 – Moderate and associated risk of not addressing the line markings at the Kalbarri Airport is considered Level 4 – Major.

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

There will be no overall change to the 2023/2024 balanced budget position to accommodate the revised budget allocations listed above. Additionally, the budget variation will not directly impact on the Corporate Business Plan (CBP) for the 2023/2024 Financial Year.

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:**ABSOLUTE MAJORITY****OFFICER RECOMMENDATION:**

That Council:

Amend the 2023/24 Shire of Northampton Budget in accordance with the following table:

Budget Item	Current Budget	Proposed Budget	Change
LRCI Phase 4 Revenue (Little Bay Road)	\$490,301	\$773,117	\$282,816
Little Bay Road (Expense)	\$600,000	\$882,816	\$282,816
Rebates & Commissions (Revenue)	\$25,000	\$36,500	\$11,500
Kalbarri Airport Runway Reseal (Expense)	\$0	\$11,500	\$11,500
		Net Change	\$0

ATTACHMENTS

1. Nil

APPENDICIES

1. Nil

ITEM 9.2.4 Request for Rate Concession – Northampton Creative Obsessions Incorporated

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Grant Middleton
APPROVING OFFICER:	Grant Middleton
DATE OF REPORT:	7 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council to consider the request from Helen Reynolds the President of the “Northampton Creative Obsessions Inc” (NCOI) for a rate concession at (A3422) 189 Hampton Road Northampton. The group has transformed the former Masonic Hall into a studio and exhibition space. There are some concerns that the facility is used for purposes other than charitable purposes including commercial or semi commercial activities.

A copy of the request letter is attached.

ATTACHMENT 9.2.4(1)

Northampton Creative Obsessions Inc purchased this property in September 2021. The group is seeking support from the Shire of Northampton in relation to a rate concession.

Staff have reviewed the request and have some concerns in relation to setting a precedent for this type of request and the group not satisfying the rate exemption criteria per the Local Government Act.

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT (Includes Options):

Staff have assessed the rate concession request from NCOI per the provisions of the *Local Government Act 1995* 6.26 2(g) which relates to land used exclusively for charitable purposes which is the only provision of the act that could be considered in the assessment of this request.

The use of this site by the Northampton Creative Obsessions group does not appear to be exclusively for charitable purposes and therefore this section of the legislation does

not apply. The group is a not for profit organisation and the facility is used for arts and craft type activities plus meetings and other events.

The property is currently rated on a Gross Rental Value with a GRV of \$17,250, the yearly rates and ESL applicable to this property are as follows.

189 Hampton Road Northampton Assessment = A3422	
Rates	\$1,499.08
Emergency Services Levy	\$98.00
Total	\$1,597.08

The rates are calculated by multiplying the GRV by the applicable rate in the dollar = \$17,250 x \$0.086903 = \$1,499.08.

The annual Emergency Services Levy will apply to this property irrespective of the rating status as this levy is a state government levy to pay for emergency services and this charge is levied on all properties.

Whilst the Northampton Creative Obsessions Inc group are providing a valuable and worthwhile service to the community staff have had to access the request based on the "Act" in determining if NOCI qualifies as a charitable organisation. Additionally staff are concerned with the precedent this will set in the Shire in relation to rates exemptions and concessions.

The group has the option of applying to Landgate for a review of the Gross Rental Value assigned to the property. The current GRV for the property is the equivalent of a weekly rent of approximately \$332. (GRV \$17,250 / 52 weeks)

STATUTORY ENVIRONMENT:

Local Government Act 1995 – Section 6.26 Rateable land.

6.26. Rateable land

(1) Except as provided in this section all land within a district is rateable land.

(2) The following land is not rateable land —

(a) land which is the property of the Crown and —

(i) is being used or held for a public purpose; or

(ii) is unoccupied, except —

(I) where any person is, under paragraph (e) of the definition of owner in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or

(II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of owner in section 1.4 occupies or makes use of the land; and

(b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading

undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and

(c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and

(d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and (e) land used exclusively by a religious body as a school for the religious instruction of children; and

(f) land used exclusively as a non-government school within the meaning of the School Education Act 1999; and

(g) land used exclusively for charitable purposes; and

(h) land vested in trustees for agricultural or horticultural show purposes; and

(i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and

(j) land which is exempt from rates under any other written law; and

(k) land which is declared by the Minister to be exempt from rates.

(3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.

(4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.

(5) Notice of any declaration made under subsection (4) is to be published in the Gazette.

(6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

POLICY / STRATEGIC IMPLICATIONS:

The Shire does not have a policy for the granting of rates concessions. If the Shire sets a precedent in this matter it is possible that further rate concession requests will be received from other groups.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk of approving the rates waiver/concession will be in relation to setting a precedent for further requests therefore the associated risk is considered Level 3 – Moderate.

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

FINANCIAL IMPLICATIONS:

There will be no overall change to the 2023/2024 balanced budget position unless Council approves the rate concession. Any reduction in rate revenue will necessitate a Budget Variation to adjust the adopted budget for the reduction in rates revenue.

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council not approve the rate concession requested by the Northampton Creative Obsessions Incorporated for the annual rates levied at (A3422) 189 Hampton Road Northampton.

ATTACHMENTS

1. Letter from Northampton Creative Obsessions Incorporated

APPENDICIES

1. Nil

9.3.1 Final Adoption of Proposed Local Planning Policy – Renewable Energy Facility

PROPONENT	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
DIRECTORATE:	Planning Services
FILE REFERENCE:	10.4.11
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	7 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the 15 September 2023 Ordinary Council Meeting, Council resolved to adopt the draft Local Planning Policy (LPP) *Renewable Energy Facility* and advertise the policy for public comment.

Copy of the draft document as advertised is shown at Appendix 9.3.1 (1).

APPENDIX 9.3.1 (1)

With advertising now complete in accordance with Schedule 2 – Deemed Provisions, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is requested to consider the adoption of the draft policy.

Council is furthermore requested to consider some minor amendments to the draft policy as advertised to address administrative and textual changes as detailed in the comment section below.

PUBLIC CONSULTATION UNDERTAKEN:

Notices were placed in the Geraldton Guardian, the local community newsletters and on the Shire of Northampton's website in accordance with Schedule 2 - Deemed Provisions, Part 2, cl 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of no less than 21 days. Submissions on the draft policy were invited up to and including Friday 13 October 2023.

Forty (40) submissions were received with four (4) specifically considering adoption of the draft policy. Copy of the Schedule of Submissions is attached.

ATTACHMENT 9.3.1 (1)

Thirty-six (36) submissions principally centred around an objection to the Murchison Hydrogen Renewables Project which is outside the scope of the Draft LPP. The Shire notes the comments and recommends that the submission is resubmitted if a Scheme Amendment application is initiated to amend Local Planning Scheme No. 10. The amendment would propose to change the zoning of the land from 'Rural' to 'General Industry' to enable those additional components of development, including the manufacturing of green hydrogen and green ammonia to occur.

Following advertising and the minor amendments proposed will not impact on the purpose or intent of the policy, it is recommended that Council adopt the amended policy as presented in the attachment.

ATTACHMENT 9.3.1 (2)

COMMENT:

As mentioned in the background section, some minor modification to the draft policy is proposed as discussed below.

Technical edits and/or clarification of some aspects of the policy were updated as follows:

- Removal of 'Industry Hazardous' definition – no longer a model land use definition used in local frameworks.
- Update of administrative term ensuring 'consideration' rather than just 'identification'.
- Removal of "Wind Energy" and 'Solar Energy' as both definitions are considered forms of the wider definition of Renewable Energy;
- Rewording of clauses 3.2.2, 3.3.2, 3.3.3, 3.3.6, 3.3.7, 3.3.8.
- Deletion of clauses 3.2.3 and 3.2.4 as rewording of clause 3.2.2 further clarifies the intent.
- Deletion of clauses 3.3.11 and 3.3.12 with information to be provided via separately developed Information Sheet; and
- Update to Tables 1 and 2 providing further clarity in relation to setbacks.

Conclusion

Given the minor amendments proposed will not impact on the purpose or intent of the policy, it is recommended that Council adopt the Local Planning Policy *Renewable Energy Facility* as presented in the attachment.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015.

Shire of Northampton Local Planning Scheme No. 10 and Local Planning Scheme No. 11.

POLICY IMPLICATIONS:

The adoption of the policy will provide guidance for the development of renewable energy facilities in the Shire of Northampton and distinguish what forms part of the land use definition of Renewable Energy Facility.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

The cost of advertising the Local Planning Policy is covered by the Council's existing Planning budget allocation.

SUSTAINABILITY:Environmental: NilEconomic: NilSocial: Nil**VOTING REQUIREMENTS:****SIMPLE MAJORITY****OFFICER RECOMMENDATION:****That Council:**

1. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 5 adopt *Local Planning Policy Renewable Energy Facility* (as amended) as shown at Attachment 9.3.1 (1); and
2. Authorise the Chief Executive Officer to advertise adoption of the policy as detailed in point 1 above, in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 5.

ATTACHMENTS

1. Schedule of Submissions.
2. Amended Local Planning Policy *Renewable Energy Facility* for adoption.

APPENDICES

1. Copy of advertised draft Local Planning Policy *Renewable Energy Facility*

9.3.2 Final Adoption of Proposed Local Planning Policy – Social Impact Assessment

PROPONENT	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
DIRECTORATE:	Planning Services
FILE REFERENCE:	10.4.11
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	7 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the 15 September 2023 Ordinary Council Meeting, Council resolved to adopt the draft Local Planning Policy (LPP) *Social Impact Assessment* and advertise the policy for public comment.

Copy of the draft document as advertised is shown at Appendix 9.3.2 (1).

APPENDIX 9.3.2 (1)

With advertising now complete in accordance with Schedule 2 – Deemed Provisions, clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is requested to consider the adoption of the draft policy.

Council is furthermore requested to consider some minor amendments to the draft policy as advertised to address administrative and textual changes as detailed in the comment section below.

PUBLIC CONSULTATION UNDERTAKEN:

Notices were placed in the Geraldton Guardian, the local community newsletters and on the Shire of Northampton's website in accordance with Schedule 2 - Deemed Provisions, Part 2, cl 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of no less than 21 days. Submissions on the draft policy were invited up to and including Friday 13 October 2023.

Nine (9) submissions were received with two (2) specifically considering adoption of the draft policy. Copy of the Schedule of Submissions is attached.

ATTACHMENT 9.3.2 (1)

Eight (8) submissions principally centred around an objection to the Murchison Hydrogen Renewables Project which is outside the scope of the Draft LPP. Objections were also raised in relation to the development of offshore renewable energy facilities. A proposal for an offshore energy facility would be dealt with under Commonwealth legislation under the *Offshore Electricity Infrastructure Act 2021* and not by the local government

The Shire notes the comments and recommends that submissions be resubmitted if a Scheme Amendment application is initiated to amend Local Planning Scheme No. 10. The amendment would propose to change the zoning of the land from 'Rural' to 'General Industry' to enable those additional components of development, including the manufacturing of green hydrogen and green ammonia to occur.

Following advertising, the minor amendments proposed will not impact on the purpose or intent of the policy, it is recommended that Council adopt the amended policy as presented in the attachment.

ATTACHMENT 9.3.2 (2)

COMMENT:

As mentioned in the background section, some minor modification to the draft policy is proposed as discussed below.

Technical edits and/or clarification of some aspects of the policy were updated as follows:

- Correction of typographical error in clause 2.5.
- Minor adjustment to the SIA definition to include reference to impact on community wellbeing.
- Rewording of clauses 3.2.1, 3.2.2 and 3.2.6 to accurately list planning instruments.
- Deletion of clause 3.3.5 with clarification of documents required provided in clause listing matters to be addressed within the policy.
- Rewording of clause 3.3.6 to provide more clarity and include implementation of monitoring and review elements of social impacts.
- Deletion of 'Subdivision application' in clause 3.4 as these matters are determined by the Western Australian Planning Commission.
- Correction of typographical errors in Attachments 1 and 2.

Conclusion

Given the minor amendments proposed will not impact on the purpose or intent of the policy, it is recommended that Council adopt the Local Planning Policy *Social Impact Assessment* as presented in the Attachment 9.3.2 (2).

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015.

Shire of Northampton Local Planning Scheme No. 10 and Local Planning Scheme No. 11.

POLICY IMPLICATIONS:

The adoption of the policy will provide guidance and improved planning and decision-making capability when considering development proposals and the social consequences that will impact on community wellbeing, both positive and negative, as a result of a land use planning decision.

ORGANISATIONAL RISK MANAGEMENT:

Nil

FINANCIAL IMPLICATIONS:

The cost of advertising the Local Planning Policy is covered by the Council's existing Planning budget allocation.

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 5 adopt Local Planning Policy *Social Impact Assessment* (as amended) as shown at Attachment 9.3.2 (2); and
2. Authorise the Chief Executive Officer to advertise adoption of the policy as detailed in point 1 above, in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 5.

ATTACHMENTS

1. Schedule of Submissions.
2. Amended Local Planning Policy *Social Impact Assessment* for adoption.

APPENDICES

1. Copy of advertised draft Local Planning Policy *Social Impact Assessment*

9.3.3 Request for Nomination of Development Assessment Panel Representatives

PROPONENT	Department of Planning, Lands and Heritage
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	N/A
DIRECTORATE:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	6 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Development Assessment Panels (DAP's) were established in Western Australia following the introduction of the *Planning and Development (Development Assessment Panel) Regulations 2011*. The panels, which comprise two (2) local government members and three (3) specialist members, were established with the aim of ensuring that significant planning proposals are determined in a consistent manner, based on technical advice.

DAP matters within the Shire of Northampton are determined by the Regional Joint Development Assessment Panel (Regional JDAP).

At its Ordinary Meeting held on 16 September 2022, Council resolved to nominate the following elected members as representatives on the Midwest/Wheatbelt JDAP, with terms expiring on 26 January 2024:

- *Cr Pike and Cr Burges as local members to the Midwest Wheatbelt Development Assessment Panel; and*
- *Cr Horstman and Cr Gibb as first and second alternates respectively for those Councillors nominated in Point No. 1(a) above.*

It should be noted that the State Government has subsequently modified the DAP system and abolished the Midwest/Wheatbelt JDAP. In its place a Regional JDAP was established which presides over all local authorities outside of the Perth Metropolitan Area, including the Shire of Northampton.

As Local Government Elections were scheduled to be held on 21 October 2023, the Director General forwarded correspondence to all local government requesting nominations for the upcoming term expiring on February 2026. A copy of the correspondence received is shown attached.

ATTACHMENT 9.3.3(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT:

Larger more complex land use/development proposals, whether rural or urban based are often controversial within a community. This can lead to applications being determined on a political basis with local opposition becoming a primary factor in the decision-making process.

As outlined in the background section of this agenda item, the purpose of DAP's is to ensure that larger proposals are determined in a consistent manner, based on technical advice. In accordance with Part 2 – Clause 5 of the Regulations, applications seeking approval to a development (outside of the City of Perth, having a value of more than \$10 million must be referred to and determined by a DAP.

In accordance with Part 2 – Clause 6 of the Regulations, an applicant for a development which exceeds \$2 million may elect to have any application for development determined through the DAP process. A determination of an application by a DAP committee qualifies as a determination made under Local Planning Scheme No. 10 and/or Local Planning Scheme No. 11.

Local Government members on a DAP are provided by the Local Authority in which the application is situated. Appointed Councillors will be required to undertake DAP training before they may participate in the DAP process.

In terms of meeting frequency, DAP meetings are held on an 'as required' basis. No applications were received requiring the convening of a DAP during the previous term.

STATUTORY ENVIRONMENT:

The statutory basis for Development Assessment Panels (DAP's) is provided by Part 11A of the *Planning and Development Act 2005* (the Act). Whilst the provisions of the Act describe the establishment and function of the DAP's, clause 171D of the Act permits the Governor to make regulations prescribing the constitution, procedure and conduct of DAP's.

As prescribed by the DAP Regulations only elected local government Councillors may sit as either local members or alternates. In addition to the two nominated DAP representatives, alternates are required. Given this should a nominated Councillor not continue as an Elected Member after an election, or resign mid-term, their DAP membership will cease and transfer to one of the alternate local members.

The DAP Regulations outline that all DAP member nominations are ultimately considered by and determined by the Honourable Minister for Planning.

POLICY/STRATEGIC IMPLICATIONS:

Inclusion of two elected members as Local Representatives on the Development Assessment Panel ensures that local comment and/or considerations are taken into account when determining significant applications for development approval.

ORGANISATIONAL RISK MANAGEMENT:

Should no representatives from the Shire of Northampton be appointed to the Development Assessment Panel, there is a risk that members from another local authority will sit on the DAP and the Shire will not be adequately represented during any associated DAP process.

FINANCIAL IMPLICATIONS:

Any costs associated with DAP Councillor training that are to be borne by Council (ie. Accommodation) will be wholly contained within the adopted annual budget.

In accordance with Schedule 2 of the Regulations, the following fees are payable to DAP members:

Member	Meeting to Determine Application	Meeting to amend or cancel decision	Attending State Administrative Tribunal
Presiding Member	\$500	\$100	\$500
Other Members	\$400	\$50	\$400

In addition, an amount of \$400 is payable to all members for training.

SUSTAINABILITY:

Environmental: Nil

Economic: Shire representative must undergo appropriate training as soon as possible to ensure that the assessment of an application by the Joint Development Assessment Panel can be undertaken without delay.

Social: Participation in Development Assessment Panels ensures that the views of elected members from the Shire of Northampton are considered when significant development proposals are to be determined through the DAP process.

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

That Council

1. In accordance with Regulation 28 of the *Planning and Development (Development Assessment Panels) Regulations 2011* make the following nominations for the term 27 January 2024 to 26 January 2026:
 - a) Cr _____ and Cr _____ as local members to the Regional Development Assessment Panel; and
 - b) Cr _____ and Cr _____ as first and second alternates respectively for those Councillors nominated in Point No. 1 (a) above;
2. Direct the elected members nominated in Point 1 above to undertake Development Assessment Panel Training as required by the *Planning*

and Development (Development Assessment Panels) Regulations 2011: and

- 3. Advise the Department of Planning, Lands and Heritage of Council's resolution accordingly.**

ATTACHMENTS

- 1. Correspondence requesting DAP nominations.**

APPENDICES - Nil

ITEM: 9.3.4 Delegated Planning Decisions for October 2023

PROPONENT:	Shire of Northampton
OWNER:	Various
LOCATION / ADDRESS:	Various
WARD:	Various
ZONE:	Various
DIRECTORATE:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	6 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

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

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

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

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

COMMENT (Includes Options):

During October 2023, 6 development applications were determined under delegated authority. **Table 1** shows the number and value of development applications determined under both delegated authority and by Council for July 2023 compared to July 2022:

Table 1: Planning Decisions made in October 2022 and October 2023

	October 2022	October 2023
Delegated Decisions	8 - \$723,000 **2	6 - \$620,000 **4
Council Decisions	1 - \$170,000	1 - \$400,000 **1
Total	9 - \$893,000	7 - \$1,020,000

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

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

	YTD 2022	YTD 2023
Delegated Decisions	68 - \$8,393,837	52 - \$6,771,824 ** 21
Council Decisions	18 - \$880,000	15 - \$2,924,125 **7
Total	86 - \$9,273,837	67 - \$9,695,949

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

STATUTORY ENVIRONMENT:

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

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

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

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

POLICY / STRATEGIC IMPLICATIONS:

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

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

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

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

ATTACHMENTS

1. **Delegated Planning Decisions October 2023.**

ITEM 9.4.1: Building Approvals Report October 2023

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
ZONE:	All
BUSINESS AREA:	Building
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Building Regulations 2012</i>
AUTHOR:	Michaela Simpson
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	6 th November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

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

ATTACHMENT 9.4.1(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

During October 2023 ten (10) building and demolition applications were determined under delegated authority.

STATUTORY ENVIRONMENT:

Nil

POLICY / STRATEGIC IMPLICATIONS:

Nil

ORGANISATIONAL RISK MANAGEMENT:

Nil

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

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

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil

Economic: Nil

Social: Nil

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

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

ATTACHMENTS

1. Building Approvals Report October 2023.

APPENDICIES

1. Nil.

ITEM 9.7.1 Information Items – Maintenance/Construction – Works Program

PROPONENT:	Manager of Works and Technical Services
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Northampton and Kalbarri
ZONE:	All
BUSINESS AREA:	Office of Manager of Works and Technical Services
FILE REFERENCE:	N/A
LEGISLATION:	N/A
AUTHOR:	Neil Broadhurst
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	17 November 2023
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

Specific Road Works

- Maintenance grading carried out on Yallabartharra, Blue Well, Frosty Gully, James, Sandy Gully, Swamps, Ralph, Horan, Binnu CBH area and Ajana Back Road/s.
- Gravel Patching/Sheeting/Verge works carried out on Yallabartharra Road/s.

Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and edges various locations.
- General – Various tree lopping/vegetation works to road verges and park area/s.
- Northampton – Tip fencing alignment cleared, Ready for fence installation planned for end of November.
- Northampton Oval – Annual Verti mow and Coring undertaken.
- Kalbarri – Reticulation replacement works at Peet Park.
- Kalbarri Oval – Annual Coring undertaken.
- Kalbarri – Malaluca dual use pathway replacement works.
- Horrocks Road – Install and replacement of guideposts.
- Ogilvie East Road – Repairs to floodway/culvert site.

Other Items (Budget)

- Northampton – Gwalla Street / Second Avenue works sealed with concrete kerb installed. Backfilling and site tidy up works progressing.
- Parker Road/Wundi Road – Road furniture installation completed. Insitu culvert headwall installation completed.
- Kalbarri widening – Finalization of Main Roads WA full funding to the 12 kilometers of widening immediately to the east of Kalbarri as far as the Skywalk lookout turnoff. Culvert works to commence mid November 2023 and be completed by Christmas. Earthworks and roadworks to commence late January 2024 with completion by end of March 2024.

Plant Items

- Backhoe – New Backhoe arrived. Incorrect specification machine supplied by Westrac. New machine ordered. Replacement approximately 10 months.

Staff Items

- Basic and Traffic Controller renewal course x 1 employees undertaken.
- De-escalating conflict techniques training for selected staff.
- Vacant positions filled.
 - 1 x Truck Operator (Truck and trailer)
 - 1 x Truck Operator (Water Truck)
- Vacant positions to be advertised.
 - 1 x Grader Operator.
 - 1 x Maintenance Operator/Labourer
 - 1 x Gardener
 - 1 x Port Gregory Water Custodian.

A copy of the Manager of Works and Technical Services – Works Crew Budget – Program and Progress Report (2023/2024), November 2023 is attached.

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

Nil.

COMMENT (Includes Options):

Nil.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 – Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
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Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance	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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
			affected < 1 month				external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non- performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Works in accordance maintenance and construction budget.

SUSTAINABILITY:

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

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

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

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

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

ATTACHMENTS

1. Manager of Works and Technical Services – Works Crew Budget – Program and Progress Report (2023/2024), November 2023.

APPENDICES

1. Nil.

10. LATE REPORTS:

11. QUESTIONS FROM MEMBERS:

11.1 Response to questions from members taken on notice.

11.2 Questions from members.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING:

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

14. APPLICATIONS FOR LEAVE OF ABSENCE:

15. CLOSURE:

**There being no further business to discuss the Shire President to thank
those in attendance and close the meeting at.....pm.**