



MINUTES

COUNCIL MEETING

16 MAY 2024

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## SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Allen Centre , Kalbarri,  
Thursday, 16 May 2024.

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

The Shire President welcomed the gallery and acknowledged the attendance of Mr Craig Simkin, past Shire President and declared the meeting open at 2.00pm.

### 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:

#### **PRESENT:**

##### **Councillors**

Cr Liz Sudlow (Shire President)  
Cr Rob Horstman (Deputy Shire President)  
Cr Richard Burges  
Cr Trevor Gibb  
Cr Tim Hay  
Cr Des Pike  
Cr Karl Suckling  
Cr Roslyn Suckling

##### **Staff**

Mr Andrew Campbell (Chief Executive Officer)  
Mr Grant Middleton (Executive Manager of Corporate Services)  
Ms Sonya Hasleby (Executive Support Officer)  
Mr Brian Robinson (Executive Manager of Community, Development and Regulation)  
Mrs Leanne Rowe (Finance Officer)

##### **Gallery**

Craig Simkin, Phillipa Saunders, Shandi Baldwin, Karin Carnes, Linda Craig, Peter Boland, Leanne Boland, Glenn Russell, Franklyn Lane, Erica Payne, Gayle Garvey, Mike Paxman, Aaron Posner, Deborah Coulthard, Chrisine Screaigh, Janice Murrie, Mark Murrie, Amanda Le Moine, Wendy Lamb, Mick McIntyre, Calum Carruth, Belinda Carruth, Raina Robinson, Marg Davies,

Kim Maree, Brett Studders, Nat Eastland, Deb Hyde, Owen Morgan, Merilynn Eastland, Gary Turner, Yvonne Whitehead, Greg McCallum Rowe.

3.1 Apologies: Nil.

3.2 Leave Of Absence: Nil.

**4. DECLARATIONS OF INTEREST: Nil.**

*[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: Nil.

5.2 Public Question Time

Deb Coulthard: Why has a Scheme Amendment been considered when no native Indigenous approvals have been applied for and water usage for construction have not been clarified, both which are prerequisites for the project going ahead?

Andrew Campbell: The Shire is obligated to consider any application under the Planning and Development Act.

Deb Coulthard: Has Council considered the risk the ammonia export project possesses to lobster, fishing and tourism industries?

Liz Sudlow: Assured there would be a fair process.

Andrew Campbell: The application would be subject to the Environmental Protection Authority process and would be open to public submissions.

Brian Robinson: With any Scheme Amendment the first step is to get approval from the Environmental Protection Authority. You can not get it to public advertising stage without Environmental Protection Authority approval.

Phillipa Saunders: Will the Shire be engaging its own independent consultant to prepare an unbiased Social Impact Statement?

Andrew Campbell: No that's not up to us to engage, it is up to Council to give assessment to the Social Impact Statement made by the proponent.

Mark Murrie: Has the Shire considered the environmental impact within the Social Impact Assessment as brine would be pumped into the water environment?

Liz Sudlow: The application would be subject to the Environmental Protection Authority.

Brian Robinson: The Development Application can not progress without the Environmental Protection Authority approval.

Raina Robinson: Has the Shire noted the difference in the report from GHD showing the estimated workforce increasing from 1700 workers to 3000 workers shown both in the April report and the May Report of the Ordinary Meeting of Council?

Brian Robinson: The applicant is allowed to vary details and we appreciate there will be fluctuations as the project develops however we appreciate the inflated estimation as we can address negative implications to protect the community.

Raina Robinson: Does the Shire believe they have been given all the information from the applicant that will affect the impact on Kalbarri?

Andrew Campbell: No, the Social Impact Assessment is still deficient.

Wendy Lamb: Why is the Shire considering land to be rezoned from Rural to Industrial that is five times more than what Murchison Green Hydrogen says it needs for infrastructure?

Brian Robinson: The Shire can only determine an application for what has been applied for.

Wendy Lamb: Is the Shire confident it has all the information about the project to accurately assess the impact on housing, infrastructure and social services in Kalbarri?

Andrew Campbell: No, the Social Impact Assessment will flush out all the concerns and Council will have a chance to consider that in due course.

Karin Carnes: Does the Council feel they have the power to make the decisions they possibly not want to change rural into industry area or does the Council feel the decision is out of their hands?

Andrew Campbell: It is difficult for this council to make determinations as there is a whole series of State Government processes that are in play. This is a project of State significance. From a developmental perspective the application will be made direct to State and the Shire may have nothing to do with it.

Shandy Baldwin: If the application of the Murchison Hydrogen Renewables goes ahead it will damage tourism in the area. Who will be compensating the business owners and people who lose their jobs?

Brian Robinson: The Social Impact Assessment will highlight both the positive and negative issues raised and how to address it. The Social Impact Assessment will develop as the applicant gets further into the development and the proposal gets refined.

Greg Rowe: Would the Council consider rezoning an easement along the West Coast boundary of the application approximately 500m wide to protect the fragile environment?

Brian Robinson: Council is not opposed to this suggestion however it is on Crown Land and the Shire does not have the ability to tell the State how to make its decisions. The Shire can request an Environmental Review Process to be considered.

Andrew Campbell: If it is determined that that submissions would be considered please provide submissions of this type.

Mick McIntyre: Is the Council satisfied that Murchison Green Hydrogen has sufficiently demonstrated their access to water for construction will justify their rezoning from rural to industrial?

Brian Robinson: Information we have been provided shows they are still finalising what those water sources will actually be. We need to leave our comments to the Scheme Amendment only a lot of the construction will occur outside of the actual Scheme Amendment area. Eg – Workers Accommodation and Wind Turbines.

Andrew Campbell: The application will have to go through the Environmental Protection Authority process. Submissions raising these concerns would be welcomed.

Mick McIntyre: What social impact does the Council expect from the ammonia export site in relation to crime, traffic, tourism and existing industries and liability of businesses?

Brian Robinson: The Social Impact Assessment is key to addressing all impacts positive and negative. An example is refuse. If the applicant was using the local Kalbarri Refuse Site it would impact the longevity of the Refuse site for the townsite. The Social Impact Assessment will give us a broad spectrum of information and dictate how we should respond.

## 6. PRESENTATIONS:

- 6.1 Petitions: Nil.
- 6.2 Presentations: Nil.
- 6.3 Deputations: Nil.
- 6.4 Councillor reports

Since the last Council meeting **Cr L Sudlow** reported on their attendance at:  
 19/04/2024 -Meeting with a developer at Anchorage Lane, Kalbarri.  
 22/04/2024 – Attended the funeral of Ron Allen, past President of Shire of Northampton and Chair of the Midwest Development Commission. Presented the Shire of Northampton component of the eulogy.  
 25/05/2024 – Attended the Northampton RSL 11:00am ANZAC service.  
 10/05/2024 – Attended the official opening of Northampton Netball Season and opening of the Northampton Community Centre utility precinct upgrade. Gave a brief presentation.  
 11/05/2024 – Attended the Kalbarri Gala function.  
 13/05/2024 – Attended the State Government Budget Luncheon function hosted by the Midwest Development Commission.

Since the last Council meeting **Cr R Horstman** reported on their attendance at:

22/04/2024 – Northern Country Zone meeting held in Geraldton.  
 25/04/2024 – Attended the Northampton RSL 11:00am ANZAC service.

Since the last Council meeting **Cr D Pike** reported on their attendance at:  
 24/04/2024 – Kalbarri Development Association Meeting.

25/04/2024 – Attended the Kalbarri RSL 11:00am ANZAC service.

Since the last Council meeting **Cr K Suckling** reported on their attendance at: 09/05/2024 – Northampton Community Centre meeting.

Since the last Council meeting **Cr R Suckling** reported on their attendance at: 22/04/2024 – Horrocks Community Centre AGM.  
25/04/2024 – Attended the Northampton RSL 11:00am ANZAC service.  
06/05/2024 – Horrocks Community Centre meeting.

Since the last Council meeting **Cr R Burges** reported on their attendance at: 01/05/2024 – Kalbarri Boadriders meeting.

6.5 Conference reports: Nil.

## 7. CONFIRMATION OF MINUTES:

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

**05/24-22**

**That the Minutes of the Ordinary Meeting of the Council held on 18 April 2024 be confirmed.**

**CARRIED: 8/0**

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

## 9. OFFICERS' REPORTS:

9.1.1	Proposed Lease to Kalbarri Men's Shed Inc. of 17 Richardson Road, Kalbarri for Men's Shed and Community Garden Purposes
9.1.2	Request for Urgent Repairs to Kalbarri Arts and Crafts Group Inc. Building, Lot 513 Porter Street, Kalbarri
9.1.3	Request for Shire Contributions to Events, Kalbarri Gala and Kalbarri Lights Up Festival
9.1.4	Review of Councillor Attendance Fees, Allowances and Expenses 2024/25
9.2.1	Proposed Accounts for Endorsement on 16 May 2024
9.2.2	Monthly Financial Statements for the Period Ending 30 April 2024
9.2.3	Proposed Corporate Business Plan and Long Term Financial Plan
9.2.4	Proposed Transfer to the Strategic Opportunities Reserve - Cyclone Seroja Final Insurance Payment
9.4.1	Executive Manager Community, Development and Regulation - Activity Report for January to March 2024
9.4.2	Proposed Overheight Outbuilding at Lot 806 (No. 22) Glass Street, Kalbarri
9.4.3	Delegated Planning Decisions for April 2024



9.4.4	Outline of Shire Owned Freehold Land Assets and Proposed Staff Housing
9.4.5	Request for Local Planning Scheme Amendment - Proposed Hydrogen Processing Facility on Murchison House Station
9.5.1	Building Approvals Report April 2024
9.9.1	Unconfirmed Minutes of the Community Grants Advisory Committee Meeting Held 23 April 2024

## ATTACHMENT

**9.1.1 Proposed Lease to Kalbarri Men's Shed Inc. of 17 Richardson Road, Kalbarri for Men's Shed and Community Garden Purposes**

<b>PROPONENT</b>	Kalbarri Men's Shed Inc.
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	17 Richardson Road, Kalbarri
<b>ZONE:</b>	General Industry
<b>BUSINESS AREA:</b>	Office of CEO
<b>FILE REFERENCE:</b>	A4665
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	24 April 2024
<b>DECLARATION OF INTEREST:</b>	Nil

*This report was deferred by decision of Council at the meeting held on 18<sup>th</sup> April 2024.*

**BACKGROUND:**

On 20 October 2023, Council resolved to redirect grant funding arising from TC Seroja toward the acquisition of 17 Richardson Road, Kalbarri for the purposes of supporting the relocation of the Kalbarri Men's Shed (Men's Shed) and the creation of a community garden.

After some negotiation, settlement occurred on 31 January 2024 when the Shire of Northampton (Shire) took possession of 17 Richardson Road, Kalbarri. Since that time the Chief Executive Officer has prepared a draft lease for negotiation with the Men's Shed in addition to the Men's Shed being provided with interim temporary access to the property to prepare for their move.

The purpose of this report is for Council to consent to the lease of the property and to specify negotiable terms of the lease.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The draft lease prepared for the property utilises standard lease conditions developed by solicitors and is typical in Local Government across Western Australia. Generally, the negotiable lease terms are restricted lease charges, lease terms and anything unusual that may be identified.

17 Richardson Road, Kalbarri is quite unusual in that it is freehold property now owned by the Shire and in the process of being leased to a community group.

Usually lease arrangements with groups such as the Kalbarri Men's Shed occur on Crown Reserve managed under a management order with a power to lease by the Local Government.

By purchasing this property, Council has essentially removed the rating capacity of the property and will be impacted by insurance and maintenance costs which will all have an impact on the Shire budget. During previous discussion with a Kalbarri Men's Shed representative when the idea was first proposed, this matter was raised and seemingly verbally agreed that a contribution to the Shire in the magnitude of \$5,000 (ex GST) per annum from the Kalbarri Men's Shed would be required to suitably offset the Shire's loss in budget.

However, during recent draft lease discussions, it is clear that the Kalbarri Men's Shed are not prepared to make a material lease contribution for a number of reasons including they were a not for profit entity benefitting the community, no additional funds will be sought from the Shire for proposed improvements, comparison to other Men's Sheds lease arrangements, difficulty with fundraising initiatives and the current small membership base that needs to expand. A copy of the Kalbarri Men's Shed correspondence is attached.

**ATTACHMENT: 9.1.1 (1)**

In addition to this the Kalbarri Development Association has weighed into the lease negotiation with correspondence supporting the establishment of the Kalbarri Men's Shed and Community Garden with a measured approach to a lease fee.

**ATTACHMENT: 9.1.1 (2)**

Given the challenges being faced by the Kalbarri Men's Shed and community garden in establishment, it is recommended that Council agree to a five year lease at a nominal lease fee with an option for a further five years with a lease fee commencing at \$5,000 (ex GST) indexed by the Consumer Price Index (Perth - June to June). This approach would allow the Kalbarri Men's Shed significant time to implement measures to improve revenue streams and make an appropriate contribution to the Shire through a lease payment.

#### **STATUTORY ENVIRONMENT:**

Section 3.58 of the Local Government Act 1995 deals with the requirements for leasing Shire land, however Section 30(b) of the Local Government (Functions and General) Regulations 1996 exempts from these requirements leases to charitable, benevolent, educational, recreational, sporting or other like bodies, provided the members are not entitled to receive any pecuniary profit. The proposed lease complies with this exemption.

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

Council should be cognisant of acquiring new assets that have large ongoing operational costs. In this circumstance, the ongoing costs are relatively small however this cost will accumulate with the acquisition of additional assets.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Level 2 – Minor. If the Shire can not come to agreement on lease terms with the Kalbarri Men’s Shed, the property could be repurposed for another suitable community activity or eventually sold.

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

**FINANCIAL IMPLICATIONS:**

The lease proposed in this agenda item is likely to incur direct and indirect costs of up to \$5,000 (ex GST) per annum for the Shire.

**SUSTAINABILITY:**

Environmental: Community gardens can be utilised to create environmental awareness in the community.

Economic: The Shire of Northampton will incur an economic cost as a result of this proposal.

Social: Men’s Shed’s and community gardens create social connectedness and will have many benefits in the community.

**VOTING REQUIREMENTS: SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council:**

1. Authorise the Chief Executive Officer to lease 17 Richardson Road, Kalbarri to the Kalbarri Men's Shed Inc for a term of five years for a rental of \$10 per annum payable on demand, with an option for a further lease of five years subject to a rental of \$5,000 (ex GST) per year indexed annually at Consumer Price Index (Perth – June to June); and
2. Advise the Kalbarri Men's Shed that by granting the initial five year lease at nominal rental, Council is agreeing to meet the additional costs incurred by the Shire on behalf of ratepayers. The initial lease period is intended to provide an opportunity for the Kalbarri Men's shed to grow their membership and improve their revenue to enable a suitable lease payment to be made and in doing so, reduce the cost to ratepayers.

**COUNCIL RESOLUTION:**

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

**05/24-23**

**That Council**

1. Authorise the Chief Executive Officer to lease 17 Richardson Road, Kalbarri to the Kalbarri Men's Shed Inc for a term of two years for a rental of \$10 per annum payable on demand plus three years fixed at \$5,000 (es GST) per annum, with an option for a further lease of five years subject to a rental of \$5,000 (ed GST) per annum indexed annually at Consumer Price index (Perth – June to June); and
2. Advise the Kalbarri Men's Shed that by granting the initial two year lease at nominal rental, Council is agreeing to meet the additional costs incurred by the Shire on behalf of ratepayers. The initial lease period is intended to provide an opportunity for the Kalbarri Men's shed to grow their membership and improve their revenue to enable a suitable lease payment to be made and in doing so, reduce the cost to ratepayers.

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike

**AGAINST**

Cr K Suckling  
Cr R Suckling

## ATTACHMENT

**9.1.2 Request for Urgent Repairs to Kalbarri Arts and Crafts Group Inc. Building, Lot 513 Porter Street, Kalbarri**

<b>PROPONENT OWNER</b>	Kalbarri Arts and Crafts Group Inc.
<b>LOCATION / ADDRESS:</b>	Shire of Northampton
<b>ZONE:</b>	Lot 513 Porter Street, Kalbarri
<b>BUSINESS AREA:</b>	Parks and Gardens
<b>FILE REFERENCE:</b>	Office of CEO
<b>LEGISLATION:</b>	A4824
<b>AUTHOR:</b>	<i>Local Government Act 1995</i>
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	Andrew Campbell
<b>DECLARATION OF INTEREST:</b>	6 May 2024
	Nil

**BACKGROUND:**

A 2024/25 budget request has been received from the Kalbarri Arts and Crafts Group Inc. for repairs to a rusting roof on the building they lease from the Shire of Northampton (Shire).

**ATTACHMENT: 9.1.2 (1)**

This submission was being prepared for Council's budget deliberations for 2024/25 as a supported request from the Shire administration. The Chief Executive Officer (CEO) was recently approached by two elected members who have indicated that the works are more urgent than first thought in that the rusted roof areas have significantly worsened and without immediate intervention are likely to flood the ceiling of the building in the event of reasonable rainfall.

The purpose of this report is for Council to consider bringing forward proposed expenditure on its building as soon as possible.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The CEO has been advised that the roof sheeting was replaced after Tropical Cyclone Seroja by simply screwing down new steel sheeting over the top of the remaining existing steel sheeting. There appears to be a lack of information as to what the contractor was instructed to do to the building as there was also other building damage, but this could be understood in a time immediately following a natural disaster. If this is what has occurred, it is obviously a significant error in that steel sheeting has a greater propensity to oxidisation when water is constantly present between steel sheeting for periods of time, or galvanic corrosion where dissimilar metals contact on the presence of water.

The Kalbarri Arts and Crafts Group Inc. have sourced a quotation for the works at \$15,000 (ex GST) and this is considered to be a competitive price for a complete roof sheeting replacement. On this basis it is recommended that Council support the request in the 2023/24 financial year so the roof can be replaced before significant rainfall occurs and the existing ceiling is impacted.

#### STATUTORY ENVIRONMENT:

The *Local Government Act 1995* requires that any unbudgeted expenditure must be approved by Absolute Majority Decision of Council.

#### POLICY / STRATEGIC IMPLICATIONS:

The timely maintenance of Shire building assets is essential to ensure larger issues do not eventuate.

#### ORGANISATIONAL RISK MANAGEMENT

Risk rating is considered Level 3 – Moderate. If the Shire fails to act now on this issue it may cause significant additional cost and some 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:

The cost is expected to be \$15,000(ex GST). Council had previously set aside \$25,000(ex GST) from Interim Rates for a Rating Review however the Shire Administration have been unable to attract a suitable consultant to undertake this review yet and as a result is likely to be deferred until 2024/25. It is recommended that funds are allocated from this source



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

That Council replace the Kalbarri Arts and Crafts Group Inc. building roof in 2023/24 to be funded by the following:

Item	Current Budget	Proposed Budget	Variance
Roof Replacement Expense	\$0	\$15,000	\$15,000
Unbudgeted Interim Rates Income	\$0	(\$15,000)	(\$15,000)
		Net impact on current budget	\$0

**COUNCIL RESOLUTION:****MOVED: Burges, R      SECONDED: Pike, D****05/24-24**

That Council replace the Kalbarri Arts and Crafts Group Inc. building roof in 2023/24 to be funded by the following:

Item	Current Budget	Proposed Budget	Variance
Roof Replacement Expense	\$0	\$15,000	\$15,000
Unbudgeted Interim Rates Income	\$0	(\$15,000)	(\$15,000)
		Net impact on current budget	\$0

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

### 9.1.3 Request for Shire Contributions to Events, Kalbarri Gala and Kalbarri Lights Up Festival

<b>PROPONENT</b>	Kalbarri Gala and Kalbarri Lights Up Festival
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Kalbarri
<b>ZONE:</b>	N/A
<b>BUSINESS AREA:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	2.1.1
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	6 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

#### **BACKGROUND:**

The Shire of Northampton (Shire) has received requests for financial contributions to the Kalbarri Gala to be held on 11 May 2024 and the Kalbarri Lights Up Festival on the June 2024 long weekend.

Both events are looking for Shire financial support and this is the purpose of the report.

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

Nil.

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

Both requests have come to the Shire late in the 2023/24 financial year and as they are unbudgeted, they are required to be considered by Council to meet the statutory requirements of the *Local Government Act 1995*. The Kalbarri Gala will also be held prior to Council making a formal decision on the matter as the request was only received by the Chief Executive Officer on 6 May 2024 and the Council meeting 16 May 2024 is the first available meeting for Council to consider the matter.

Community events are becoming increasingly costly to run for a number of reasons and financial support from Local Government is likely to be a critical element for ongoing viability. The Shire is in the process of establishing a new community grant system and it is hoped that future last minute event requests outside of the budget process can be eliminated in the future.

Both events scheduled for Kalbarri have significant merit and on this basis, should be supported equally. It is recommended that an amount of \$1,000 (ex GST) per event be allocated by Council in 2023/24.

**STATUTORY ENVIRONMENT:**

The *Local Government Act 1995* requires that any unbudgeted expenditure must be approved by Absolute Majority Decision of Council.

**POLICY / STRATEGIC IMPLICATIONS:**

Events encourage community cohesion and attract visitation making them an important element of liveability for a regional area.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Level 2 – Minor. If the Shire fails to provide funding to such late requests, it is highly probable the events would still go ahead.

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

**FINANCIAL IMPLICATIONS:**

The cost is expected to be \$2,000(ex GST). Council had previously set aside \$25,000(ex GST) from Interim Rates for a Rating Review however the Shire Administration have been unable to attract a suitable consultant to undertake this review yet and as a result is likely to be deferred until 2024/25. It is recommended that funds are allocated from this source.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS: ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION:**

That Council provide a contribution of \$1,000 (ex GST) each to the Kalbarri Gala and the Kalbarri Lights Up Festival in 2023/24 to be funded by the following:

Item	Current Budget	Proposed Budget	Variance
Kalbarri Gala	\$0	\$1,000	\$1,000
Kalbarri Lights Up Festival	\$0	\$1,000	\$1,000
Unbudgeted Interim Rates Income	\$0	(\$2,000)	(\$2,000)
		Net impact on current budget	\$0

**COUNCIL RESOLUTION:**

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

**05/24-25**

That Council provide a contribution of \$1,000 (ex GST) each to the Kalbarri Gala and the Kalbarri Lights Up Festival in 2023/24 to be funded by the following:

Item	Current Budget	Proposed Budget	Variance
Kalbarri Gala	\$0	\$1,000	\$1,000
Kalbarri Lights Up Festival	\$0	\$1,000	\$1,000
Unbudgeted Interim Rates Income	\$0	(\$2,000)	(\$2,000)
		Net impact on current budget	\$0

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay

**AGAINST**

Cr D Pike  
Cr K Suckling  
Cr R Suckling

## ATTACHMENT

### 9.1.4 Review of Councillor Attendance Fees, Allowances and Expenses 2024/25

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Office of CEO
<b>FILE REFERENCE:</b>	4.1.1
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	7 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

#### BACKGROUND:

The *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* provide for Councillors to receive certain payments, and sets minimum and maximum amounts which can be paid. Attendance Fees, Allowances and Expenses available include:

- Meeting attendance fees (or alternatively annual attendance Fees);
- Local Government allowance for the President and Deputy President;
- Information Technology and Communication allowance;
- Travel and Accommodation expense allowance;
- Travel reimbursement;
- Telecommunications reimbursement;
- Child Care reimbursement; and
- Other prescribed reimbursements approved by Council.

In 2013, the Salary and Allowances Tribunal (“SAT”) were empowered to annually determine payments for Attendance Fees, Allowances and Expenses for Councillors plus ranges for Chief Executive Officer Total Reward Packages by prescribing four distinct Band classifications for every Local Government operating in Western Australia. SAT recently undertook the annual review with the latest SAT determination being made on 5 April 2024, effective from 1 July 2024. The Shire of Northampton is a Band 3 Local Government.

A copy of the SAT determination is attached.

#### ATTACHMENT: 9.1.4 (1)

In 2023/24 Councillors received the following payments as per the decision of Council on 19 May 2023:

**Sitting fees** for Councillors for 2023/2024 as per the following rates:

Per meeting fee

Council meetings \$300

President \$500

Council committee meetings

President and Elected Member \$100

Community Committee Meeting \$50

**Allowances** for Councillors for 2023/2024 as per the following rates:

President Annual Allowance \$15,000

Deputy President Annual Allowance \$4,000

**ICT expenses** allowance \$500

The purpose of this report is for Council to determine Councillor Fees, Allowances and Expenses to be paid in the 2024/25 financial year.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

Local Governments are split into four distinct Bands across Western Australia with Band 1 being the largest through to Band 4 being the smallest. The Shire of Northampton is Band 3.

The difficulty with the SAT determination for Attendance Fees, Allowances and Expenses is that it is based on possible payments within a prescribed Band range and as such Councillors are required to make their own payment decisions on an annual basis. Council does not have a policy to guide its decision making in this matter and it is recommended that a Council Policy be established for future guidance.

**FEES**

Attendance fees

Attendance fees are an automatic right with Councillors entitled to be paid an attendance fee under Section 5.98 of the *Local Government Act 1995* for each meeting as follows:

Band 3	Council Meetings		Committee & Prescribed	Other Meetings
	Minimum	Maximum	Minimum	Maximum
<b>Councillor</b>	\$213	\$447	\$104	\$224
<b>President</b>	\$213	\$686	\$104	\$224

[Note: Prescribed meetings include Northern Country Zone meetings, Regional Road Group meetings, a meeting attending at the request of a Minister, or a meeting where the Council member is a delegate appointed by the Local Government].



An alternative, however, is available under section 5.99 of the *Local Government Act 1995*, allowing Council to determine to pay an annual attendance fee in lieu of a fee for each individual meeting attended. The permissible range of annual fees are:

<b>Band 3</b>	<b>Minimum</b>	<b>Maximum</b>
<b>Councillor</b>	\$8,320	\$17,711
<b>President</b>	\$8,320	\$27,425

From an administration perspective, attendance fees based on a “per meeting” attendance is time consuming and not the most effective use of administrative resources. The alternate annual attendance fee is a much more simplistic approach to paying “per meeting” attendance fees and is preferred by the administration.

It has been argued in the sector previously that Councillors should not be rewarded for non-attendance at meetings via the annual attendance fees method, however it can be otherwise counter argued that the job of a Councillor is not just to attend Council, Committee and other prescribed meetings, but the role extends well beyond that outside of those forums and that should be recognised financially. Some Councillors will even forego paid work for attendance at various organisational related activities.

Based on the current situation Council budgeted \$30,000 for attendance fees in 2023/24 equating to payments of approximately:

	<b>Council Meetings</b>	<b>Other Meetings</b>	<b>Approx Total</b>
<b>Councillors x 7</b>	\$3,600	\$100	\$25,900
<b>President</b>	\$6,000	\$300	\$6,300
			<b>\$32,200</b>

If Council wanted to stay with this “per meeting” attendance fees payment approach it would be recommended that at minimum, a 4% increase is applied to the current arrangement in line with the increase contained within the SAT determination.

	<b>Council Meetings</b>	<b>Committee Meetings</b>	<b>Other Prescribed Meetings</b>
	<b>2024/25</b>	<b>2024/25</b>	<b>2024/25</b>
<b>Councillor</b>	\$312	\$104	\$52
<b>President</b>	\$520	\$104	\$52

Under the annual attendance fees method, and based on minimum amounts for Councillors and the existing Shire President to Councillor payment ratio the following amounts would apply:

	<b>All Meetings</b>	<b>TOTAL</b>
<b>Councillors x 7</b>	\$8,320	\$66,560
<b>President</b>	\$13,867	\$13,867
		<b>\$80,427</b>

The difference in attendance fees is significant being \$48,227 or the equivalent of nearly a 1% increase in Shire rates. Council may consider this to be far too much of an increase in attendance fees in one go and no doubt it would put pressure on the 2024/25 Shire budget, albeit this can be managed.

However, if Councillors equate the time spent being a Councillor not only at meetings but also reading, researching, engaging with the community, attending public events and functions etc., it is likely (approximated for discussion purposes only) Councillors would spend on average 6 hours per week engaged in organisational business. If you equate that across the course of the year the annual attendance fee payment would only equate to \$26.66 per hour. Of course, some Councillors would do much more than the average time hypothesised in this discussion, and most likely some may do less. Under the existing "per meeting" attendance fee methodology, if you applied the same logic of Councillors spending 6 hours per week average engaged in organisational business, this would equate to attendance payments of \$11.86 per hour. It is also a fair assumption that in the past year that organisational business has grown significantly and become much more complex, with this trend is likely to continue into the future.

**Officer Recommendation:**

That Council agree to a change the attendance fee method to the annual attendance fee from the "per meeting" attendance fee with payments to be made in accordance with the following table:

	<b>All Meetings</b>	<b>TOTAL</b>
<b>Councillors x 7</b>	\$8,320	\$66,560
<b>President</b>	\$13,867	\$13,867
		<b>\$80,427</b>

**ALLOWANCES**

Shire President's and Deputy Shire President's Local Government Allowance  
Section 5.98 of the *Local Government Act 1995* entitles the President to receive an annual "Local Government Allowance" to compensate for the additional workload for leadership, statutory function, ceremonial, and civic duties.

Section 5.98A of the *Local Government Act 1995* provides Council with discretion to pay an additional annual "Local Government Allowance" to the Deputy President to the amount of 25% of that payable to the President.

An alternative to the prescribed limits however is available under the *Local Government Act 1995* allowing Council to determine to pay local government Allowances based on the prior year's operating revenue. The maximum amount payable, for the President, shall not exceed the lesser of the maximum annual prescribed allowance, or 0.2% of the local government's operating revenue. It is not recommended to use of the operating method calculation due to significant fluctuation in grant revenue from year to year.

Band 3	SAT Minimum	SAT Maximum	Operating Revenue Maximum	Existing Payment
President	\$1,113	\$39,998	\$39,998	\$15,000
Deputy President	\$278	\$9,999	\$9,999	\$4,000

[Note: the 2023/24 budgeted operating revenue was \$7,521,758 and 0.2% equates to \$15,044]

The 2023/24 payments to the Shire President and Deputy Shire President are as follows:

Shire President	\$15,000
Deputy Shire President	\$4,000
<b>TOTAL</b>	<b>\$19,000</b>

Under the 2023/24 fees allocated by Council, the allowance payment to the Deputy Shire President can not exceed 25% of what is paid in the allowance to the Shire President. In making the 2023/24 decision Council has approved a payment 26.6% and this must be reduced to 25%. Both allowance payments sit within the SAT determined range and it is considered that given the proposed recommended increase in the attendance fees, the allowance is maintained as is, albeit with the Deputy Shire President allowance being reduced to 25% of the Shire President allowance.

**Officer Recommendation:**

That Council pay the 2024/25 allowance to the Shire President and Deputy Shire President to the amount outlined in the table:

Shire President	\$15,000
Deputy Shire President	\$3,750
<b>TOTAL</b>	<b>\$18,750</b>

**Information Communication and Technology (ICT) Annual Allowance**

An ICT annual allowance may be paid in lieu of reimbursement for telephone, facsimile and other communication expenses (such as call charges) as follows:

	Minimum	Maximum
Councillor	\$500	\$3,500
President	\$500	\$3,500

In 2023/24 Councillors and the Shire President were paid \$500 as part of an annual ICT allowance and it is recommended this is maintained.

**Officer Recommendation:**

That Council pay the 2024/25 Information Communication Technology allowance to the Shire President and Councillors to the amount outlined in the table:

Shire President	\$500
Councillors x 7	\$500 (\$3,500 total)
<b>TOTAL</b>	<b>\$4,000</b>

Travel and Accommodation Annual Allowance

Regulation 34AB allows Council to determine to pay an annual travel and accommodation allowance rather than actual reimbursement up to \$100. This annual allowance amount is considered to be very low especially given the large land area of the Shire district and the need for regular travel by Councillors.

**Officer Recommendation:**

That Council endorse the reimbursement in accordance with actual costs in the case of approved accommodation and travel costs in line with the applicable rate in the relevant Local Government Award.

**REIMBURSABLE EXPENSES**Rental charges for one telephone and one facsimile machine (Regulation 31(1)(a))

Reimbursement of actual cost incurred for rental of one phone and one fax.

**Officer Recommendation:**

It is recommended that an annual ICT Allowance be paid in lieu of reimbursements for telephone and facsimile.

Child Care Reimbursement (Regulation 31(1)(b))

Reimbursement of child care fees incurred is an automatic right for the actual amount paid to a maximum of \$35 per hour.

**Officer Recommendation:**

It is recommended that allowable Child Care expenses be reimbursed to the amount allowable of \$35 per hour as incurred.

Travel costs for attendance at Council or committee meetings (Regulation 31(1)(b))

Actual cost for travel from the members place of residence or work to the meeting and back is eligible for reimbursement in accordance with the relevant Local Government Award.

**Officer Recommendation:**

That Council endorse the reimbursement in accordance with actual travel costs to Council or Committee meetings in line with the applicable rate in the relevant Local Government Award.

Child Care and Travel costs in completing required training (Regulation 31(1)(c))

**Officer Recommendation:**

That Council endorse the reimbursement in accordance with actual child care or travel costs for Councillors attending required training in line with the applicable rate in the relevant Local Government Award.

Other prescribed costs approved by Council (Regulation 32(1))

In addition to the above expenses for which reimbursement can apply, the Council can approve reimbursement for other specific expenses within the provisions of Regulation 32.

As per the indicated officer recommendations above, this matter is presented to Council for consideration.

**STATUTORY ENVIRONMENT:**

Part 5 Division 8 of the *Local Government Act 1995*.

*Local Government (Administration) Regulations 1996*.

*Salaries and Allowances Act 1975*.

**POLICY / STRATEGIC IMPLICATIONS:**

The setting of Councillor Fees and Allowances is a sensitive matter for the Council to consider and a policy position would be considered beneficial in such circumstances. However, it is up to Council to make their own decision as to where they should sit within the prescribed Band range and make an informed determination every financial year.

**ORGANISATIONAL RISK MANAGEMENT:**

Risk rating is considered Moderate mainly resulting from reputational risk. Countering this is the need to ensure Councillors are provided with some financial reward to offset the work and time that is expected of them.

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 compliance s	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies

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

### FINANCIAL IMPLICATIONS:

The proposed recommendation will result in a \$47,977 increase in expense determined for 2024/25 as follows:

	2023/24	2024/25	Increase (Decrease)
Annual Attendance Fee (Councillors)	\$0	\$66,560	\$66,560
Annual Attendance Fee (President)	\$0	\$13,867	\$13,867
Per Meeting Allowance (Councillors)	\$25,900	\$0	(\$25,900)
Per Meeting Allowance (Shire President)	\$6,300	\$0	(\$6,300)
Local Government Allowance (Shire President)	\$15,000	\$15,000	0
Local Government Allowance (Deputy Shire President)	\$4,000	\$3,750	(\$250)
ICT Allowance (All)	\$4,000	\$4,000	0
Travel Reimbursement (All)	At Cost	At Cost	\$0
<b>Total Funding Required</b>	<b>\$55,200</b>	<b>\$103,177</b>	<b>\$47,977</b>

### SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

### VOTING REQUIREMENTS: ABSOLUTE MAJORITY

### OFFICER RECOMMENDATION:

That Council for the 2024/25 financial year:

1. Pay all Councillors an Annual Attendance Fee, in lieu of “per meeting” Fees, being \$8,320 for Councillors and \$13,867 for the Shire President;
2. Pay the Shire President a Local Government Allowance of \$15,000;
3. Pay the Deputy Shire President a Local Government Allowance of \$3,750;
4. Pay the Shire President and all Councillors an Information Communication and Technology Allowance of \$500;
5. Not pay Councillors an annual Travel and Accommodation Allowance;

6. Require all approved claims for Child Care be paid, to the extent permissible, on a reimbursement basis as incurred;
7. Require all approved claims for travel and accommodation be paid, to the extent permissible, on a reimbursement basis as incurred; and
8. Require all Attendance Fees and Allowances be paid in two equal instalments throughout the course of the 2024/25 financial year.

**COUNCIL RESOLUTION:**

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

**05/24-26**

**That Council for the 2024/25 financial year:**

1. Pay all Councillors an Annual Attendance Fee, in lieu of “per meeting” Fees, being \$8,320 for Councillors and \$13,867 for the Shire President;
2. Pay the Shire President a Local Government Allowance of \$16,000;
3. Pay the Deputy Shire President a Local Government Allowance of \$4,000;
4. Pay the Shire President and all Councillors an Information Communication and Technology Allowance of \$500;
5. Not pay Councillors an annual Travel and Accommodation Allowance;
6. Require all approved claims for Child Care be paid, to the extent permissible, on a reimbursement basis as incurred;
7. Require all approved claims for travel and accommodation be paid, to the extent permissible, on a reimbursement basis as incurred; and
8. Require all Attendance Fees and Allowances be paid in two equal instalments throughout the course of the 2024/25 financial year.

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

## ATTACHMENT

## 9.2.1 Proposed Accounts for Endorsement on 16 May 2024

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	1.1.1
<b>LEGISLATION:</b>	Local Government (Financial Management) Regulation 1996, Local Government Act 1995
<b>AUTHOR:</b>	Leanne Rowe
<b>APPROVING OFFICER:</b>	Grant Middleton
<b>DATE OF REPORT:</b>	7 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

A list of payments is submitted to Council on 16 May 2024 for consideration.

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 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 1995 (Financial Management) Regulation 1996*.

#### SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

#### VOTING REQUIREMENTS:

**SIMPLE MAJORITY**

#### OFFICER RECOMMENDATION:

**That Council note Municipal EFT payments numbered EFT26223 to EFT26322 totalling \$2,151,723.90, Municipal Fund Cheques 22473 to 22477 inclusive totalling \$49,194.92, Direct Debit payments numbered GJ1006 to GJ1014 inclusive, payroll and superannuation totalling \$287,920.71 be declared as authorised expenditure.**

**COUNCIL RESOLUTION:**

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

**05/24-27**

**That Council note Municipal EFT payments numbered EFT26223 to EFT26322 totalling \$2,151,723.90, Municipal Fund Cheques 22473 to 22477 inclusive totalling \$49,194.92, Direct Debit payments numbered GJ1006 to GJ1014 inclusive, payroll and superannuation totalling \$287,920.71 be declared as authorised expenditure.**

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

## ATTACHMENT

**9.2.2 Monthly Financial Statements for the Period Ending 30 April 2024**

<b>PROPONENT OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	1.1.1
<b>LEGISLATION:</b>	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
<b>AUTHOR:</b>	Leanne Rowe
<b>APPROVING OFFICER:</b>	Grant Middleton
<b>DATE OF REPORT:</b>	7 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

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

The Monthly Statements of Financial Activity for the period ending 30 April 2024 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
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

**FINANCIAL IMPLICATIONS:**

The 30 April 2024 financial position is comprised of the following:

- Total operating revenue has a surplus position of \$952,424 and operating expenditure has a deficit position of \$184,153 to the end of April 2024. It is anticipated that operating revenue and operating expenditure variances will align with additional DFES funding associated with Community Benefit and Resilience funding, and Main Roads Black Spot mass action funding for the Kalbarri Road shoulder work.
- Investing and Financing variances will reconcile as the year progresses, and it is anticipated there will be no significant budget overspends.

Further explanations of material variations are detailed by reporting program in Note 3 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 30 April 2024 in accordance with ATTACHMENT 9.2.2 (1).**

**COUNCIL RESOLUTION:**

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

**05/24-28**

**That Council receives the Monthly Financial Report for the period ending 30 April 2024 in accordance with ATTACHMENT 9.2.2 (1).**

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

**ATTACHMENT****9.2.3 Proposed Corporate Business Plan and Long Term Financial Plan**

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	4.1.1
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Grant Middleton
<b>APPROVING OFFICER:</b>	Grant Middleton
<b>DATE OF REPORT:</b>	6 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

Council to adopt the Corporate Business Plan 2024 – 2027 & Long Term Financial Plan 2024 – 2033.

Council was presented with the Asset Management Plans, Budget Overview document plus other budget preparation document for the 2024/2025 budget at the Budget Workshop held on 23 April 2024.

The current Asset Management Plans for Roads, Footpaths, Car Parking, Recreation, Buildings, Plant and Equipment are all incorporated into the CBP and Long Term Financial Plan (LTFP). All new assets proposed within the plans which have been funded via grant funding, loans, or municipal cash.

In the preparation of the Corporate Business Plan 2024 to 2027 (2024/2025 – 2027/2028) and the LTFP (2024/2025 to 2033/2034) there have been a number of assumptions made in relation to the application of cost increases and the expenditure out-turn for 2023/2024. A summary of the cost index assumptions is listed below and detailed in the Corporate Business Plan on page 21.

The CBP includes a \$500,000 plant loan in 2025/2026 to coincide with a large plant replacement program, the loan included in the 2023/2024 budget was not progressed due to the delay in the Truck and Trailer purchases. While no new loans other than the plant loan are included in the current CBP/LTFP it is anticipated that there may be the requirement for future loan funds for major plant purchases and this will need to be determined when adopting the annual budget for each year.

A copy of the Corporate Business Plan 2024 – 2027 and Long Term Financial Plan 2024 - 2033 is attached.

**ATTACHMENT: 9.2.3 (1)**

### Cost Index/Drivers

Based on projects proposed the CBP has an annual rate increase of 4% for 2024/2025 and a 3.0 % increase modelled from 2025/2026 to 2033/2034.

Employee costs have been modelled on an increase of 3.4% for 2024/2025 and 3.0% from 2025/2026 to 2033/2034. Wage increases post 2023/2024 will be dependent on annual CPI and National Wage Case increases.

Further variable cost index assumptions are detailed on page 21 of the Corporate Business Plan document.

### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

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

Council is requested to formally adopt the Corporate Business Plan 2024 to 2027 and the Long Term Financial Plan 2024 – 2033 as presented.

### **STATUTORY ENVIRONMENT:**

Local Government Act 1995 - Section 5.56

### **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 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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
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 Corporate Business Plan is used to drive development of the Annual Budget. The plan accesses any relevant external trends or key issues that will impact on the objectives of the Shire over the ensuing financial year. The plan where possible seeks to align with the Strategic Community Plan and includes Council priorities for short, medium and long term aspirations.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopts the Corporate Business Plan 2024 – 2027 and Long Term Financial Plan 2024 – 2033 in accordance with ATTACHMENT 9.2.3 (1).**

**COUNCIL RESOLUTION:**

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

**05/24-29**

**That Council adopts the Corporate Business Plan 2024 – 2027 and Long Term Financial Plan 2024 – 2033 in accordance with ATTACHMENT 9.2.3 (1).**

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**



#### 9.2.4 Proposed Transfer to the Strategic Opportunities Reserve - Cyclone Seroja Final Insurance Payment

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Corporate and Financial Services
<b>FILE REFERENCE:</b>	1.1.1
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Grant Middleton
<b>APPROVING OFFICER:</b>	Grant Middleton
<b>DATE OF REPORT:</b>	6 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

#### BACKGROUND:

Council is requested to consider the transfer of residual funds associated with the final payout of insurance from the “Cyclone Seroja” insurance claim to the “Strategic Opportunities Reserve”.

The total funds expended repairing and replacing assets associated with Cyclone Seroja has amounted to \$5,205,095 while the claim approved by Local Government Insurance Services (LGIS) amounted to \$5,592,563. A copy of the detailed “Insurance Reconciliation” spreadsheet has been provided to Councillors under separate cover due to the confidential nature of the information.

To date LGIS have paid \$5,000,000 with a further \$592,563 to be paid this financial year to finalise the claim. The total amount expended compared to the claim value is listed below:

Total Insurance Claim	\$5,692,563	
Less Insurance Excess	-\$100,000	
Insurance Reimbursement 20/21,21/22,22/23	-\$5,000,000	
Final Insurance Payout 23/24		\$592,563
<b>Total Insurance Payout</b>	<b>\$5,592,563</b>	
<b>Total Expenditure 20/21,21/22,22/23,23/24</b>	<b>-\$5,205,095</b>	
<b>Residual Insurance Payment</b>		<b>\$387,468</b>

The amount listed in the 2022/2023 Budget for transfer to reserve associated with the residual funds from the insurance payout was \$480,000. This transfer was unable to be completed as the claim was still in progress and the final amount was uncertain. The variance between the residual amount from the insurance payout and the original amount recommended to Council for transfer to the “Strategic Opportunities Reserve” is explained in the “COMMENT” section of this report.

Staff have put a considerable amount of work into finalising the claim with repairs to the “Chiverton House” machinery display structures being completed in April 2024 and the “Old Police Station’ roof repairs in Northampton scheduled for completion in May/June 2024.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

Whilst additional works undertaken as part of cyclone recovery repairs were deemed necessary or advantageous to complete the associated costs of these works has not been included in the determination of funds to be transferred to reserve.

Some of the additional costs included the repairs to the Port Gregory Ambulance and Fire Shed totalled \$179,460 but the facility was under insured at \$56,116. The cost to replace the Kalbarri Camp Dining Facility was \$503,413 whereas the insurance payout was \$387,768 and the replacement house at Seventh Street Northampton was purchased for \$323,516 while the insurance payment for the destroyed depot house totalled \$230,579.

Additionally, there were structures damaged by the cyclone that were not replaced such as the “Ajana Hall” \$323,140, Kalbarri Camp “Gymnastics Hall” \$384,297 and the “Exhibition Hall” at the Northampton Community Centre \$377,686.

Consequently, the determination of the final transfer amount hasn’t been linked directly to the residual funds from the insurance claim but rather a figure that reflects the municipal spend and provides appropriate future funding for the replacement of built assets.

The total expenditure on repairs and replacement of assets less claimable amounts were funded by municipal funds in 2021/2022 and 2022/2023. Offsetting the total expenditure is the assets that were destroyed and not replaced.

The overspends for 2020/2021 to 2022/2023 were paid out of municipal funds and absorbed as part of the carried forward position in the 2023/2024 budget load process. This position does not include the two projects completed this year.

Chiverton House Machinery Shelter - Replace damaged roof	\$70,936
Old Police Station & Courthouse - Repair damaged roof structure	\$58,990
<b>Total Expenditure 2023/2024</b>	<b>\$129,926</b>

Taking all the variations into consideration staff have determined that the final insurance payment of \$592,563 less the final payment for 2023/2024 totalling \$129,926 would be an appropriate figure to transfer into the “Strategic Opportunities Reserve” to close the insurance process.

Final Insurance Reimbursement (to be received - LGIS 23/24)	\$592,563
Less Final Expense Payment 23/24	\$129,926
Total Transfer to Strategic Opportunity Reserve	\$462,637

The proposed transfer of \$462,637 is quite close to the initial amount listed in the 2022/2023 budget process of \$480,000 for transfer to reserve of residual funds associated with the Cyclone.

#### **STATUTORY ENVIRONMENT:**

*Local Government Act 1995 – Section 6.11*

##### 6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government — (a) changes\* the purpose of a reserve account; or (b) uses\* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use. \* Absolute majority required.

(3) A local government is not required to give local public notice under subsection (2) — (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or (b) in such other circumstances as are prescribed.

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

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

Nil.

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

The risk of not allocating the funds to the reserve will not have any consequences in the short term but will have an impact long term as funds are required for other project work. Level of the associated risk is considered Level 2 – Minor.

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

### FINANCIAL IMPLICATIONS:

There will be no overall change to the 2023/2024 balanced budget position to accommodate the transfer to reserve allocation.

### SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

### VOTING REQUIREMENTS:

**ABSOLUTE MAJORITY**

### OFFICER RECOMMENDATION:

**That Council approve the transfer of \$462,637 from the municipal bank account into the Strategic Opportunities Reserve.**

**COUNCIL RESOLUTION:**

**MOVED: Suckling, R      SECONDED: Suckling, K**

**05/24-30**

**That Council approve the transfer of \$462,637 from the municipal bank account into the Strategic Opportunities Reserve.**

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

## ATTACHMENT

**9.4.1 Executive Manager Community, Development and Regulation - Activity Report for January to March 2024**

<b>PROPONENT</b>	Executive Manager Community, Development and Regulation
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	N/A
<b>BUSINESS AREA:</b>	Community, Development & Regulation
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	Various
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	9 April 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

This agenda item has been prepared to assist Councillors in their understanding of the activities undertaken by the Executive Manager Community, Development & Regulation between the period of 22 January to March 2024.

A copy of the Activity Report is shown attached.

**ATTACHMENT: 9.4.1 (1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

The purpose of this agenda item and the attached report is to inform Councillors on the activities of the Executive Manager of Community, Development and Regulation between commencement on 22 January 2024 to the 31 March 2024.

**STATUTORY ENVIRONMENT:**

Various legislation is applicable to the activities undertaken by the Executive Manager.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil.

**ORGANISATIONAL RISK MANAGEMENT:**

Open dialogue between the Council and Executive Management is important and failure to do so could result in a considerable degree of risk to the organisation. 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:**

Nil.

**SUSTAINABILITY:**

Environmental: Activities of the Executive Manager often deal with environmental related matters both from a compliance perspective.

Economic: Matters dealt with by the Director often have economic development considerations or outcomes.

Social: The Executive Manager 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 Quarterly Activity Report from Executive Manager Community, Development and Regulation for the period 22 January 2024 to 31 March 2024 as shown at Attachment: 9.4.1 (1).**

**COUNCIL RESOLUTION:**

**MOVED: Gibb, T**

**SECONDED: Horstman, R**

**05/24-31**

**That Council receive the Quarterly Activity Report from Executive Manager Community, Development and Regulation for the period 22 January 2024 to 31 March 2024 as shown at Attachment: 9.4.1 (1).**

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**



**ATTACHMENT**

**9.4.2 Proposed Overheight Outbuilding at Lot 806 (No. 22) Glass Street, Kalbarri**

<b>PROPONENT</b>	Shoreline Outdoor World
<b>OWNER</b>	SJ and RL Hansen
<b>LOCATION / ADDRESS:</b>	Lot 806 (No. 22) Glass Street, Kalbarri
<b>ZONE:</b>	Residential
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.6.1.1/A322
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i>
<b>AUTHOR:</b>	Michelle Allen
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	24 April 2024
<b>DECLARATION OF INTEREST:</b>	Nil

*At its Ordinary Meeting Held on 18<sup>th</sup> April 2024, Council resolved to defer consideration of this application, pending the applicant submitting revised plans that accurately reflect the position of the existing concrete pad and the setback now proposed. A copy of revised plans, which now demonstrate a side setback of 1.3m has been received and the amended application is presented for Council consideration.*

**BACKGROUND:**

A planning application has been received for an overheight outbuilding at Lot 806 (No. 22) Glass Street, Kalbarri. A location plan is shown below.

**LOCATION PLAN**



The subject property is 884m<sup>2</sup> in size and currently consists of a dwelling. The proposed outbuilding is 6.84m x 9.88m in size and is to be setback 3m off the rear boundary and 1.3m from the eastern side boundary and will extend over an existing concrete pad that remains from an outbuilding that was demolished following TC Seroja. No other outbuildings exist on the site. The structure will have a gable roof and wall height of 3.4m and a maximum height of 4m. A copy of the application is attached showing the existing concrete pad in blue and the proposed outbuilding location in black.

**ATTACHMENT: 9.4.2 (1)**

The proposed wall height is greater than the variation limits of the deemed to comply requirements for residential outbuildings as outlined in the Residential Design Codes (R-Codes) and Local Planning Policy *Outbuildings* (the Policy) and therefore the application is presented to Council for determination.

**PUBLIC CONSULTATION UNDERTAKEN:**

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

The application was advertised for a 14-day period to adjacent landowners with one objection received in relation to increased wall height, potential stormwater runoff and elevated site levels.

**COMMENT (Includes Options):**

The property is zoned Residential with a density coding of R17.5 by the Scheme. The proposed development is required to comply with the requirements relating to R17.5 under the State Planning Policy 7.3 – Residential Design Codes Volume 1 (the R-Codes) and the Shire's Local Planning Policy *Outbuildings*.

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

Matters to be considered

In determining an application for planning approval, the local government is required to have regard to various matters outlined within *Clause 67(2) of the Planning and Development (Local Planning Schemes) Regulations 2015*. These matters include, but are not limited to:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *Any approved State planning policy;*
- (c) *Any policy of the Commission;*
- (f) *Any local planning strategy for this Scheme endorsed by the Commission;*
- (g) *Any local planning policy for the Scheme area;*
- (n) *The amenity of the locality; and*
- (y) *Any submissions received on the application.*

Any assessment against the above criteria is provided within the balance of this agenda.

#### Residential Design Codes (R-Codes)

The proposed outbuilding is to be setback 1m from the rear boundary and 0.6m from the eastern side boundary.

- (a) Eastern Side Boundary - Table 2a – Boundary Setback – Walls with no major opening require a setback distance of 1m for a wall that is 9m long with a wall height of 3.4m.

The variation was advertised to adjoining landowners, with one objection received in relation to the application.

#### Outbuilding Policy Assessment

The Policy outlines the Deemed-to-Comply provisions in the Residential zone replacing section 5.4.3 of the R-Codes due to the construction of outbuildings in the Shire of Northampton being generally greater in terms of floor area and height than those considered appropriate in the metropolitan area.

The Policy outlines that an outbuilding should not exceed 3m in wall height and 4.5m in ridge height. In this instance the outbuilding meets ridge height provisions but exceeds the variation by 0.4m in wall height. The proposed outbuilding was advertised to the adjoining landowners with one objection received raising concern to the proposed variation and the need for installation of a retaining wall to address site levels and stormwater run-off. Objection was also raised at the time in relation to a proposed side boundary setback distance of 0.6m which was incorrect.

#### Impact on Amenity

In this instance the increased height of the wall of the outbuilding is 0.4m above the height requirements of the Policy, however, the overall height of the outbuilding complies with the Policy.

The lot is located within the Residential zone of Kalbarri and currently the area of open space is 77% well meeting R-Code open space provision which is 50%. The size of the outbuilding at 67.58m<sup>2</sup> which is well under the 120m<sup>2</sup> permitted by the Policy. The new structure and will replace the outbuilding damaged by the cyclone and sit on the concrete slab that still exists.

Inspection of Lot 806 did not highlight the need for retention of the site with no potential for the new dividing fence to be used as a retaining wall. Protection of solar access for the adjoining property was also taken into account with the potential for overshadowing not exceeding R-Code limits. Furthermore, the location of the outdoor living area of the adjoining property is estimated to sit 4m off the lot boundary which also limits the potential for overshadowing. A full copy of the submission is attached.

**ATTACHMENT: 9.4.2 (2)**

#### Conclusion

As it is considered that the proposed development will have minimal impact on the adjacent neighbouring property as the revised plans accurately show the

proposed setback will be 1.3m on the eastern boundary and not 0.600m as originally proposed. Conditional approval is therefore recommended.

**STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005 and Shire of Northampton Local Planning Scheme No. 11 – Kalbarri.*

**POLICY / STRATEGIC IMPLICATIONS:**

The provisions of Local Planning Policy *Outbuildings* apply, as detailed above.

**ORGANISATIONAL RISK MANAGEMENT:**

Nil.

**FINANCIAL IMPLICATIONS:**

The development application fee in accordance with the Shire of Northampton's 2023/2024 Fees and Charges Schedule has been paid.

**SUSTAINABILITY:**

Environmental: No vegetation is required to be removed for construction of the outbuilding.

Economic: Nil.

Social: Nil.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council, in accordance with Local Planning Scheme No. 11 – Kalbarri grant planning approval for an outbuilding on Lot 806 (No. 22) Glass Street, Kalbarri in accordance with the plans and specifications at Attachment 9.4.2 (1), subject to the following conditions:**

- 1 The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:**

Reference	Document Title	Date
1	Site and Elevation Plans	29 April 2024

- 2 The approved shed/outbuilding shall only be used for domestic purposes such as storage, garaging of vehicles or other approved purposes, excluding human habitation;**
- 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 The proposed development shall be clad or coloured to complement either the surroundings in which it is located or adjoining developments to the satisfaction of the Shire of Northampton but the use of reflective materials and colours is not permitted;
- 5 All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;
- 6 Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton; and
- 7 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

**Advice Notes:**

- 1 This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).
- 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.
- 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.
- 4 The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to *Health (Miscellaneous Provisions) Act 1911*, the National Construction Code of Australia and the relevant *Aboriginal Cultural Heritage Act*, is required at all times.
- 5 If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

**COUNCIL RESOLUTION:**

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

**05/24-32**

**That Council, in accordance with Local Planning Scheme No. 11 – Kalbarri grant planning approval for an outbuilding on Lot 806 (No. 22) Glass Street, Kalbarri in accordance with the plans and specifications at Attachment 9.4.2 (1), subject to the following conditions:**

- 1 The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the

application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:

Reference	Document Title	Date
1	Site and Elevation Plans	29 April 2024

- 2 The approved shed/outbuilding shall only be used for domestic purposes such as storage, garaging of vehicles or other approved purposes, excluding human habitation;
- 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 The proposed development shall be clad or coloured to complement either the surroundings in which it is located or adjoining developments to the satisfaction of the Shire of Northampton but the use of reflective materials and colours is not permitted;
- 5 All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;
- 6 Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton; and
- 7 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.

**Advice Notes:**

- 1 This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).
- 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.
- 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.
- 4 The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to *Health (Miscellaneous Provisions) Act 1911*, the National Construction Code of Australia and the relevant *Aboriginal Cultural Heritage Act*, is required at all times.

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

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

## ATTACHMENT

## 9.4.3 Delegated Planning Decisions for April 2024

<b>PROPONENT OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Various
<b>ZONE:</b>	Various
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.4.1
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005 Local Government Act 1995</i>
<b>AUTHOR:</b>	Michelle Allen
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	29 April 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

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

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

A register of Delegated Development Approvals, detailing those decisions made under delegated authority in April 2024 is attached.

**ATTACHMENT: 9.4.3 (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 April 2024, zero (0) development applications were determined under delegated authority. **Table 1(a)** shows the number and value of development applications determined under both delegated authority and by Council for April 2023 compared to April 2024:



**Table 1: Planning Decisions made in April 2024**

	April 2023	April 2024
<b>Delegated Decisions</b>	3- \$0 **3	1 - \$50,000
<b>Council Decisions</b>	0 – \$0	3 – 20,700 **1
<b>Total</b>	<b>3 - \$0</b>	<b>4 - \$70,700</b>

**Tables 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 2023 and 2024**

	YTD 2023	YTD 2024
<b>Delegated Decisions</b>	26 - \$3,922,509 **9	14 - \$1,442,936 **2
<b>Council Decisions</b>	3 - \$2,000,000 **2	13 - \$2,338,348 **3
<b>Total</b>	<b>29 - \$5,922,509</b>	<b>27 - \$3,831,284</b>

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

#### **STATUTORY ENVIRONMENT:**

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

Scheme 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 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 received the report on Delegated Development Approvals for April 2024 as detailed in Attachment: 9.4.3 (1).**

**COUNCIL RESOLUTION:**

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

**05/24-33**

**That Council received the report on Delegated Development Approvals for April 2024 as detailed in Attachment: 9.4.3 (1).**

**MOTION CARRIED 8/0**

**FOR**

- Cr L Sudlow
- Cr R Horstman
- Cr R Burges
- Cr T Gibb
- Cr T Hay
- Cr D Pike
- Cr K Suckling
- Cr R Suckling

**AGAINST**

## ATTACHMENT

#### 9.4.4 Outline of Shire Owned Freehold Land Assets and Proposed Staff Housing

<b>PROPONENT OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Various
<b>ZONE:</b>	Various
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	9.2.3
<b>LEGISLATION:</b>	<i>Local Government Act 1996</i> <i>Planning and Development Act 2005</i> <i>Building Act 2011</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	6 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

#### BACKGROUND:

In response to the need to identify potential additional staff housing projects, an audit of Shire owned freehold land has been completed. By way of summary, the audit identified that the Shire has freehold ownership a total of:

- a) 19 lots within the Northampton Townsite that may be capable of development/redevelopment for residential dwellings, including 11 lots that are effectively vacant lots;
- b) 5 properties including 1 vacant residential lot within the Horrocks Townsite;
- c) 0 vacant lots within the Port Gregory Townsite; and
- d) 5 lots within the Kalbarri Townsite, including 1 vacant residential lot and the Kalbarri Workforce Accommodation site.

A full summary of the landholdings is provided attached.

#### ATTACHMENT: 9.4.4 (1)

During the Council briefing session held on 18 April 2024, it was brought to Councillors attention that an opportunity existed to purchase two prefabricated dwellings that could be supplied as soon as August 2024.

Council is requested to note the land held in freehold title and endorse an approach to proceed with the development of two staff houses. One in each the townsites of Northampton and Kalbarri.

#### PUBLIC CONSULTATION UNDERTAKEN:

Nil.

**COMMENT (Includes Options):**

Through analysis of the Shire's freehold land, it was identified that several properties had the required services and could be considered "development ready" for development of Staff Housing. An analysis of the opportunities for those parcels is attached.

**ATTACHMENT: 9.4.4 (2)**

To assist Council in determining this matter, the following comments are offered:

Need for Additional Housing

As Councillors would be aware, prior to Cyclone Seroja, there was an acknowledged shortfall in available housing with a very limited number of dwellings available for long term rental accommodation. This shortfall was exacerbated by the loss of 44 homes as a result of the Cyclone.

In terms of Staff Housing, additional accommodation options are required in both Northampton and Kalbarri to consider:

- a) The need for available housing for new/additional staff members, noting that there are several new positions currently being advertised in association with the Shire's current restructure;
- b) The need for the Shire to ultimately renew its housing assets and ensure the availability of modern homes; and
- c) The need for cost-effective short-term accommodation to facilitate several very significant projects in Kalbarri including the \$8.1 million first stage of the Kalbarri Foreshore Redevelopment, recovery works associated with Cyclone Seroja and the workers accommodation site to name a few.

A lack of housing is likely to discourage potential applicants for any new and existing roles with the Shire with applicants from outside of the community unable to secure housing.

Currently Landholdings

As reflected at Attachment No: 9.4.4 (1), the Shire owns numerous properties in freehold title. The majority of which are located within the Northampton Townsite.

Attachment No: 9.4.4 (1) also details that 4 properties in Northampton and 1 property in Kalbarri are currently utilised for staff housing. An additional 2 dwellings in Northampton and 1 in Kalbarri are occupied by other parties. A more detailed examination of these properties has not been undertaken. Properties not suitable for additional development or already occupied are shown in red.

The freehold lots range significantly in size, location and development constraints, being relevant considerations when considering the potential highest and best use. Land that has potential for residential development greater than a single home has generally been excluded from the detailed

analysis due to the need for more detailed site investigations and development designs. For example, sites such as two land holdings on Wannerenooka Road, which could be considered for further subdivision and/or group housing if an appropriate on-site effluent system can be established. These have been highlighted in orange.

Finally, the provisions of the Shire's Local Planning Scheme's apply a range of zonings to the freehold land, including Residential, Tourism, Light Industry and Local Reserve. The zoning impacts on the ability to establish residential dwellings/accommodation.

The detailed examination outlined below has focused on sites that are likely to be considered development ready (highlighted in green) to reduce the potential lead time for developing additional housing. Those properties highlighted in orange are not considered development ready, but more suited to intensive housing than a single dwelling.

#### Opportunity for Housing

In March 2024, a slide presentation regarding the potential for housing in the Shire was made to a forum on the Housing Crisis in the Mid-West, which was arranged by the Midwest Development Commission. A copy of the presentation is shown attached.

**ATTACHMENT: 9.4.4 (3)**

#### Approach by Housing Supplier

As result of that forum presentation and following discussion with Sandra Carr MLC, modular home builder Evoke Living Homes made an approach to the Shire regarding the potential for housing development. Evoke Living Homes being a WALGA Preferred Supplier (modular housing) based out of Northam.

Evoke Living Homes have just completed Mingenew Tennis Club facility and the supply and install of several "Presto 32" homes in the Shire of Lake Grace. The Presto 32 range being fully fitted out, three-bedroom two-bathroom homes.

Options that were outlined by Evoke Living Homes discussed verbally and via email included potential involvement with the construction of the Kalbarri Workforce Accommodation, supply of housing for the Shire and Joint Ventures with the Shire where the Shire would supply the land and Evoke Living supply the dwelling, with the property then being sold on a profit share basis.

During the Council briefing session held on 18 April 2024, Councillors were advised that Evoke Living Homes had also advised that they have two "Presto 32" homes available for delivery to site in August 2024. Evoke have offered to supply and install on-site the two homes at a cost of \$380,000 each. Note this cost does not include preliminary site works, service connection, fencing, landscaping or any desired outbuilding which would be at extra cost to the Shire.

A floor plan and elevations of the Presto 32 are shown attached.

**ATTACHMENT: 9.4.4 (4)**

A copy of a quote for one of the recommended sites is shown attached. It should be noted that the costs have been based on properties within the Northampton townsite. As such it is anticipated that slightly higher delivery costs may result if a home was to be in Kalbarri.

**ATTACHMENT: 9.4.4 (5)**

Housing Lead Time

As Councillors are aware current demands on building products and builders are resulting in significant lead times for modular homes of around 12 months, with more than 18 months for traditionally constructed homes. With Evoke Homes having two homes available for delivery, there is a unique opportunity for the Shire to establish two much needed residential developments in a short time frame. Such opportunities are not readily available in the current housing supply market.

Detailed Analysis of Suitable Sites

As reflected in Attachment No 9.4.4 (2), a total of 7 freehold properties have been identified as having potential for residential development in the short term. These sites are:

1. No 69 (Lot 64) Seventh Avenue, Northampton;
2. No 2 (lot 29) Rake Place, Northampton;
3. No's 1 (Lot 22) and 5 (Lot 24) Rake Place, Northampton;
4. No 134 (Lot 7) Stephen Street, Northampton;
5. Portion of No 21 (Lot 454) Fitzgerald Street, Northampton; and
6. Lot 514 Wood Street, Kalbarri.

Given that development on sites 1 or 5 could not be disposed of on the open market, it is suggested that these sites would not be ideal. By ensuring the ability to realise the asset in the future, or rent on the open market, Council ensures the organisation remains financially nimble.

Given the smaller nature of the modular home, it is also suggested that the developments would be less suitable for sites 2 and 3. Given this, it is recommended that Council consider acquiring the two available modular homes for sites 4 and 6 as detailed above.

Construction of a new residence on site 6 will ensure that an additional dwelling is available for staff in Northampton. This is particularly pertinent given that a number of new positions have been created, with others potentially to be created in the new financial year.

Development of a dwelling on site 6 will ensure that the Shire:

- a) Will meet the requirements to substantially develop the site;
- b) In the short term, ensure housing is available for senior staff and consultants associated with multiple major project work in Kalbarri which is expected to commence in the new financial year;
- c) In the medium to long term provide accommodation for on-site management of the workforce accommodation facilities;

- d) Is potentially eligible for a grant of up to 50% of the cost (up to \$250,000) under the Regional Economic Development Grant Program.

#### Available Funding

Currently the Shire's Housing Reserve has approximately \$118,240 balance, although it is intended to request a further allocation to works on existing staff housing as part of the coming budget.

In addition, funding of \$130,000 from Mid-West Development Commission has been received towards development of the Kalbarri Workforce Accommodation site. This money can be used for site surveys, connection of services and more general site works including drainage, or site preparation.

#### Current Housing Loan

In 2015 the Shire took out a \$350,000 loan for staff housing. As detailed in Council's adopted budget, it is projected that there will be a loan balance of \$40,325 at the end of the current fiscal year. The loan has a maturity date of 29 May 2025.

#### Potential for Funding

Under the Regional Economic Grant Program, the Shire is eligible for up to 50% of a housing project with a maximum cost of \$250,000. This grant is particularly suited to the Kalbarri Workforce Accommodation project as this project is specifically aimed at stimulating economic growth and development, consistent with the purpose of the grant program.

#### Conclusion

The Shire of Northampton holds several freehold lots that could be suitable for development of additional housing, including staff housing. It is well recognised that there is a shortage of rental options within the Shire. Without short term action to secure additional fit for purpose housing for staff accommodation there is a high likelihood that recruitment processes will be detrimentally impacted.

The opportunity to secure two complete 3-bedroom, two-bathroom homes, with delivery in August 2024 provides Council with a unique opportunity to provide an additional two houses in a short time frame.

Acquisition of a modular home for the Kalbarri Workforce Accommodation is strongly recommended given the grant funding opportunities and facilitate development of the Workforce Accommodation site. It is recommended that the second dwelling should be located on the Shire's property at No 134 (Lot 7) Stephen Street, Northampton.

#### **STATUTORY ENVIRONMENT:**

The procurement of new assets and the development of land by Local Government is regulated by the provisions of the *Local Government Act 1996* and the associated regulations. In accordance with clause 11 of the *Local Government (Functions and Regulations) 1996* a Tender does not need to invite tenders where the goods are obtained through the WALGA Preferred Supplier Program.

As Evoke Living Homes are part of the WALGA Preferred Supplier Program for modular housing, Council could resolve to proceed with the acquisition of the two modular homes without the need to proceed with a tender process.

Any resultant development will be required to comply with the provisions of the *Planning and Development Act 2005*, *Building Act 2011* and the *Health (Miscellaneous Provisions) Act 2011*.

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

The development of the Kalbarri Workforce Accommodation is considered critical to ensure the economic growth of the Kalbarri townsite. By supporting the acquisition of a dwelling to be located on the site will ensure the development is commenced in earnest and will ensure suitable accommodation in Kalbarri for staff associated with the numerous major projects that are to occur in the next financial year.

Establishment of additional staff accommodation in the Northampton townsite is critical to ensure accommodation options for potential new employees, ensuring that the best possible calibre of applicants are not prevented from applying due to a lack of accommodation.

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

Should Council not agree to acquire the two modular homes that are available, there are risks that:

- a) The process to obtain alternative modular homes is likely to take a minimum of 12-18 months longer;
- b) Suitable accommodation may not be available for potential applicants for new positions of employment;
- c) Suitable accommodation may not be available to staff and consultants associated with the significant Kalbarri townsite projects that are scheduled to commence next financial year;
- d) It is likely that the establishment of the first accommodation unit on the Kalbarri Workforce Accommodation site will be significantly delayed.

The risks are considered to be moderate to major given the delays associated with securing other dwellings.

e) 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:

To commit to the purchase of the two dwellings, it is recommended that a loan be sought from the State Treasury or the National Australia Bank for the full amount of \$760,000, offering the two identified landholdings as collateral as may be required. The financial implications of taking this value loan over a 20 year period will result in an approximately \$20,000 per year additional loan repayments.

As the proposed dwelling for the Kalbarri Workforce Accommodation would be consistent with the Regional Economic Development Grants, there is high likelihood that the project will be eligible for grant funding. This together with available budgets and the \$130,000 of funding to be received from the Mid-West Development Commission should ensure that the drawing down of the whole loan will not be required.

### SUSTAINABILITY:

Environmental: Nil.

Economic: The provision of additional housing within the Shire is required to accommodate additional residents, including direct employees of the Shire.

Social: The rental housing market within the Shire is highly competitive with limited opportunities available at any one time.

**VOTING REQUIREMENTS: ABSOLUTE MAJORITY**

### OFFICER RECOMMENDATION:

**That Council:**

- Note the list of freehold land that may be suitable for residential development as contained at Attachment: 9.4.4 (1);**
- Authorise the Chief Executive Officer to enter into a contract, subject to finance, for the purchase of two modular homes to be supplied and installed by Evoke Living Homes at:**

- a) No 134 (7) Stephen Street, Northampton; and
  - b) Lot 514 Woods Street, Kalbarri.
3. Authorise the Chief Executive Officer to make application for a loan, having a maximum amount of \$760,000 from either State Treasury or the National Australia Bank;
  4. Authorise the Chief Executive Officer to make application for grant funding under the Regional Economic Development Grant Program for the proposed dwelling at Lot 514 Woods Street;
  5. Await a further report on the proposed loan following point 3 above; and
  6. Request that a detailed Housing Strategy be developed in respect of the remaining properties listed in Attachment: 9.4.4 (1).

**COUNCIL RESOLUTION:**

**MOVED: Gibb, T**

**SECONDED: Suckling, R**

**05/24-34**

**That Council:**

1. Note the list of freehold land that may be suitable for residential development as contained at Attachment: 9.4.4 (1);
2. Authorise the Chief Executive Officer to enter into a contract, subject to finance, for the purchase of two modular homes to be supplied and installed by Evoke Living Homes at:
  - a) No 134 (7) Stephen Street, Northampton; and
  - b) Lot 514 Woods Street, Kalbarri.
3. Authorise the Chief Executive Officer to make application for a loan, having a maximum amount of \$760,000 from either State Treasury or the National Australia Bank;
4. Authorise the Chief Executive Officer to make application for grant funding under the Regional Economic Development Grant Program for the proposed dwelling at Lot 514 Woods Street;
5. Await a further report on the proposed loan following point 3 above; and
6. Request that a detailed Housing Strategy be developed in respect of the remaining properties listed in Attachment: 9.4.4 (1).

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
 Cr R Horstman  
 Cr R Burges  
 Cr T Gibb  
 Cr T Hay

**AGAINST**

Cr D Pike  
Cr K Suckling  
Cr R Suckling

**ATTACHMENT  
APPENDIX**

**9.4.5 Request for Local Planning Scheme Amendment - Proposed Hydrogen Processing Facility on Murchison House Station**

<b>PROPONENT</b>	Murchison Green Hydrogen as subsidiary of Copenhagen Infrastructure Partners (CIP)
<b>OWNER</b>	State of Western Australia (pastoral lease)
<b>LOCATION / ADDRESS:</b>	Part Lot 944, Part Lot 1544, and Part Unallocated Crown Land (ID3846146)
<b>ZONE - EXISTING:</b>	Rural
<b>PROPOSED</b>	General Industry with Site Specific Site and Development Requirements
<b>BUSINESS AREA:</b>	Planning Services
<b>FILE REFERENCE:</b>	10.9.9
<b>LEGISLATION:</b>	<i>Planning and Development Act 2005</i>
<b>AUTHOR:</b>	Brian Robinson
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	7 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

On 18 April 2024, Council considered initiating a Scheme Amendment to rezone portion of the Murchison House Station to introduce the scheme provisions that would facilitate the proposed land uses associated with production, conversion, storage and export of renewable energy, including green hydrogen and green ammonia.

Location Plan



A relevant excerpt of the unconfirmed minutes from the meeting held on 18 April 2024 is Appended, including the original officer report and Resolution No 04/24-01.

**APPENDIX: 9.4.5 (A)**

As reflected at Appendix 9.4.5 (A), Council resolved to advise it was prepared to consider an amendment, but deferred adoption pending the receipt of revised scheme amendment documentation addressing the following matters:

- a) *Revisions to the Scheme Amendment Report as agreed by Murchison Green Hydrogen in their correspondence dated 8 March 2023;*
- b) *Acknowledgement and response to the Shire of Northamptons' adopted Local Planning Policies relating to Renewable Energy Facilities and Social Impact Assessment;*
- c) *Confirmation of the proposed Workforce Accommodation/Camp location, size, composition and access arrangements; and*
- d) *Inclusion of a detailed Social Impact Statement and outline of the Community Investment Program statement within the Scheme Amendment document, together with modification of proposed special provisions to reflect the need to comply with these elements of the proposed Amendment;*

Additionally, Council resolved to Invite MGH to nominate the method to be used for calculating the total expenditure within the Community Development Program on an annual basis.

Council's resolution furthermore required that "*MGH to enter into a legal binding agreement, at their cost, to ensure the completion and implementation of a Social Impact Assessment and the associated Community Investment Program*". As an alternative, point 4 of Council's resolution advised that the Shire would accept a bond or bank guarantee of \$1,000/MW per annum for the life of the project.

The applicants have now lodged a revised Local Scheme Amendment document and the following additional documentation:

- a. A Murchison Response Table – Shown at Attachment: 9.4.5 (1);
- b. A summary table of the updates – Shown at Attachment: 9.4.5 (2); and
- c. A draft Development Agreement – Shown at Attachment: 9.4.5 (3).

A full copy of the revised Scheme Amendment document, including appendices is shown at Attachment: 9.4.5 (4).

**ATTACHMENT: 9.4.5 (1, 2, 3 & 4)**

Further details regarding the intended resultant development and associated workforce were provided to Council as part of the previous agenda item. It should be noted that the revised documentation now identifies a construction workforce of up 3,600 people (up from 1,700) and an operational workforce of 600 (up from 450).

Council is now requested to formally consider the revised amendment documentation having regard to the advice provided in the comment section below.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

To assist Council in considering the revised documentation and draft Deed of Agreement, the following comments are offered in respect of those matters contained within Resolution 04/24-01.

State Planning Strategy

As highlighted in the 18 April 2024 agenda item, it was identified that further information was required to address the provisions of State Planning Strategy 2050 in respect of both sustainable Workers Accommodation and the need for increases in both hard and soft social infrastructure as a result of potential short-term pressures associated with the Workers' Accommodation.

In response, as part of their correspondence dated 8 March 2024, the applicants undertook to update the Scheme Amendment Request report to identify the potential camp size, location, services and facilities. By way of summary, the response also:

- i) Advised that it was ultimately intended that the operational workforce would live in regional communities in close proximity to the project and there was a need for a managed transition from Muchison House Station over time, as both the project and surrounding towns develop;
- ii) Outlined MGH's agreement that public and private investment will be required to address social infrastructure planning.

A copy of the applicants' correspondence dated 8 March 2024 is shown attached.

**ATTACHMENT: 9.4.5 (5)**

The revised documentation provides substantially more information relating to the project, including the workforce accommodation. Further information on the workforce accommodation and social infrastructure is provided in the balance of this agenda item.

Local Planning Policy – Social Impact Assessment

As outlined within the adopted Local Planning Policy – Social Impact Assessment (SIA), the provisions of the Policy apply to all Standard and Complex Local Planning Scheme Amendments. As set out in clause 3.3.3 *“Proposals that have the potential for social impacts will be required to be accompanied by a comprehensive SIA prepared on the basis of pre-lodgement consultation and liaison with the local community and stakeholder consultation.”* Clauses 3.3.5 and 3.4 together with Attachments No 1 and 2 of the Policy outline the form of an SIA report and those matters to be addressed.

The draft Amendment Request Report considered by Council on 18 April 2024 referred to the Shire's Local Planning Policies (LPP) on "Social Impact Assessment" and "Renewable Energy facilities" as draft. In their correspondence shown at Attachment: 9.4.5 (5), the applicants advised that subject to proof of finalisation of the policies, the report would be amended.

The submitted amendment document now addresses the provisions of both policies within section 6.2.3 of the draft document (Attachment: 9.4.5 (4)). The submitted documentation provides a preliminary SIA as Appendix C.

In response to the newly amended documentation content relating to Local Planning Policy – Social Impact Assessments, Council is advised by way of summary that:

- a) The documentation acknowledges the need for a detailed Social Impact Assessment (SIA) as required by Council's Local Planning Policies – Social Impact Assessment;
- b) Outlines the likely content requirements for an SIA;
- c) Includes a statement that to *"complete a meaningful assessment of the ultimate social impact of the Project, detailed engineering decisions surrounding the nature of construction and operation must be firmly established"*;
- d) States that *"under the project schedule, a SIA will be prepared and a Community Benefit Sharing Plan developed over the next 12 months"; and*
- e) The applicant *"recognises the magnitude of impacts the project may have in the region and is committed to addressing the social impacts of the proposed, with input from the community and the Shire."*

Through points c) and d), the applicants are advising that whilst they are currently preparing an SIA, they are not in a position to provide one at this point in time. Whilst the applicants have not formally requested a variation of policy, the submitted documentation advocates for SIA requirements to be addressed at the Development Approval Stage of the project, allowing the scheme amendment to progress in the interim.

As outlined in the previous Agenda item to Council, shown Appendix: 9.4.5 (A), the future application for Development Approval will be submitted to the State under the Significant Development Pathway and ultimately be determined by the Western Australian Planning Commission.

It is also noted that section 6.2.3.1 contains a statement *"The preparation of an SIA to support significant development applications occurs in some jurisdictions, including several local government areas in Western Australia. However, is not commonplace at the scheme amendment stage."*

In response, Council is advised that in the majority of circumstances the reason that SIA's are imposed at the Development Application stage is that the relevant scheme provisions already identify the uses as permissible. In this case the Shire is being requested to amend its Local Planning Scheme having regard to

the information available and it is prudent for Council to be assured that a use will not result in unacceptable impacts prior to amending the scheme. It is therefore recommended that the last sentence be removed.

Further information on Social Impact is provided in the balance of this agenda item.

#### Local Planning Policy – Renewable Energy Facility

In terms of Local Planning Policy – Renewable Energy Facilities, clause 6.2.3.2 of the revised document contains a brief outline of the policy, in non-direct way correctly highlights that the provisions of the policy do not apply. As outlined in clause 3.2.2 of the Policy, the policy does not apply to “*additional land uses that may be associated with a ‘Renewable Energy Facility’ such as resource processing, chemical manufacture and/or transportation of the end product.*”

Whilst the provisions of the Policy will be applicable to the project as a whole, they are not applicable to the Scheme Amendment which only relates to the resource processing, chemical manufacture of the end product. It is recommended that 6.2.3.2 be modified to more succinctly identify this, ensuring that assessment and comment is restricted to the Scheme Amendment rather than the project as a whole.

#### Transport/Access

The 18 March 2024 Agenda Item identified that the submitted documentation contained no reference to the potential traffic volumes or access routes either during construction of operational phases, other than proposed condition 5(d) which requires “*Arrangements to be made for legal and permanent vehicular access to the land to the satisfaction of the local government.*”

Substantial additional information has been provided on transport/access and other infrastructure considerations in Section 8 of the document. By way of summary:

- a) Primary vehicle access will be established with single, substantial access road with passing lanes, intersecting with the North West Coastal Highway. The Highway will be widened to provide turning lanes and address other potential safety considerations such as sight lines;
- b) Data and existing vehicle movements, along with preliminary information relating to construction, operational and delivery traffic;
- c) Internal access roads will be a mixture of sealed and unsealed roads;
- d) It is proposed that a future development application will be supported by details Traffic Impact Assessment and a Traffic Management Plan;
- e) Bus services will be used from to transport construction workers to site with the majority expected to come from Geraldton, either directly or indirectly from connecting flights with Perth;
- f) Bus parking facilities will be established within each settlement (i.e. Kalbarri, Northampton and Geraldton).

Sufficient preliminary details have now been provided regarding the proposed access road, but further information is required around the intention to establish



bus parking within both Kalbarri and Northampton. At this point there are no existing facilities that could cater for the workforce's private vehicles.

#### Bushfire

Section 7.4 of the revised documentation now contains significantly more information regarding the requirements of State Planning Policy No 3.7 – Planning for Bushfire. By way of summary:

- i) Information on site's bushfire characteristics;
- ii) Recognition that given the characteristics, emergency access, fire water availability and shelter-in-place will need to be considered;
- iii) Significant Asset Protection Zones will be needed together with fire fighting equipment.

The document also outlines that preliminary advice has been sought from a qualified consultant who has indicated that a single access road is likely to be sufficient given the scale of the development and level of on-site fire-fighting resources and infrastructure.

Should the amendment proceed, comments on the bushfire risks associated with development resulting from the Amendment will be sought from the Department of Fire and Emergency Services and other relevant government agencies.

The above said, proposed Requirement 5e requires modification to also require the development to comply with a Bushfire Management Plan to the satisfaction of the Department of Fire and Emergency Services.

#### Social Impact

Section 9 of the revised document provides substantially more information on of Socio-Economic Considerations than the previous document, whilst Appendix (c) is a Preliminary Social Impact Assessment. Although the document identified numerous likely, potential or perceived impacts, more emphasis is required in respect of impacts/additional demands on existing recreational infrastructure (both passive and active).

By way of summary, the following additional statements has been provided:

- a) A preliminary economic analysis has been prepared and preparation of an SIA and Community Benefit Sharing Plan are under way;
- b) The applicant has outlined 5 commitments using subject matter experts to identify socio-economic impacts, comply with legislative requirements, engage with all stakeholders including the Shire and to address all social impacts through an SIA;
- c) Clarification that it is now expected that on average 1,466 FTE jobs will be created during construction, with a peak construction demanding a workforce around 3,600 workers to be housed in a workforce camp outside of the scheme amendment area;
- d) An operational workforce of 600 FTE is now anticipated. Part 9.2.2 of the document, acknowledges that while it is expected that the majority

- of the operational workforce will be accommodated at the key settlements of Kalbarri, Northampton and Geraldton;
- e) It is proposed that vehicle access by the workforce will be through a combination of bus and light vehicles; and
  - f) Acknowledgement that acute housing shortages, particularly within Kalbarri, will be a key consideration in transitioning from an on-site workforce.

Section 9.2.3 relates to Social Impact Assessment, highlighting that proposed requirement 5(f) requires the preparation of a Social Impact Assessment and acknowledging the requirements of the Shire's Local Planning Policy – Social Impact Assessment.

Notwithstanding that the applicants are advising a completed SIA is some 12 months away, a Preliminary Social Impact Assessment is provided at Appendix C. Further comment on the Appendix C is provided below.

#### Workers Accommodation

As part of the 18 April 2024 agenda item, it was identified that further information was required in respect of the works accommodation.

The revised amendment documentation identifies the following:

- a) The workers accommodation will be located adjacent to the east of the production of facility with access to the primary entrance road off North West Coastal Highway. A preliminary location plan has been included within the documentation;
- b) The accommodation will be designed to cater for the peak construction workforce; and
- c) Continued use of the bus services is likely, with small portion by light vehicles.

Here and elsewhere in the document it is not acknowledged that the availability of housing in nearby settlements (particularly Kalbarri) must be a consideration in transitioning from an on-site workforce to a resident workforce.

At this stage details regarding the exact composition of the camp including the level of facilities to be provided are to be established. In accordance with State Planning Strategy 2050, such camps are expected to provide a level of facility commensurate with a town of a similar size workforce. Given the proximity of Kalbarri it is anticipated that those services not available at camp will be provided from within Kalbarri.

#### Preliminary Social Impact Assessment

The Preliminary Social Impact Assessment as contained at Appendix C provides a detailed outline of many of the likely and potential impacts and opportunities associated with the project overall. For each impact and opportunity, mitigation measures are outlined. By way of summary, the majority of the mitigation measures are based on:

- i) further consultation and engagement with stakeholders;

- ii) the preparation of a significant number of other more detailed plans including but not limited to a Workforce Plan, Transition Strategy, Social Infrastructure, Dust Management, Visual Impact Assessment, Air Quality Assessment, Safety Management Plan, Traffic Impact Assessment and others.

Whilst it is considered that the document at Appendix C provides preliminary assessment of potential impacts and mitigation opportunities, it is recommended that modification of the document is required to better address those matters outlined in Local Planning Policy – Social Impact Assessment.

There is also potential to incorporate many other opportunities for responding to impacts associated with the proposal. For example there would be an opportunity for the project to positively contribute to community infrastructure through the Community Shared Benefits Plan, which the applicants have already proposed. There is also potential to acknowledge the preliminary economic analysis having been completed.

It is worth noting that a peak on-site workforce of 3,600 people will be larger than the entire Shire population. The potential impacts on the closest community of Kalbarri will be significant. It is recommended that Shire Officers liaise with the applicant over these matters, which include the impact on social infrastructure, local roads, increased demand for police and emergency services.

#### Deed of Agreement

As detailed in the Background section of this agenda item, the applicants have submitted a draft Deed of Agreement in order to meet the requirements of point 4 of Council's 18 April 2023 resolution. As the Shire does not directly employ qualified legal practitioners, the Deed has been referred to solicitors for a legal opinion.

It would be prudent for Councillors to be in position of that opinion before considering a resolution to adopt the Local Planning Scheme Amendment for advertising purposes.

In the interim, it is noted that the document should be modified to identify the Chief Executive Officer as the primary contact.

#### Conclusion

The applicants have revised the Scheme Amendment Report to include substantially more information around both the Scheme Amendment area and the project overall. They have also provided a draft Deed of Agreement in accordance with point 4 of Council's 18 April 2024 resolution.

It is recommended that consideration of the matter be deferred pending receipt of the legal agreement.

In the interim, it is recommended that Shire Officers liaise with the applicant over amendment to the revised documentation identified in the body of this agenda item.

#### **STATUTORY ENVIRONMENT:**

Relevant legislation includes but is not limited to *Planning and Development Act 2005* and the *Planning and Development (Local Planning Scheme) Regulations 2015*, *Heritage Act 1990*, *Aboriginal Heritage Act 1972*.

The preparation and statutory planning process associated with amendments to a Local Planning Scheme outline the following formal steps:

1. Council resolves pursuant to Section 75 of the *Planning and Development Act 2005* (the Act) to amend the Scheme.
2. Council must also classify whether the amendment is a Basic, Standard or Complex Amendment. In this the amendment would be a Complex Amendment as the location of General Industry Zone as proposed is not contemplated within the Local Planning Strategy;
3. In accordance with section 81 of the Act, refer the amendment to the Environmental Protection Authority for assessment. EPA decides whether environmental review is required. Processes under the *Environmental Protection Act 1986* are followed;
4. After preparing or resolving to adopt a proposed amendment, and complying with sections 81 and 82, must submit the Complex Amendment to the WAPC for the Ministers Approval to advertise;
5. Publicly advertise the Complex Amendment for a period of 60 days, as directed by the WAPC;
6. Council considers the amendment for final approval, not proceed, or proceed with or without modification, having regard to the submissions received;
7. After the formal decision forward copies of the submissions together with any proposed modifications to the DPLH. DPLH completes an assessment, making recommendation(s) to the WAPC.
8. WAPC considers the Council decision considering the submissions received and provides advice to the Minister; and
9. The Minister determines the amendment.

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

As outlined within the Comment section above, the Shires' Local Planning Policies relating to Renewable Energy Facilities and Social Impact Assessment are relevant to the proposal.

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

There are a number of risks associated with the adoption of an amendment for advertising purposes. Should the proposal proceed without sufficient arrangements in place so ensure the completion of a Social Impact Assessment and appropriate level of Community Investment, the proposal could result in significant detrimental impacts on the Kalbarri Community.

Given the potential level of impact, the potential consequence could be catastrophic.

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

### FINANCIAL IMPLICATIONS:

The required application fee has been paid. Should the amendment be adopted and proceed to advertising, the proponents will be responsible for the cost of producing the amendment document and the costs of advertising.

It is considered that the applicants should also be responsible for all costs associated with the establishment of a legal agreement should one be pursued.

### SUSTAINABILITY:

Environmental: As a significant industry-based proposal located in a complex land form, there are numerous environmental considerations and the potential for significant environmental impacts. As outlined within the Comment Section, the Environmental Protection Authority has determined that the proposal will be subject to a formal Public Environmental Review process.

Economic: Successful implementation of the MGH project will result in significant economic opportunities within the region and more particularly the closest urban

Social: It is imperative that social impacts associated with the construction and operational phases of the project are addressed or mitigated.

**VOTING REQUIREMENTS: SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council:**

- 1. Acknowledge the receipt of the revised Local Planning Scheme Amendment Report dated modification received on 8 May 2024;**
- 2. Defer consideration pending the receipt of legal advice on the proposed Deed of Agreement;**
- 3. Require proposed Requirement 5e outlined within Table 6, requires modification to require the development to comply with a Bushfire Management Plan to the satisfaction of the Local Government, having regard to the advice of the Department of Fire and Emergency Services.**
- 4. In the interim request that the Chief Executive Officer liaise with the applicants over:**
  - a) Required modifications to the Local Planning Scheme Amendment Report as identified in the body of this report; and**
  - b) Modification to the Preliminary Social Impact Assessment to ensure the provisions of Local Planning Policy – Social Impact Assessment are addressed prior to the matter being considered by Council;**
- 5. Re-iterate the invitation to the applicant to nominate the method to be used for calculating the total expenditure within the proposed Community Benefit Sharing Plan.**

**COUNCIL RESOLUTION:**

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

**05/24-35**

**That Council:**

- 1. Acknowledge the receipt of the revised Local Planning Scheme Amendment Report dated modification received on 8 May 2024;**
- 2. Defer consideration pending the receipt of legal advice on the proposed Deed of Agreement;**
- 3. Require proposed Requirement 5e outlined within Table 6, requires modification to require the development to comply with a Bushfire Management Plan to the satisfaction of the Local Government, having regard to the advice of the Department of Fire and Emergency Services.**
- 4. In the interim request that the Chief Executive Officer liaise with the applicants over:**

- a) Required modifications to the Local Planning Scheme Amendment Report as identified in the body of this report; and
  - b) Modification to the Preliminary Social Impact Assessment to ensure the provisions of Local Planning Policy – Social Impact Assessment are addressed prior to the matter being considered by Council;
5. Re-iterate the invitation to the applicant to nominate the method to be used for calculating the total expenditure within the proposed Community Benefit Sharing Plan.

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

## ATTACHMENT

## 9.5.1 Building Approvals Report April 2024

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	Northampton and Kalbarri
<b>BUSINESS AREA:</b>	Building
<b>FILE REFERENCE:</b>	N/A
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Building Regulations 2012</i>
<b>AUTHOR:</b>	Michaela Simpson
<b>APPROVING OFFICER:</b>	Brian Robinson
<b>DATE OF REPORT:</b>	8 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

This report has been produced to assist Council understand the Building and Demolition Permits approved and issued for the period of 1 April 2024 to 30 April 2024.

A copy of the Building Approvals Report April 2024 is attached.

**ATTACHMENT: 9.5.1 (1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

During April 2024, five (5) building applications, including one spa with pool fencing were determined under delegated authority.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil.

**ORGANISATIONAL RISK MANAGEMENT:**

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

**FINANCIAL IMPLICATIONS:**

The 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 April 2024 in accordance with ATTACHMENT 9.5.1(1).**

**COUNCIL RESOLUTION:**

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

**05/24-36**

**That Council receive the Building Approvals Report April 2024 in accordance with ATTACHMENT 9.5.1(1).**

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

## ATTACHMENT

### 9.9.1 Unconfirmed Minutes of the Community Grants Advisory Committee Meeting Held 23 April 2024

<b>PROPONENT</b>	Shire of Northampton
<b>OWNER</b>	Shire of Northampton
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>ZONE:</b>	All
<b>BUSINESS AREA:</b>	Office of CEO
<b>FILE REFERENCE:</b>	4.1.14
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Andrew Campbell
<b>APPROVING OFFICER:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	6 May 2024
<b>DECLARATION OF INTEREST:</b>	Nil

**BACKGROUND:**

A meeting of the Community Grants Advisory Committee was held on 23 April 2024 in the Council Chambers, Northampton.

The purpose of this report is for Council to receive the minutes of the meeting and consider any recommendations arising from the Committee. The minutes of the meeting are attached.

**ATTACHMENT: 9.9.1 (1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

Actions or recommendations of the Committee requiring Councils' noting or endorsement are as follows:

Committee Recommendation	Officer Comment
<b><i>"That the minutes of the Community Grants Advisory Committee held 15 February 2024 be received as a true and correct record."</i></b>	This Committee decision is administrative only.
<b><i>"That Council is requested to allocate \$100,000 (ex GST) toward the Shire of Northampton community grants program in 2024/25."</i></b>	This matter is recommended for Council's endorsement.  In 2023/24 the Shire of Northampton made approximately \$100,000 (ex GST) worth of community contributions. This amount is similar

	to what is being proposed by the new community grants program which is also designed to remove the ad hoc delivery of grants to the community.
<b><i>“That Council endorse the Shire President and CEO to write to any companies and groups identified by the Community Grants Advisory Committee to invite them to meet and discuss a three-year voluntary financial contribution to be administered by the Shire of Northampton Community Grants Program.”</i></b>	This Committee decision is administrative only and requires no formal decision of Council.

### STATUTORY ENVIRONMENT

The *Local Government Act 1995* and subsidiary legislation prescribe the requirements of creating an Advisory Committee in a Local Government organisation in Western Australia.

### POLICY / STRATEGIC IMPLICATIONS:

The Community Grants Advisory Committee will enable Council to strategically approach requests community grants for implementation through the Annual Budget process.

### ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 - Insignificant.

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

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

The allocation of \$100,000 (ex GST) will not put any additional financial stress on the Shire's budget between financial years. Additional funds are to be pursued from commercial sources and other groups.

**SUSTAINABILITY:**

Environmental: Nil.

Economic: Nil.

Social: Nil.

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

**That Council:**

1. Receive the minutes of the Community Grants Advisory Committee held on 23 April 2024; and
2. Allocate \$100,000 (ex GST) in the 2024/25 annual budget process for distribution through the Shire of Northampton's Community Grants Program.

**COUNCIL RESOLUTION:**

**MOVED:** Gibb, T

**SECONDED:** Pike, D

**05/24-37**

**That Council:**

1. Receive the minutes of the Community Grants Advisory Committee held on 23 April 2024; and
2. Allocate \$100,000 (ex GST) in the 2024/25 annual budget process for distribution through the Shire of Northampton's Community Grants Program.

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

**10. LATE REPORTS:**

**11. QUESTIONS FROM MEMBERS:**

11.1 Response to questions from members taken on notice: Nil.

11.2 Questions from members: Nil.

**12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING**  
Nil.

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

**14. APPLICATIONS FOR LEAVE OF ABSENCE:**

Cr Trevor Gibb applied for a leave of absence from the Council Meeting to be held on 18 July 2024.

**COUNCIL RESOLUTION:**

**MOVED:** Horstman, R    **SECONDED:** Suckling, R

**05/24-38**

That Council approve a leave of absence to Cr Trevor Gibb for the Council Meeting to be held 18 July 2024.

**MOTION CARRIED 8/0**

**FOR**

Cr L Sudlow  
Cr R Horstman  
Cr R Burges  
Cr T Gibb  
Cr T Hay  
Cr D Pike  
Cr K Suckling  
Cr R Suckling

**AGAINST**

**15. CLOSURE:**

**Before closing the meeting the Shire President thanked Grant Middleton, Executive Manager of Corporate Services as he ends his employment with the Shire of Northampton that has spanned over 11 and a half years with notable efforts of his work during Covid in 2020 and Cyclone Seroja in 2021 and wished him well in his new employment.**

**There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.57pm.**

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

**Cr Liz Sudlow  
Shire President**