



AGENDA

COUNCIL MEETING

15 FEBRUARY 2024

SHIRE OF NORTHAMPTON – COUNCIL MEETING AGENDA**15 February 2024****NOTICE TO ALL COUNCILLORS**

An Ordinary Meeting of Council is called for Thursday 15 February 2024 commencing at 1:00pm in the Allen Centre, Kalbarri.



**Andrew Campbell
CHIEF EXECUTIVE OFFICER**

8 February 2024

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**SHIRE OF NORTHAMPTON COUNCIL MEETING
THURSDAY 15 FEBRUARY 2024 TO BE HELD IN THE
ALLEN CENTRE, KALBARRI COMMENCING AT 1:00PM**

AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

2. ANNOUNCEMENTS BY THE PRESIDENT:

Acknowledgement of Country

We would like to respectfully acknowledge the Yamatji People who are the Traditional Owners and First People of the land on which we meet. We would like to pay our respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Yamatji People.

3. ATTENDANCE:

3.1 Apologies:
Cr Trevor Gibb

3.2 Approved Leave of Absence:

4. DECLARATIONS OF INTEREST:

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

5. PUBLIC QUESTION TIME:

5.1 Response to public questions taken on notice
5.2 Public Question Time

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

6. PRESENTATIONS:

6.1 Petitions:
6.2 Presentations:
6.3 Deputations:
6.4 Councillor reports:

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

6.5 Conference reports:

7. CONFIRMATION OF PREVIOUS MINUTES:

_____ / _____

That the Minutes of the Ordinary Meeting of the Council held on 15 December 2023 be confirmed.

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

9. OFFICERS' REPORTS:

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ITEM 9.1.1: Proposed Adoption of Shire of Northampton Economic Development Framework

PROPONENT:	Chief Executive Officer
OWNER:	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	31 January 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the meeting 20 October 2023, Council resolved:

MOVED: Cr L Sudlow SECONDED: Cr R Horstman

10/23-10

That Council commit \$100,000 as leveraging funds for the Regional Precincts and Partnership Program grant application for an Economic Development Framework in accordance with the following:

Budget Item	Current Budget	Proposed Budget	Change
Strategic Opportunity and Land Development Reserve	\$433,006	\$333,006	(\$100,000)
Economic Development Framework Project – Regional Precincts and Partnership Program	\$0	\$100,000	\$100,000
	Net Change		\$0
			CARRIED: 7/0

As part of this item, Council was also made aware that the Chief Executive Officer (CEO), Shire President and two Councillors met with the consultant to discuss opportunities and after this, the consultant was appointed by the CEO on 28 September 2023 as a supplier within the Shire's existing budget. The focus project for the consultant is to produce a grant submission to fund a forward-looking Economic Development Framework that will address the economic development and social gaps in the community and assist the Shire to strategically plan for the future.

The purpose of this report is for Council to consider the adoption of the Shire of Northampton Economic Development Framework in preparation for a submission for

funding to the Regional Precincts and Partnerships Program. The document is provided in the attachment.

ATTACHMENT 9.1.1(1)

PUBLIC CONSULTATION UNDERTAKEN:

The Shire of Northampton Economic Development Framework was formulated using sixteen targeted stakeholders including government, community, industry, education, Aboriginal, tourism, and peak body groups.

COMMENT (Includes Options):

The Shire of Northampton Economic Development Framework sets the consultative direction necessary to apply to the Regional Precincts and Partnerships Program for funding to produce a Shire district strategic plan for growth. The intention of the strategic plan for growth is for the Shire of Northampton to be prepared for future growth if and as it arises by enabling the prioritisation of resources toward targeted infrastructure improvements, and developing social capacity of communities.

If Council endorses the Shire of Northampton Economic Development Framework, the CEO will re-engage the consultant to assist with the preparation of a grant application to the Regional Precincts and Partnerships Program and continue with stakeholder engagement in preparation for the production of a Shire district strategic plan for growth.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

The Economic Development Framework is a key piece of strategy that will assist the Shire to formulate high level strategy for the production of a Shire district strategic plan for growth.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 4 – Major. If the Shire is not prepared for rapid growth expansion in the future it will create many strategic issues in trying to sustain communities.

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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
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 re-engagement of the consultant to assist with the preparation of a grant application to the Regional Precincts and Partnerships Program and continue with stakeholder engagement in preparation for the production of a Shire district strategic plan for growth will be in the order of \$14,400(ex GST) and be funded within an existing budget account dedicated for planning consultancy purposes.

SUSTAINABILITY:

Environmental: Additional Shire resources may create environmental opportunities and environmental protection initiatives.

Economic: Local economies in the Shire are expected to prosper in the future with a number of opportunities likely to arise. It is important that the Shire has sufficient resources to manage this change to maximise economic benefit.

Social: Ensuring infrastructure, programs and services meet community need ensures liveability is maintained and improved.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Adopt the Shire of Northampton Economic Development Framework as per ATTACHMENT 9.1.1(1); and
2. Note that a submission will be made to the Regional Precincts and Partnerships Program to source funding to produce of a Shire district strategic plan for growth.

ATTACHMENTS

1. Nil.

APPENDICES

1. Nil.

ITEM 9.1.2: Chief Executive Officer Activity Report October 2023 to December 2023

PROPONENT:	Chief Executive Officer
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	31 January 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to assist Council to understand the activity of the Chief Executive Officer (CEO) for the quarterly period of October 2023 to December 2023.

A copy of the CEO Activity Report October 2023 to December 2023 is attached.

ATTACHMENT 9.1.2(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The attached report enables Council to monitor the activity of the CEO across the quarter and query any relevant matter as required.

STATUTORY ENVIRONMENT:

The CEO is employed by Council under the requirements of the *Local Government Act 1995* to preside over the administration of the organisation.

POLICY / STRATEGIC IMPLICATIONS:

Maintaining an open and transparent dialogue between the CEO and Council is considered highly beneficial in maintaining a functional local government organisation.

ORGANISATIONAL RISK MANAGEMENT:

Open dialogue between the Council and CEO 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

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

FINANCIAL IMPLICATIONS:

Nil

SUSTAINABILITY:

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

Economic: Part of the CEO's role is to improve local economies and often a number of activities are associated with economic development initiatives and opportunities.

Social: The CEO 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 Chief Executive Officer Activity Report October 2023 to December 2023 in accordance with ATTACHMENT 9.1.2(1).

ATTACHMENTS

1. Chief Executive Officer Activity Report October 2023 to December 2023.

APPENDICIES

1. Nil.

**ITEM 9.1.3: Report Back on Delegation from Council to Chief Executive Officer
16 December 2023 to 1 February 2024**

PROPONENT:	Chief Executive Officer
OWNER:	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.14
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	2 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the Council meeting 15 December 2023, Council resolved the following:

MOVED: Cr R Horstman SECONDED: Cr R Burges

11/23-04

That Council delegate to the Chief Executive Officer for the period 16 December 2023 to 1 February 2024 power to determine matters which are unable to be held over until the 15 February 2024 Council meeting subject to this delegation being limited to:

- 1. Any matter that arises during the delegated period not subject to any restrictions outlined below;**
- 2. Any matter advertised for public comment to which no valid objection has been received;**
- 3. Any matter to which the Shire President raises no objection;**
- 4. Preclusion of those matters with delegation prohibition prescribed under the *Local Government Act 1995*; and**
- 5. A report being presented at the 15 February 2023 Council meeting detailing any such delegations exercised.**

CARRIED: 6/0

The purpose of this report is for the Chief Executive Officer to report back to Council on the exercise of delegation during this period.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

During the period 16 December 2023 to 1 February 2024 the Chief Executive Officer made one delegated decision as outlined by the following:

Proposal: Mobile Food Vehicle and Commercial Vehicle Parking "Kat-A-Chino" – Minor amendment to allow a second Mobile Food Van (NR15389) to operate within the existing development approval on Friday, Saturday and Sunday evenings in the

place of the existing vehicle (1TWX350). The Shire President was contacted with no objection and public consultation was not required.

Approval was issued under delegation as an amendment to Development Approval D/A 2023-049.

STATUTORY ENVIRONMENT:

Section 5.42 of the *Local Government Act 1995* enables the authority for Council to delegate certain functions to the Chief Executive Officer.

POLICY / STRATEGIC IMPLICATIONS:

A delegation such as this will enable most business of the Shire of Northampton to be undertaken without being held up due to the period between Council meetings. With a large gap between meetings, statutory time frames for decision determination may be compromised.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 3 – Moderate mainly based on compliance and reputational issues.

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note the exercise of delegation by the Chief Executive Officer by amending Development Approval D/A2023-049 to include a second alternate Mobile Food Vehicle (Registration Number NR15389) within the existing approval.

ATTACHMENTS

1. Nil.

APPENDICES

1. Nil.

ITEM 9.2.1 Proposed Accounts for Endorsement on 15th February 2024

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Grant Middleton
DATE OF REPORT:	6 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A list of payments submitted to Council on 15th February 2024, for confirmation in respect of accounts already paid or for the authority to those unpaid.

A copy of the Payment Listing is attached.

ATTACHMENT 9.2.1(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Council is requested to endorse the payments as presented.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

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

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

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note Municipal Fund Cheques 22446 to 22459 inclusive totalling \$19,474.14, Municipal EFT payments numbered EFT25750 to EFT25958 totalling \$1,776,244.15, Direct Debit payments numbered GJ0504 to GJ0609 inclusive, payroll and superannuation totalling \$530,727.24 be declared as authorised expenditure.

ATTACHMENTS

1. Payments list to 31 January 2024.

APPENDICIES

1. Nil.

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

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Grant Middleton
DATE OF REPORT:	25 January 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

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

A copy of the Monthly Finance Report is attached.

ATTACHMENT 9.2.2(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34 1996.

Local Government Act 1995 Section 6.4.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
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 31 December 2023 financial position is comprised of the following:

- Total operating revenue has a surplus position of \$455,120 and operating expenditure has a surplus position of \$265,914 to the end of December 2023. It is anticipated that operating revenue and operating expenditure variances will be temporary and converge with the budget as the year progresses.
- Investing and Financing variances will reconcile as the year progresses and it is anticipated there will be no significant budget variations.

Further explanations of material variations are detailed by reporting program in Note 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 31 December 2023 in accordance with ATTACHMENT 9.2.2 (1).

ATTACHMENTS

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

APPENDICIES

- 1. Nil.**

ITEM 9.2.3 Monthly Financial Statements for the Period Ending 31 January 2024

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

BACKGROUND:

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

The Monthly Statements of Financial Activity for the period ending 31 January 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 9.2.3 (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 31 January 2024 financial position is comprised of the following:

- Total operating revenue has a surplus position of \$701,235 and operating expenditure has a surplus position of \$320,298 to the end of January 2024. It is anticipated that operating revenue and operating expenditure variances will be temporary and converge with the budget as the year progresses.
- Investing and Financing variances will reconcile as the year progresses and it is anticipated there will be no significant budget variations.

Further explanations of material variations are detailed by reporting program in Note 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 31 January 2024 in accordance with ATTACHMENT 9.2.3 (1).

ATTACHMENTS

- 1. Monthly Financial Statements to 31 January 2024.**

APPENDICIES

- 1. Nil.**

ITEM 9.4.1: Proposed Overheight Outbuilding at Lot 98 (No. 14) Mortimer Street, Kalbarri

PROPONENT:	PS Turner
OWNER:	PS & KE Turner
LOCATION / ADDRESS:	Lot 98 (No. 14) Mortimer Street, Kalbarri
ZONE:	Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.6.1.1 / A4312
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	2 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A planning application has been received for an overheight outbuilding at Lot 98 (No. 14) Mortimer Street, Kalbarri. The property is located within the Kalbarri townsite. A location plan is shown below.

LOCATION PLAN



The subject property is 1012m² in size and currently consists of a dwelling and a small outbuilding (24.75m²). The proposed outbuilding is 67.5m² in size and is to be setback 2.5m off the rear boundary and 1m from the northern side boundary. The structure will have a gable roof with the height of the wall on the northern side to be 3.3m with a maximum height of 4.2m. A copy of the application is attached.

ATTACHMENT: 9.4.1 (1)

The proposed wall height is greater than the variation limits of the deemed to comply requirements for residential outbuildings as outlined in 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 submission received in relation to the proposed wall height.

COMMENT:

The property is zoned Residential with a density coding of R50/60 by the Scheme. The proposed development is required to comply with the requirements relating to R50 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 2.5m from the rear boundary and 1m from the northern side boundary.

- (a) Rear Boundary - Table 2a – Boundary Setback – Walls with no openings require a setback distance of 1.1m for a wall that is 9m long and has a maximum height of 4.2m. The application was advertised to the adjoining landowner at the rear due to the increased wall height being sought, however, the placement position of the structure well meets R-Code provisions.
- (b) Northern Side Boundary - Table 2a – Boundary Setback – Walls with no major opening require a setback distance of 1.1m for a wall that is 7.5m long with a wall height of 3.3m. This wall height variation was advertised to the adjoining owner on the northern side boundary who raised no objections to the variation.

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 exceeds the variation by 0.300m in wall height and sits 0.3m under the maximum provision for ridge height.

The proposed outbuilding was advertised to the adjoining landowners and no comment was received raising concern to the proposed wall height variation by the adjoining owner on the northern side boundary.

One objection in relation to increased wall height was received from one of two adjoining owners at the rear with concern that an additional 0.3m panel would visually not match the neighbours' fences and the outbuilding should be moved closer to the dwelling on Lot 98 Mortimer Street.

This application meets setback requirements at the rear in excess of 1.4m and the ridge height sits 0.3m under Policy provisions, however, proposed condition 4 of the approval will address the concern raised.

Impact on Amenity

In this instance the increased height of the wall of the outbuilding is 0.3m above the height requirements of the Policy, however, the overall height of the outbuilding sits 0.3m under the maximum ridge height permitted according to the Policy.

Lot 98 and the submitter's lot are located within the Residential zone of Kalbarri with a density coding of R50/60. The submitter's dwelling is located on a lot (1012m²) within a grouped dwelling development (as shown below) and includes five dwellings with a maximum height well exceeding the maximum height of the proposed outbuilding.

Lot 98 Mortimer Street has an area of 1012m² also and only consists of a dwelling and one small outbuilding. The aggregate size of outbuildings is 92.25m² well under the 120m² permitted under the Policy. Therefore, the height of the proposed outbuilding is set 1.4m further off the rear boundary than required, the density of structures on Lot 98 are well under the density coding R50/60 afforded to the site and will have minimal impact on the adjacent neighbouring properties at the rear.

LOCATION PLAN



POLICY / STRATEGIC IMPLICATIONS:

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

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 overhead outbuilding on Lot 98 (No. 14) Mortimer Street, Kalbarri, in accordance with the plans and specifications at attachment 9.4.1(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	15 February 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, temporary accommodation or camping;
- 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;
- 7 Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government; and
- 8 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.**

ATTACHMENTS

1. Site and Elevation Plans for Lot 98 Mortimer Street, Kalbarri.

APPENDICES

1. Nil.

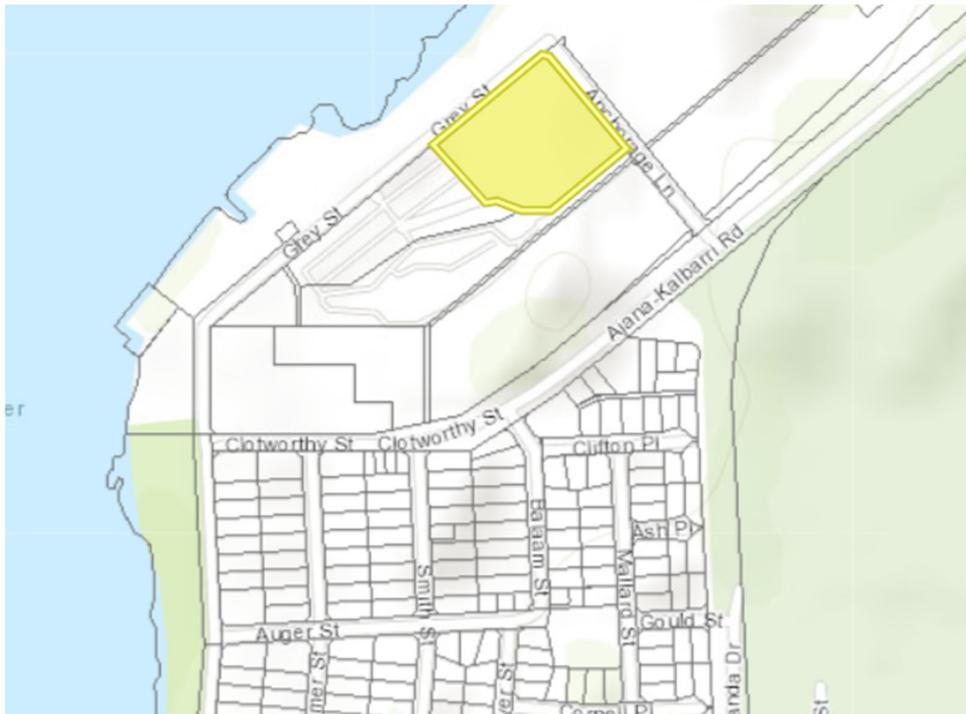
ITEM 9.4.2: Proposed Kalbarri Temporary Workers Caravan Accommodation Facility – Part Lot 500 Anchorage Lane, Kalbarri

PROPONENT:	Shire of Northampton/Department of Fire and Emergency Services
OWNER:	State of Western Australia (Vested in Shire of Northampton)
LOCATION / ADDRESS:	Part Lot 500 (No. 25) Anchorage Lane, Kalbarri
ZONE:	Reserve – Civic and Community
BUSINESS AREA:	Planning Services
FILE REFERENCE:	5.1.8 /10.6.1.3/10.6.7/ A2457
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson and Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	7 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is requested to determine an application for Planning Consent to the proposed Temporary Workers Accommodation Facility at Lot 500 (No. 25) Anchorage Lane, Kalbarri. The property, being Reserve 35559 is vested with the Shire of Northampton for ‘Public Purposes’. As shown on the location plan below, the property is located within the Kalbarri Townsite on the corner of Grey Street and Anchorage Lane.

LOCATION PLAN



The site was previously the location of the Police and Citizens Youth Club (PCYC) hall, which was destroyed during severe Tropical Cyclone Seroja (cyclone) on 11 April 2021. During the early stages of the cyclone recovery, it was identified that there was

a significant need for temporary workers accommodation, with the lack of accommodation hampering the recovery efforts for local business and the construction industry.

The Temporary Workers Caravan Accommodation Facility is a partnership between the Department of Fire and Emergency Services (DFES) and the Shire. It is intended to provide temporary accommodation in worker supplied caravans for workers rebuilding and supporting Kalbarri as a result of the cyclone. It is likely to operate for up to five (5) years.

At its Ordinary Meeting held on 21 July 2023 Council subsequently endorsed a Concept Plan for a Temporary Workers Caravan Accommodation Facility on the land, authorising the Chief Executive Officer to proceed with the project. An excerpt from the minutes is Appended.

APPENDIX 9.4.2 (1)

Council is now requested to endorse the final design and grant planning approval to the facility, as prepared by consultants GHD with Shire Officer input. As shown attached, the final design allows for fifteen caravan bays / campsites, an ablution facility and a camp kitchen.

ATTACHMENT 9.4.2(1)

Approval of the plan will enable procurement processes to commence.

PUBLIC CONSULTATION UNDERTAKEN:

Initially as a measure to gauge support or otherwise of the concept, the Mid West Chamber of Commerce and Industry surveyed thirty-five Kalbarri Chamber of Commerce and Industry members on behalf of the Shire. Sixteen responses were received with fifteen expressing support and one objecting to the proposal.

Subsequently, 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 21-day period, (including adjoining landowners, the local newspaper and the local community newsletters), with no comment received in relation to the application.

COMMENT (Includes Options):

The provisions of *Local Planning Scheme No 11* (the Scheme) reserve the subject land for the purpose of "Civic and Community". In accordance with Table 1 of the Scheme, the objectives of the local reserve are:

- *To provide for a range of community facilities which are compatible with surrounding development; and*
- *To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation of the aged, and other services by organisations in activities for community benefit."*

The above purposes are consistent with the Management Order being for “Civic Purposes”.

Matters to be Considered

Clause 67 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, in considering an application for development approval, a range of matters must be considered. With the respect to this application, the following provisions of clause 67(2) are relevant:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (j) *In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (m) *The compatibility of the development with its setting, including:*
 - i. *The compatibility of the development with the desired and future character of its setting;*
 - ii. *The relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (e) *The amenity of the locality including the following*
 - i. *Environmental impacts of the development;*
 - ii. *The character of the locality;*
 - iii. *Social impacts of the development.*
- (y) *Any submissions received on the application.*

To assist Council in determining the application, the following comments are provided:

Aims and Objectives

The proposal is consistent with the objectives for “Local Reserve – Civic and Community” given that the facility is to be operated in order to support the Kalbarri Community.

Compatibility with Setting

The western portion of Reserve 35559 is developed with a camp school, whilst land to the west of Reserve 35559 is developed as the Anchorage Caravan Park. Temporary accommodation in the forms of caravans or the like is considered in keeping with the current setting of the area.

As the proposal is considered to be temporary in nature, the development as proposed will not impede future development options.

Amenity

Given the existing land uses to the west and the remaining abutting land being vacant/undeveloped Crown land vested within the Shire, no detrimental impacts are anticipated.

Public Consultation

As detailed within the section “Public Consultation Undertaken”, the use has been advertised for public comment, with no submissions received.

Other Legislation

In addition to the Scheme, the provisions of the *Caravan Park and Camping Grounds Act 1995* (the Act) and the *Caravan Park and Camping Grounds Regulations 1997* (the Regulations) apply. It should be noted that Part 2 – Division 4 of the Act specifically relates to Caravan Parks or Camping Grounds operated by a local government.

In accordance with clause 15 of the Act, a local government is not required to hold a license to operate a facility in its district, however, other requirements apply as if the local government was a license holder.

There are fifteen caravan bays / campsites, an ablution facility and a camp kitchen. The site is intended to be serviced by reticulated water, power and sewerage and will be compliant with the *Caravan Parks and Camping Grounds Act 1995*. The final design as presented to Council appears to comply with all requirements, except:

- (a) The final design of the ablution facility is yet to be confirmed. There is a need to ensure that the number of toilets, showers are compliant with numbers specified by the Regulations 7 and that laundry facilities are also provided;
- (b) Given the nature of the proposed accommodation, no babies bath or related facilities are proposed. Schedule 7 - Clause 25 of the Regulations states that such facilities are normally required;
- (c) Additional requirements are applicable to any site that may be occupied for a period exceeding three months; and
- (d) Whilst the design incorporates a covered camp kitchen/BBQ area, there are no other specific recreation facilities to be established. In accordance with Regulations, a minimum of 10% of the site is to be recreational area, including covered recreational facilities for children.

Given the nature of the proposed accommodation being a temporary facility designed for workers accommodation, it is recommended that approval be sought to vary those requirements detailed in points (b), (c) and (d) above. In accordance with clause 31 of the Act, application can be made to the Minister for their approval to vary the requirements.

Future Land Use

At any stage in the future if the permanent use of the facility is proposed as a caravan park or camping ground (or similar use) or an alternate use, a revised development application seeking a 'change of use' would be required. It is also understood that the Shire of Northampton may be required to meet the costs of infrastructure improvements if the use extends beyond the temporary nature of the proposal.

Conclusion

As detailed, Council previously endorsed the concept plan for the proposed Temporary Workers Accommodation at its July 2023 meeting. From a planning perspective, the proposed design and land use are consistent with requirements of the Scheme. Conditional approval is therefore recommended.

In addition to approving the final design, it is recommended that approval be sought from the Minister to vary those requirements relating to on-site recreational requirements and provisions required to accommodate children.

STATUTORY ENVIRONMENT:

The application is to be determined in accordance with Local Planning Scheme No 11 and the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

In addition to planning approval, development and operation of the facility is required to comply with the *Caravan Parks and Camping Grounds Act 1995 and Caravan Parks and Camping Grounds Regulations 1997*.

POLICY / STRATEGIC IMPLICATIONS:

As a procurement strategy it is likely that the Shire will package all cyclone impact public infrastructure works together to maximise economies of scale and scope by attracting large competent contract companies, whilst also reducing the administration burden required to oversee multiple projects at the same time.

ORGANISATIONAL RISK MANAGEMENT:

The risk rating is considered Level 3 – Moderate as there would likely be some reputational damage and a financial opportunity lost for the Shire if the project does not proceed.

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 funding of the Temporary Workers Caravan Accommodation Facility will be met by the State Government via the Department of Fire and Emergency Services. Any permanency to the arrangement in favour of the Shire of Northampton may require

meeting the cost of provided infrastructure. Once the project is approved, funding will be available to the Shire to complete the project.

SUSTAINABILITY:

Environmental: The proposal will improve localised environmental impacts by being connected to reticulated sewerage as compared to the existing onsite wastewater disposal system which will now be removed.

Economic: Recovering from a natural disaster takes time and human resources. Providing an accommodation facility such as this will assist in expediting outcomes.

Social: Community recovery from the cyclone is a priority for the Shire.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. in accordance with Local Planning Scheme No. 11 – Kalbarri grant planning approval for the proposed final design for Kalbarri Temporary Workers Caravan Accommodation Facility on a portion of Lot 500 (No. 25) Anchorage Land, Kalbarri, in accordance with the plans and specifications at ATTACHMENT 9.4.2(1), subject to the following conditions:

- a) 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 Received
1	Application for Planning Consent	20 December 2023
2	General Layout Plan P01	20 December 2023
3	General Layout Plan P02	20 December 2023
4	Access Ramp Plan	20 December 2023
5	Site Electrical Services	20 December 2023

- b) 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;
- c) All stormwater and drainage runoff is to be retained on the subject property to the satisfaction of the Shire of Northampton;
- d) Any soils disturbed or deposited on site shall be stabilised so as to prevent the movement of soil on the property;

- e) Access, driveway, manoeuvring and car parking areas to be constructed in accordance with the submitted plans, detailed in condition (a) above and thereafter maintained;
- f) The proposed development shall be connected to the Water Corporation's reticulated sewerage system;
- g) All parking associated with the development hereby approved shall be wholly contained within the property;
- h) No person shall without prior approval being obtained under the *Caravan Park and Camping Ground Act 1995*, shall occupy a caravan or other like accommodation for more than three (3) months within any twelve (12) month period.
- i) 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.

Advice Notes:

- (i) 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).
 - (ii) The applicant be advised that toilet, shower and Laundry Facilities are to be provided in accordance with the numbers required under the *Caravan Park and Camping Grounds Act 1997*.
- 2 Request the Chief Executive Officer seek approval from the Minister for Local Government under clause 31 of the *Caravan Parks and Camping Ground Act 1995*, to vary the following requirements outlined under the *Caravan Parks and Camping Ground Regulations 1997*:**
- a) Provisions of Schedule 7 – Clause 18(1) relating to recreational facilities given the temporary nature of the accommodation and the nature of the proposed guests;
 - b) The provisions of Schedule 2 – clause 25 and Schedule 7 – Clause 18(4) facilities relating to children given the intent for the site to be used for workers accommodation only; and
 - c) Those requirements of Schedule applicable to long stay sites, in order to facilitate stays of longer than 3 months within the temporary facility without the need to establish the additional facilities and infrastructure.

- 3. Annually review the operational use and effectiveness of the Temporary Workers Caravan Accommodation Facility once in operation.**

ATTACHMENTS

1. Temporary Workers Caravan Accommodation Facility General Layout Plan.

APPENDICIES

1. Shire recommendation from 21 July 2023 Council meeting.

ITEM 9.4.3: Ministerial Approval – Local Planning Scheme No. 10 Amendment No. 8 relating to mapping administrative errors and anomalies

PROPONENT:	Shire of Northampton
OWNER:	Various
LOCATION / ADDRESS:	Various
ZONE:	Residential/Commercial/Rural
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.8.7.8
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Amendment No. 8 to the Shire's *Local Planning Scheme No. 10 – Northampton* relates to the correction of a number of mapping administrative errors and anomalies, along with updating changes to property boundaries and Public Drinking Water Source Areas (PDWA).

Council resolved to initiate the amendment on 19 August 2022, primarily for the purpose of updating the Scheme to accurately reflect changes to zoning boundaries.

Following the required public consultation process conducted in April 2023, Council resolved at their 19 May 2023 meeting to endorse the schedule of submissions and adopt the amendment subject to a schedule of modifications. A copy of the amendment documentation as adopted is appended

APPENDIX 9.4.3 (1)

Advice has now been received that the Minister has granted final approval to the amendment. A copy of that advice is attached.

ATTACHMENT 9.4.3 (1)

PUBLIC CONSULTATION UNDERTAKEN:

The amendment was previously advertised in accordance with the requirements of the *Planning and Development Act 2005* and associated regulations.

COMMENT:

By way of summary, finalisation of this amendment achieves the following modifications to Local Planning Scheme No. 10:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, amend Shire of Northampton Planning Scheme No. 10 by:
 - 1.1 Amending the Scheme Maps by:
 - a) Rezoning a portion of Lot 254 Glance Street, Horrocks from "Commercial" zone to "Residential R20" zone;
 - b) Rezoning a portion of Lot 1 Horan Way, Horrocks from "Rural" zone to "Residential R20" zone;

- c) Rezoning Lots 20, 21 and 47 Mitchell Street, Horrocks from 'Local Scheme Reserve – Public Open Space' zone to 'Residential R12.5';
- d) Modifying a portion of Lot 10 Glance Street, Horrocks from "Additional Use 3" (A3) to "Additional Use 4" (A4).
- e) Rezoning Lots 21 and 22 Mary Street, Northampton from 'Special Use 2 to 'Public Purposes – Emergency Services';
- f) Rezoning Lots 505 and 18 North West Coastal Highway Alma, from "Special Use" zone to "Rural - Additional Use 2" (A2) zone; and
- g) Remove the SCA3 Public Drinking Water Source Protection over Yerina Springs, Northampton and Port Gregory.

As reflected within the Minister's letter granting the final approval, arrangement was made to publish the amendment in the Government Gazette on 22 December 2023. Shire Officers have published advice of the amendment, completing the scheme amendment process.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Finalisation of the Scheme Amendment will update maps and address a number of mapping administrative errors and anomalies, along with updating changes to property boundaries and PDWA's.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

The Shire has met the costs associated with gazettal of the scheme amendment and advertisement of the Ministers decision.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note the Minister for Planning has granted approval to Amendment No. 8 to the Shire of Northampton's Local Planning Scheme No. 10 subject to the modifications in accordance with correspondence shown at ATTACHMENT 9.4.3 (1).

ATTACHMENTS

1. Scheme Amendment Report as required by Minister for Planning.
2. Advice of Ministerial Approval.

APPENDICES

1. Nil.

ITEM 9.4.4: Proposed Overheight Outbuilding at Lot 1 (No. 8) Starfire Close, Kalbarri

PROPONENT:	Noel Visser
OWNER:	PW Wilkin
LOCATION / ADDRESS:	Lot 1 (No. 8) Starfire Close, Kalbarri
ZONE:	Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.6.1.1 / A4328
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	2 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A planning application has been received for an overheight outbuilding at Lot 1 (No. 8) Starfire Close, Kalbarri. The property is located within the Kalbarri townsite. A location plan is shown below.

LOCATION PLAN



The subject property is 640m² in size and currently consists of a dwelling. The proposed outbuilding is 63.68m² in size and is to be setback 1m off the rear boundary and be 1m from the western side boundary at its closest point. The structure will have a gable roof with wall height on the western side to be 3.4m with a maximum height of 4.1m. A copy of the application is attached.

ATTACHMENT: 9.4.4 (1)
ATTACHMENT: 9.4.4 (2)

The proposed wall height is greater than the variation limits of the deemed to comply requirements for residential outbuildings as outlined in 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 and with no submissions received in relation to the reduced rear setback being sought from 1.1m to 1m and increased wall height from 3m to 3.4m.

COMMENT:

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 be 1m from the western side boundary at its closest point. (Lot 1 is an irregular shaped lot with the narrowest part located at the front on Starfire Close and the western boundary sitting at an angle giving the structure a varied setback distance on that elevation.)

- (a) Rear Boundary - Table 2a – Boundary Setback – Walls with no openings require a setback distance of 1.1m for a wall that is 7.98m long and has a maximum height of 4.1m. The application was advertised to the adjoining landowner at the rear who raised no objection to the variation.
- (b) Western Side Boundary - Table 2a – Boundary Setback – Walls with no major opening require a setback distance of 1m for a wall that is 7.98m long with a wall height of 3.4m. This wall height variation was advertised to the adjoining owner on the western boundary who raised no objections to the increased wall height being sought.

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 exceeds the variation by 0.4m in wall height and sits 0.4m under the maximum provision for ridge height.

The proposed outbuilding was advertised to the adjoining landowners and no comment was received raising concern to the proposed wall height variation by the adjoining owner on the western side boundary.

Impact on Amenity

The Policy outlines that an outbuilding should not exceed 3m in wall height and 4.5m in ridge height. In this instance the outbuilding exceeds the variation by 0.4m in wall height. The proposed outbuilding was advertised to the adjoining landowners and no comment was received raising concern to the proposed variation.

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 73% well meeting R-Code open space provision which is 50%. The size of the outbuilding at 63.68m² just exceeding R-Code provisions (60m²) but well meeting Policy provisions (120m²). No other outbuildings exist on the site.

POLICY / STRATEGIC IMPLICATIONS:

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

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 the proposed overheight outbuilding on Lot 1 (No. 8) Starfire Close, Kalbarri, in accordance with the plans and specifications at attachment 9.4.4(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 Plan	15 February 2024
2	Floor Plan & Elevations	15 February 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, temporary accommodation or camping;
- 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;
- 7 Access, driveway, manoeuvring and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government; and
- 8 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 If the approved outbuilding is to be constructed within 6 metres of the dwelling on the property, the development will need to be constructed in accordance with the requirements of Australian Standard AS 3959 *Construction of Buildings in Bushfire Prone Areas*;
- 4 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.
- 6 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.
- 7 If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

ATTACHMENTS

1. Site Plan.
2. Floor and Elevation Plans.

APPENDICES

1. Nil.

ITEM 9.4.5: Proposed Retaining Wall at Lot 258 (No. 52) Flora Boulevard, Kalbarri

PROPONENT:	AF Heane and DL Dooley
OWNER:	AF Heane and DL Dooley
LOCATION / ADDRESS:	Lot 258 (No. 52) Flora Boulevard, Kalbarri
ZONE:	Residential
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.6.1.1 / A4135
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A planning application has been received for a retaining wall at Lot 258 (No. 52) Flora Boulevard, Kalbarri. The property is located within the Kalbarri townsite. A location plan is shown below.

LOCATION PLAN

The subject property is 528m² in size which currently consists of a dwelling and is located within the Residential R20 zone of Kalbarri. The proposed retaining wall is to be located on the rear and eastern side boundaries and is required to support soil laterally that is subsiding from neighbouring lots that is impacting on Lot 258.

The wall is proposed to sit on the rear boundary and be located entirely on Lot 258. The height of the retaining wall at the rear will vary between 1m and 1.1m high and a 1.8m high pine lap fence is proposed to sit on top. Site photos and a copy of the application is attached.

ATTACHMENT 9.4.5 (1)**ATTACHMENT 9.4.5 (2)**

The proposed wall height is greater than the variation limits of the deemed to comply requirements for retaining walls as outlined within *Clause 5.3.7 Site Works* of the Residential Design Codes of WA.

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 an objection received from one of two neighbours at the rear.

The points of objection raised to the proposal are as follows:

- The choice of fence (pine lap) will differ to one already installed by the adjoining rear neighbour (colorbond) making the submitter's rear fence consist of two differing fencing options; and
- The height of the retaining wall proposed at the rear is considered too high as it will mean the pine lap portion of fence will sit higher than the portion of colorbond fence that currently exists.

COMMENT:

The property is zoned Residential with a density coding of R20 by the Scheme. The proposed development is required to comply with the requirements relating to R20 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)

Retaining walls, fill and excavation within the site are required to comply with minimum setbacks as prescribed in Clause 7.2 of 5.3.7 Site Works of the R-Codes and not detrimentally affect adjoining properties.

The proposed retaining wall will sit on the boundary of Lot 258 Flora Boulevard at the rear and be 15.42m long. The wall will be constructed of three courses of limestone

blocks measuring 1m long by 0.35m high and is required to retain soil from the neighbour's lot which is impacting on Lot 258. (Lot 258 has two neighbours adjoining at the rear boundary).

Impact on Amenity

Site works, which include retaining walls and associated fill and excavation are required to respond to the natural features of a site and require minimal excavation/fill. Where excavation/fill is necessary all finished levels must respect the natural ground level at the lot boundary of the site and result in land which can be effectively used for the benefit of residents and not detrimentally affect adjoining properties.

In this instance, the retaining wall is sought as a measure to prevent soil from the falling from the neighbour's lot on to Lot 258. Whilst the neighbour has objected to the proposal, conditions of approval granted historically to that neighbour in 2022 for a single house development will address concerns raised at the visual amenity of differing fence options.

Visual screening is required to be installed to a height of 1.6 metres to address visual privacy concerns (overlooking) until such time as a landscape buffer is established. The screening measures were prescribed to be installed at the rear of the submitter's lot to minimise visual impact to surrounding lots at the rear as the submitter's lot sits well above Lot 258 Flora Boulevard and other adjacent lots.

Therefore, the retaining wall and associated fence will have minimal impact to the adjoining property at the rear. Furthermore, no objections were raised by the second neighbouring owner at the rear.

POLICY / STRATEGIC IMPLICATIONS:

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

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 retaining wall.

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 the proposed retaining wall on Lot 258 (No. 52) Flora Boulevard, Kalbarri, in accordance with the plans and specifications at attachment 9.4.5 (2), 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	15 February 2024

- 2 Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval for that use/addition;
- 2 The external face of the retaining wall shall have a smooth surface finish with tooled joints, to the approval of the Shire of Northampton;
- 4 All stormwater and drainage runoff is to be retained on the subject property to the approval of the Shire of Northampton;
- 5 Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton; and
- 6 The position of the retaining wall along the rear shall be situated wholly within the property boundary of Lot 258 Flora Boulevard, Kalbarri as marked in 'RED' on the attached approved plan(s) dated 15 February 2024.

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 Any retaining walls in excess of 500mm in height required in connection with development shall be so constructed as to accord with plans and specifications prepared by a practising structural engineer to the satisfaction of the Shire of Northampton and details and particulars of the certified plans and specifications shall be provided to Shire of Northampton as part of any application for a building permit.

- 3 The Applicant/Owner is advised to seek approval from Water Corporation for the construction of the proposed retaining wall within the easement at the rear of Lot 258 Flora Boulevard.**
- 4 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.**
- 5 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.**
- 6 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.**
- 7 If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.**

ATTACHMENTS

1. Site Photos.
2. Site and Elevation Plans.

APPENDICES

1. Nil.

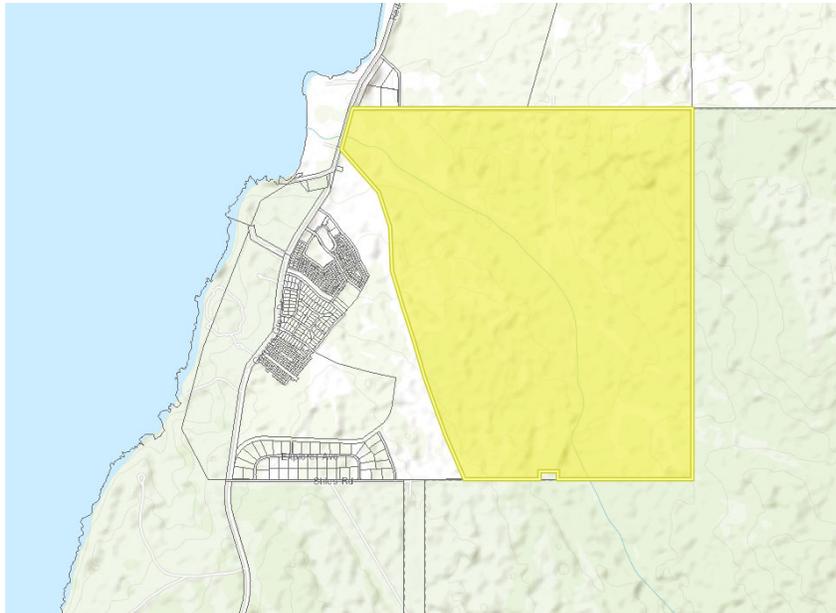
**ITEM 9.4.6: Proposed Temporary Storage of Six Structures on Lot 10792
(No.315) Red Bluff Road, Kalbarri (Retrospective)**

PROPONENT:	AC Moore
OWNER:	Allsage Pty Ltd
LOCATION / ADDRESS:	Lot 10792 (No. 315) Red Bluff Rd, Kalbarri
ZONE:	Rural
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.6.1/ A4151
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	6 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A planning application has been received seeking to gain retrospective approval to store six second hand structures for a temporary period at Lot 10792 (No. 315) Red Bluff Road, Kalbarri. The property is located south of the Kalbarri townsite. A location plan is shown below.

LOCATION PLAN



The subject property is 1007.3 hectares in size and is located within the Rural zone.

As a result of compliance proceedings undertaken by the Shire of Northampton in relation to unauthorised structures located on site at 315 Red Bluff Road, an application seeking retrospective approval to store the six structures has been received.

The applicant is seeking to store six (6) second-hand structures for a temporary period whilst finalising plans to reassemble and repurpose them on Lot 260 (No. 54) Centrolepis Circuit, Kalbarri as part of a single house development.

The application is currently being presented to Council for consideration as Shire Officers do not have the delegation to approve retrospective development.

Furthermore, an application to amend an approval granted to construct a new dwelling on Lot 260 (No. 54) Centrolepis Circuit, Kalbarri has now been received. With the landowner's approval, the applicant is proposing to use the six second hand structures as part of the single house development, thereby, an amendment to the original application is required.

PUBLIC CONSULTATION UNDERTAKEN:

As the application is proposed for a limited time, public advertising has not been undertaken. Should Council approve the proposed development, any future application to extend the approval period or place the structures on 315 Red Bluff Road permanently will be required to address advertising provisions for secondhand dwellings as outlined within the Shire's Local Planning Policy *Repurposed and Second-hand Dwellings*.

COMMENT:

The subject property is zoned Rural by the Scheme. The objectives of the zone as outlined in Part 3 of the Scheme is to:

- *To provide for the maintenance or enhancement of specific local rural character.*
- *To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural Zone*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses*

In accordance with the Scheme all development is prohibited without prior approval of the local government, including land use permissibility as outlined in Table 3 Zoning Table of the Scheme.

Non-compliance

A review of Shire records of the property indicates that approvals were previously obtained between 1994 and 2018 for a number of outbuildings and a dwelling. Thorough examination of aerial photography and inspection of the site by Shire Officers has identified the following development had occurred without the required prior approval(s):

- Six second hand transportable structures have been located on site and do not have any record of approval from planning, building or health legislation.

ATTACHMENT 9.4.6 (1)

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.

Local Planning Policy Repurposed and Second-hand Dwellings

The Policy has objectives to ensure any proposed use of a second-hand building meets acceptable aesthetic and amenity requirements in the locality for which it is proposed, including that the local government shall retain such monies (bonds) to ensure the desired standard of development is achieved.

The owner of the structures has submitted an application to relocate the six (6) structures to be included within a proposed single house development on Centrolepis Circuit, Kalbarri. Thereby, provisions as outlined within the Policy will be considered as part of the amended application.

Impact on Amenity

Given the subject structures are already in existence and the applicant has applied to relocate the structures to a residential lot on Centrolepis Circuit in Kalbarri, it is considered the proposal for storage of structures for a temporary period will address the impact that currently exists as a consequence of non-compliant development.

Conclusion

It is recommended that approval be granted for a time limited period of six (6) months subject to conditions that will address development requirements and amenity impacts for the period. It is considered that the proposed development for a temporary period will not generate greater impact on the locality but will more sufficiently contain impacts within the confines of the subject property.

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

The Shire of Northampton has been working with the landowner and the owner of the second-hand structures to legitimise the unauthorised development on the property. By processing the development application, the Shire is upholding its regulatory function and setting a precedence to deter future unauthorised development.

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: Nil.

Economic: The application if approved, will allow the storage of the structures for a temporary period whilst the applicant seeks approval to relocate them to a residential lot in Kalbarri.

Social: Nil.

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

That Council, in accordance with Local Planning Scheme No. 11 – Kalbarri grant retrospective planning approval for the storage of six second-hand structures on Lot 10792 (No. 315) Red Bluff Road, Kalbarri, in accordance with the plans at Attachment 9.4.6 (1), subject to the following conditions:

- 1 This development approval is granted for a six (6) month period only after the expiration of which period the use shall cease, unless prior to that date an application has been made to and approved by the Shire of Northampton after payment of the appropriate fee for the continuation of the use for an extended period;**
- 2 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 Photo	15 February 2024

- 3 Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval for that use/addition;**
- 4 Notwithstanding Condition 1. above, no additional structures are permitted to be located and used on the property, subject to compliance and development standards and to the satisfaction of the Shire of Northampton.**

- 5 The six (6) second-hand structures hereby approved shall not be used for storage, human habitation, temporary accommodation, camping or any other purpose;
- 6 Any soils disturbed or deposited on site shall be stabilised to the approval of the Shire of Northampton; and
- 7 The use hereby approved must not create community safety concerns, or otherwise adversely affect the amenity of the subject locality by reason of (or the appearance or emission of) smoke, fumes, noise, vibration, odour, dust, waste water, waste products or other pollutants to the satisfaction of the Shire of Northampton.

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.
- 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.

ATTACHMENTS

1. Site Photo.

APPENDICES

1. Nil.

ITEM: 9.4.7 Delegated Planning Decisions for December 2023 and January 2024

PROPONENT:	Shire of Northampton
OWNER:	Various
LOCATION / ADDRESS:	Various
ZONE:	Various
DIRECTORATE:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	6 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

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

A register of Delegated Development Approvals, detailing those decisions made under delegated authority in December 2023 and January 2024 is attached.

ATTACHMENT 9.4.7 (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 December 2023, six (6) 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 December 2023 compared to December 2022:

Table 1 (a): Planning Decisions made in December 2022 and December 2023

	December 2022	December 2023
Delegated Decisions	11 - \$1,290,898 **2	6 - \$1,217,074 **1
Council Decisions	4 - 1,040,000 **2	0 0
Total	15 - \$2,330,898	6 - \$1,217,074

During January 2024, six (6) development applications were determined under delegated authority. **Table 1(b)** shows the number and value of development applications determined under both delegated authority and by Council for January 2024 compared to January 2023:

Table 1(b): Planning Decisions made in January 2023 and January 2024

	January 2023	January 2024
Delegated Decisions	0 - \$0 **0	6 - \$553,540 **0
Council Decisions	0	0 0
Total	0 - \$0	6 - \$856,126

Tables 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2022-23 compared to the previous Financial Year:

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

	YTD 2022	YTD 2023
Delegated Decisions	85 - \$10'216'555	63 - \$8,542,438 ** 26
Council Decisions	22 - \$1,920,000	15 - \$2,924,125 **7
Total	107 - \$12,136,555	78 - \$11,466,563

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

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

POLICY / STRATEGIC IMPLICATIONS:

Applications for Development Approval must be assessed against requirements of the Schemes and Local Planning Policies that have been adopted in accordance with the Schemes. These policies include Local Planning Policy *Consultation for*

Planning Proposals, which details the level and scope of advertising required for Applications for Development Approval.

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

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for December 2023 and January 2024 as detailed in Attachment 9.4.7(1).

ATTACHMENTS

1. **Delegated Planning Decisions December 2023 and January 2024.**

ITEM 9.5.1: Building Approvals Report December 2023 and January 2024

PROPONENT:	Shire of Northampton
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Building
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Building Regulations 2012</i>
AUTHOR:	Michaela Simpson
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	5 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to assist Council understand the Building and Demolition Permits approved and issued for the period of 1 December 2023 to 31 January 2024.

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

ATTACHMENT 9.5.1(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

During December 2023 and January 2024 ten (10) building and demolition applications were determined under delegated authority.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

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

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

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

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

ATTACHMENTS

1. Building Approvals Report December 2023 and January 2024.

APPENDICIES

1. Nil.

ITEM 9.8.1 Information Items – Maintenance/Construction – Works Program

PROPONENT:	Manager of Works and Technical Services
OWNER:	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of Manager of Works and Technical Services
FILE REFERENCE:	N/A
LEGISLATION:	N/A
AUTHOR:	Neil Broadhurst
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	6 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

Specific Road Works

- Maintenance grading carried out on Maggee, Diepeveen, Blue Well, Binnu West, Larrard, Rose Hill, Ralph, Mongeragarry, Binnu East, Reynolds and Ogilvie east Road/s.
- Gravel Patching/Sheeting/Verge works carried out on Maggee, Diepeveen and Blue Well Road/s.

Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and edges various locations.
- General – Northampton and Kalbarri. Various tree lopping/vegetation works for western power line clearance.
- Kalbarri – Reticulation replacement/maintenance work at southern subdivisions.
- Kalbarri – Assistance with 2024 new year's celebration setup and cleanup.
- Kalbarri – Selective townsite and road verge mulching works.
- Balla Whelarra Road – Shoulder Grading for 2024 reseal area plus general maintenance.
- Port Gregory – Town Maintenance work.
- Northampton oval residence area – Asbestos removal works undertaken.
- East Bowes old school site – extensive asbestos contamination issue identified as part of routine site cleanup. Area has been fenced off to secure site. Site to be further inspected for degree of works and site cleanup quotes to be requested for possible future budget consideration.

Other Items (Budget)

- Northampton – Gwalla Street / Second Avenue works sealed with concrete kerb installed. site tidy up and fence replacement works outstanding.
- Kalbarri widening – Main Roads WA full funding (Blackspot funding) to the 10-12 kilometers of widening immediately to the east of Kalbarri as far as the Skywalk lookout turnoff. Culvert works complete. Earthworks and roadworks to commenced with completion by the end of March 2024.
- Binu East Road – Municipal funding, Complete Road overlay to failed section. Earthworks and roadworks commenced. Culvert installation works to be carried out. Detour in place. Completion by mid-April 2024.

Plant Items

- Backhoe – New backhoe arrived. Incorrect specification machine supplied by Westrac. New machine ordered. Replacement approximately end of April 2024.

Staff Items

- Vacant positions filled.
Nil.
- Vacant positions to be advertised.
 - 1 x Grader Operator. (Northampton)
 - 1 x Maintenance Operator/Labourer (Northampton)
 - 1 x Water Custodian. (Port Gregory)
 - 1 x Tip Supervisor. (Kalbarri)
 - 1 x Gardener (Northampton)
 - 1 x Administration Assistant (Works and Technical Service)

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

ATTACHMENT 9.8.1(1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Nil.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 – Insignificant.

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

Works in accordance maintenance and construction budget.

SUSTAINABILITY:

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

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

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

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for February 2024.

ATTACHMENTS

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

APPENDICES

1. Nil.

ITEM 9.9.1: Consideration of the Unconfirmed Minutes of the Audit and Risk Management Advisory Committee Held 15 December 2023

PROPONENT:	Chief Executive Officer
OWNER:	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	1.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	8 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Just prior to the Council meeting 15 December 2023 the Audit and Risk Management Advisory Committee met to discuss several relevant matters. The unconfirmed minutes of the meeting are attached.

ATTACHMENT 9.9.1(1)

The purpose of this report is for Council to receive the minutes of the Audit and Risk Management Advisory Committee held 15 December 2023 and consider any recommendations arising.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The Audit and Risk Management Advisory Committee made the following recommendations:

Committee Recommendation	Officer Comment
1. That Cr Suckling be appointed to the position of Chair of the Audit and Risk Management Advisory Committee.	This is an amendment to the Committee Terms of Reference and requires consideration of Council.
2. That the minutes of the Audit and Risk Management Advisory Committee meeting held on the 17 February 2023 be received as a true and correct record.	This is an administrative matter requiring no decision of Council.
3. That the Audit and Risk Management Advisory Committee recommends to Council that the 2022-2023 Annual Financial Report as presented be received.	This matter was dealt with by Council on 15 December 2023 (Minute No: 12/23-05) as part of the adoption of the Annual Report.

4. That the Audit and Risk Management Advisory Committee recommends that Council receive the Risk Management Compliance Calendar as presented.	This is an administrative matter requiring no decision of Council.
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STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation prescribe the statutory requirements that deal with audit and risk functions in Local Government organisations in Western Australia.

POLICY / STRATEGIC IMPLICATIONS:

The Audit and Risk Advisory Committee is an important part of the operation of a local government organisation. It is essential that Council retains oversight of the business of the organisation and an Audit and Risk Advisory Committee fulfils this obligation.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 4 – Major mainly based on non-compliance and reputation.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
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 Audit and Risk Management Committee and its activities are funded within existing budgets.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Receive the minutes of the Audit and Risk Management Committee meeting held 15 December 2023;**
- 2. Amend the Terms of Reference for the Audit and Risk Management Advisory Committee in accordance with ATTACHMENT 9.9.1(2) to appoint Cr Roslyn Suckling to the position of Chairperson.**

ATTACHMENTS

- 1. Unconfirmed minutes of the Audit and Risk Management Advisory Committee held 15 December 2023.**
- 2. Amended Audit and Risk Management Advisory Committee Terms of Reference.**

APPENDICES

- 1. Nil.**

10. LATE REPORTS:

10.1 Minutes of Annual Electors Meeting 8th February 2024.

11. QUESTIONS FROM MEMBERS:

11.1 Response to questions from members taken on notice.

11.2 Questions from members.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING:

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

14. APPLICATIONS FOR LEAVE OF ABSENCE:

15. CLOSURE: