



CONFIRMED MINUTES

COUNCIL MEETING

17 APRIL 2025

TABLE OF CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS: .	4
2.	ANNOUNCEMENTS BY THE PRESIDENT:	4
3.	ATTENDANCE:	4
4.	DECLARATIONS OF INTEREST:	5
5.	PUBLIC QUESTION TIME:	5
6.	PRESENTATIONS:	6
7.	CONFIRMATION OF MINUTES:	7
8.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	8
9.	OFFICERS' REPORTS:	8
04/25-48	9.1.1 Ability of Councillor Rob Horstman to Hold Office as a Shire of Northampton Councillor Following the 2025 State Government Election.....	9
	9.1.2 Election of Deputy Shire President due to the Ability of Councillor Rob Horstman to be a Shire of Northampton Councillor following Election to the Legislative Council	13
04/25-49	9.1.3 Proposed Election Method for the 2025 Ordinary Local Government Election	16
04/25-50	9.1.4 Review of Councillor Attendance Fees, Allowances and Expenses 2025/26.....	19
04/25-51	9.2.1 ... Monthly Financial Statements for the Period Ending 31 March 2025	28
04/25-52	9.2.2 Proposed March 2025 List of Accounts for Endorsement on 17 April 2025	31
04/25-53	9.3.1 Proposed Council Policy - Temporary Banners on Fixed Frame	34
04/25-54	9.3.2 .. Kalbarri Foreshore Revitalisation Project - Proposed Financial Assistance Agreement for Stage 1.....	38
04/25-55	9.4.1 Delegated Planning Decisions for March 2025	46
04/25-56	9.4.2 .. Proposed Relocated Dwelling - Lot 30 (No 3) Phelps Loop, Kalbarri.....	49
04/25-57	9.5.1 Building Approval Report for March 2025	58
04/25-58	9.6.1 Kalbarri Festival Market Stallholders Request to Camp On-site.....	60
	_Toc198546596	
	_Toc198546597	
04/25-59	9.6.2 Determination of Event Application involving Temporary Closure of Memorial Avenue off Grey Street, Kalbarri	65
04/25-60	9.6.3 ... Proposed Stallholder on Shire Managed Reserves - Kalbarri	72
04/25-61	9.7.1 Unconfirmed Minutes of Bush Fire Advisory Committee Meeting held on 24 March 2025.....	79

04/25-62	9.8.1 Information Items - Maintenance/Construction - Works Program.....	85
04/25-63	9.8.2 ...Proposed Disposal of Shire of Northampton Surplus Assets.....	89
10.	LATE REPORTS:.....	96
11.	QUESTIONS FROM MEMBERS:.....	96
12.	MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING	96
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING:	96
14.	APPLICATIONS FOR LEAVE OF ABSENCE:	96
15.	CLOSURE:.....	96

SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Council Chamber, Hampton Road, Northampton, Thursday, 17 April 2025.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

The Shire President declared the meeting open at **2.00pm**.

2. ANNOUNCEMENTS BY THE PRESIDENT:

Acknowledgement of Country

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

3. ATTENDANCE:

PRESENT:

Councillors

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

Staff

Mr Andrew Campbell (Chief Executive Officer)
Mr Neil Broadhurst (Executive Manager of Works and Technical Services)
Mrs Leanne Rowe (Manager Financial Services)
Mrs Michelle Allen (Manager Corporate Services)
Mrs Kaylene Roberts (Planning Officer)
Ms Sonya Hasleby (Executive Support Officer)

Gallery

Sylvia Raux

3.1 Apologies: Nil.

3.2 Leave Of Absence: Nil.

Cr Rob Horstman was officially elected to represent the Upper House and therefore is ineligible to maintain his position as Councillor for the Shire of Northampton.

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.]

Cr Liz Sudlow declared a proximity interest in relation to item 9.6.2 – Determination of Event Application involving Temporary Closure of Memorial Avenue off Grey Street, Kalbarri. As she owns property opposite where the event is to be held.

5. PUBLIC QUESTION TIME:

5.1 Response to public questions taken on notice: Nil.

5.2 Public Question Time:

Sylvia Raux:

Is the Shire exempt from having to do Fire Breaks? As the museum and opposite Shire block on Hampton Road hasn't had one for the last couple of years.

CEO – Andrew Campbell:

The Shire is not required to comply with the Annual Notice to install firebreaks. However, in high-risk situations the Shire will endeavour to install firebreaks or conduct fuel hazard reduction on its property to mitigate risk from bush fire. It should be noted that fire breaks are not designed to prevent fire crossing boundaries, their predominant purpose is to allow for fire fighting vehicles to access the property. In relation to the query, the Shire's Chief Bushfire Control Officer will undertake an assessment of the situation and if deemed necessary ensure a fire break is installed and/or fuel hazard reduction is completed before the next fire season.

Sylvia Raux:

When will the gates be replaced or repaired at the Gwalla Cemetery and benches replaced with new wood, or better still, with recycled plastic fitted which would last longer and be easier to clean regularly.

CEO - Andrew Campbell:

After receiving the question, I went and looked at the matters raised. It appears that the gates and tables at the cemetery have been there for many years and have not been maintained for quite some time. This matter is not in the Shire's current budget or in preliminary discussions for the 2025/26 budget. Irrespective of this Shire staff will assess the issue raised, cost the maintenance/replacement works, and raise the matter in budget considerations of Council.

6. PRESENTATIONS:

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

Since the last Council meeting **Cr L Sudlow** reported on their attendance at:

- 31/03/2025 – Kalbarri Visitor Committee Sundowner at Little Leaf Kalbarri. Where Coral Coast CEO, David O'Malley, Kelly Leonard, Marketing and Tourism Manager gave presentations.
- 02/04/2025 – Attended the Geraldton University Centre Hollomby Foundation Scholarship event, where Amy Teakle who is studying RN Nursing was the recipient.
- 07/04/2025 – Attended part of Kalbarri Visitor Committee, via Teams – enough to give a report. Cr Pike also attended to cover.
- 09/04/2025 – Attended farewell function for Cr Rob Horstman at Northampton Community Centre.
- 10/04/2025 – Attended public meeting in Kalbarri hosted by Murchison Green Hydrogen.
- 14/04/2025 – Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.

Since the last Council meeting **Cr D Pike** reported on their attendance at:

- 26/03/2025 – Kalbarri Development Association meeting.
- 07/04/2025 – Kalbarri Visitor Committee meeting.
- 14/04/2025 – Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.

Since the last Council meeting **Cr T Gibb** reported on their attendance at:

- 14/04/2025 – Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.

Since the last Council meeting **Cr K Suckling** reported on their attendance at:

- 24/03/2025 – Annual Bushfire Brigade AGM at Northampton Council Chambers.
- 09/04/2025 – Attended farewell function for Cr Rob Horstman at Northampton Community Centre.
- 14/04/2025 – Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.

Since the last Council meeting **Cr T Hay** reported on their attendance at:

- 09/04/2025 – Attended farewell function for Cr Rob Horstman at Northampton Community Centre.
- 14/04/2025 - Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.

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

- 31/03/2025 – Kalbarri Visitor Committee Sundowner at Little Leaf Kalbarri. Where Coral Coast CEO, David O'Malley, Kelly Leonard, Marketing and Tourism Manager gave presentations.
- 09/04/2025 – Attended farewell function for Cr Rob Horstman at Northampton Community Centre.
- 10/04/2025 – Attended public meeting in Kalbarri hosted by Murchison Green Hydrogen.
- 14/04/2025 – Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.

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

- 21/03/2025 – Attended The Hampton Gallery exhibition.
- 09/04/2025 – Attended farewell function for Cr Rob Horstman at Northampton Community Centre.
- 14/04/2025 – Meeting with Shohan Seneviratne, Amanda LeMoine, Peter Ryall from Murchison Green Hydrogen at the Northampton Council Chambers.
- 14/04/2025 – Budget Workshop at Northampton Council Chambers.
- 14/04/2025 – Horrocks Community Centre AGM however meeting was abandoned half way through the meeting as they were unable to form a committee and are reconvening 12/05/2025.

6.5 Conference reports: Nil.

7. CONFIRMATION OF MINUTES:

MOVED: Pike, D

SECONDED: Gibb, T

04/25-47

That the Minutes of the Ordinary Meeting of the Council held on 20 March 2025 be confirmed.

MOTION CARRIED 7/0

FOR

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

AGAINST

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil.

9. OFFICERS' REPORTS:

9.1.1	Ability of Councillor Rob Horstman to Hold Office as a Shire of Northampton Councillor Following the 2025 State Government Election
9.1.2	Election of Deputy Shire President due to the Ability of Councillor Rob Horstman to be a Shire of Northampton Councillor following Election to the Legislative Council
9.1.3	Proposed Election Method for the 2025 Ordinary Local Government Election
9.1.4	Review of Councillor Attendance Fees, Allowances and Expenses 2025/26
9.2.1	Monthly Financial Statements for the Period Ending 31 March 2025
9.2.2	Proposed March 2025 List of Accounts for Endorsement on 17 April 2025
9.3.1	Proposed Council Policy - Temporary Banners on Fixed Frame
9.3.2	Kalbarri Foreshore Revitalisation Project - Proposed Financial Assistance Agreement for Stage 1
9.4.1	Delegated Planning Decisions for March 2025
9.4.2	Proposed Relocated Dwelling - Lot 30 (No 3) Phelps Loop, Kalbarri
9.5.1	Building Approval Report for March 2025
9.6.1	Kalbarri Festival Market Stallholders Request to Camp On-site
9.6.2	Determination of Event Application involving Temporary Closure of Memorial Avenue off Grey Street, Kalbarri
9.6.3	Proposed Stallholder on Shire Managed Reserves - Kalbarri
9.7.1	Unconfirmed Minutes of Bush Fire Advisory Committee Meeting held on 24 March 2025
9.8.1	Information Items - Maintenance/Construction - Works Program
9.8.2	Proposed Disposal of Shire of Northampton Surplus Assets

9.1.1 Ability of Councillor Rob Horstman to Hold Office as a Shire of Northampton Councillor Following the 2025 State Government Election

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.2
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	7 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The 2025 Western Australian State Election was held on 8 March 2025. Councillor and Deputy Shire President, Rob Horstman was elected (unofficial at the time of writing this report) to the Legislative Council after vote counting was finalised.

As a result of Cr Horstman's pending election to the Western Australian Legislative Council, under the *Local Government Act 1995* he becomes ineligible to hold the office of Councillor for the Shire of Northampton once he is formally notified.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Council has two choices in relation to filling the prospective vacancy left by Councillor Horstman which include replacement through an extraordinary election or requesting the Minister for Local Government grant an exemption to filling the position until the 2025 ordinary election in October.

To fill the vacant position prospectively left by Councillor Horstman does not make practical sense given:

- a) There is an ordinary election to be held in October 2025 which is only six months away;
- b) The cost of holding an extraordinary election would be expected to be at least \$15,000;
- c) At the ordinary election in October 2025, Council is required by statute to reduce its membership from eight Councillors to seven Councillors; and
- d) Councillor Horstman's term expires in October 2025.

It is on this basis it is recommended that Council, subject to Councillor Rob Horstman notification of being successfully elected to the Legislative Council, requests the Minister for Local Government to provide exemption to the Shire of Northampton to fill the Councillor vacancy of Councillor Rob Horstman until October 2025 ordinary election.

The position of Deputy Shire President currently held by Councillor Horstman will be dealt with by a separate item in this agenda.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* includes the following provision applicable to this circumstance. It is understood that the Councillor needs to accept the ineligibility before the provision is enacted however at the point of writing this report it is understood that Councillor Horstman had not received formal notification of his election to the Legislative Council.

2.20 Members of parliament disqualified

- (1) A person is disqualified for membership of a council if the person is a member of a parliament.
- (2) In this section —
member of a parliament means —
 - (a) a member of the Legislative Assembly; or
 - (b) a member of the Legislative Council, including a person who has been elected as a member of that House but is not yet entitled to sit or vote in that House because of section 8(2) of the *Constitution Acts Amendment Act 1899*; or
 - (c) a member of the House of Representatives; or
 - (d) a senator, including a person who has been elected as a senator but whose term of service as a senator has not yet begun.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate based on the compliance and reputational elements of this matter.

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:

If Council elects to fill the prospective vacancy arising from Councillor Rob Horstman at an extraordinary election before the ordinary election in October 2025, costs are likely to exceed \$15,000 which are not budgeted for in 2024/25.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, subject to Councillor Rob Horstman accepting he is ineligible to be a Councillor under s.2.20 2(b) of the Local Government Act 1995, request that the Minister for Local Government exempt the Shire of Northampton from filling the Councillor vacancy until the October 2025 ordinary election on the basis of:

- There is an ordinary election to be held in October 2025 which is only six months away;
- The cost of holding an extraordinary election would be expected to be at least \$15,000;

- c) At the ordinary election in October 2025, Council is required by statute to reduce its membership from eight Councillors to seven Councillors; and
- d) Councillor Horstman's term expires in October 2025.

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

04/25-48

That Council, subject to Councillor Rob Horstman accepting he is ineligible to be a Councillor under *s.2.20 2(b) of the Local Government Act 1995*, request that the Minister for Local Government exempt the Shire of Northampton from filling the Councillor vacancy until the October 2025 ordinary election on the basis of:

- a) There is an ordinary election to be held in October 2025 which is only six months away;
- b) The cost of holding an extraordinary election would be expected to be at least \$15,000;
- c) At the ordinary election in October 2025, Council is required by statute to reduce its membership from eight Councillors to seven Councillors; and
- d) Councillor Horstman's term expires in October 2025.

MOTION CARRIED 7/0

FOR

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

AGAINST

9.1.2 Election of Deputy Shire President due to the Inability of Councillor Rob Horstman to be a Shire of Northampton Councillor following Election to the Legislative Council

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.2
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	7 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Following on from Item 9.1.1 in this agenda, Councillor Rob Horstman has prospectively been elected to the Legislative Council subject to receiving formal notification. If this occurs, Councillor Horstman will become ineligible to hold the position of Councillor at the Shire of Northampton, including the position of Deputy Shire President.

The purpose of this item is for Council to elect a replacement Deputy Shire President from within its ranks for a term until the third Saturday in October 2025 ordinary election.

Council should note that unless Cr Horstman receives formal notification of the appointment to the Legislative Council and accepts the ineligibility to be a Shire of Northampton Councillor or resigns from the position of Deputy Shire President before the Council meeting on 17 April 2025, this item will be withdrawn by the author.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

If there is more than one nomination, an election (by secret ballot) will be conducted.

Candidates will be provided with the opportunity to address the Council prior to the vote being taken for a maximum of five minutes. Any competing candidate will be asked to vacate the room whilst another candidate is speaking.

The Shire President will conduct to election process.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* sets out the requirements to elect a Deputy Shire President. Optional Preferential voting applies.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Minor mainly due to compliance and reputational damage.

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

FINANCIAL IMPLICATIONS:

The 2024/25 budget allows for allowances of the Deputy Shire President. The Deputy Shire President will receive a \$4,000 (pro rata) Local Government Allowance in addition to the Annual Attendance Fee.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

PART A

1. That the Shire President conduct the election of the Deputy Shire President by secret ballot.

PART B

2. That the Shire President announce the name of the elected Deputy Shire President.

PART C

3. The Councillor elected as Deputy Shire President makes a declaration in the prescribed form.

COUNCIL OUTCOME

Three nominations were received for the same councillor, having received no other nominations Cr Tim Hay accepted the nomination and took the position of Deputy Shire President.

ATTACHMENT**9.1.3 Proposed Election Method for the 2025 Ordinary Local Government Election**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	All
FILE REFERENCE:	4.1.2
LEGISLATION:	Office of CEO
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	7 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The 2025 Ordinary Local Government Elections will occur on the third Saturday of October 2025.

The positions currently held by Councillors Horstman, Gibb, Pike, and Hay fall vacant for this election. In addition, the Shire of Northampton will reduce Councillor numbers from eight to seven from the 2025 Ordinary Election as an outcome of the Local Government reform processes enacted by the State Government. This means there will only be three available vacancies from four vacant positions at election time.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

In 2023 the Shire of Northampton utilised the Western Australian Electoral Commission (WAEC) to conduct a Postal election process. Whilst there was no actual election required as all positions were filled unopposed, WAEC coordinated the process from start to end.

The WAEC have enquired with the Shire of Northampton for similar arrangements for the 2025 Ordinary Election at a cost of approximately \$21,821 (ex GST). It should be noted that the attached cost estimate should be marginally less given there are only three vacancies, not four as stated in the correspondence. To finalise the matter the WAEC require Council to resolve as per their letter of instruction for written agreement. Both pieces of correspondence are attached for Council's consideration.

ATTACHMENT: 9.1.3 (1)

ATTACHMENT: 9.1.3 (2)

STATUTORY ENVIRONMENT:

s.4.61 of the Local Government Act 1995 applies to methods permitted to conduct Local Government elections.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate due to compliance related matters.

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:

WAEC have estimated \$21,821 (ex GST) to conduct the election by postal vote. It should be noted that the attached cost estimate should be marginally less given there are only three vacancies, not four as stated in the correspondence. An allowance will need to be made in the 2025/26 budget.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required; and
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Pike, D

04/25-49

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required; and
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.1.4 Review of Councillor Attendance Fees, Allowances and Expenses 2025/26**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	8 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

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

In 2013, the Salary and Allowances Tribunal ("SAT") were empowered to annually determine payments for Attendance Fees, Allowances and Expenses for Councillors plus ranges for Chief Executive Officer Total Reward Packages by prescribing four distinct Band classifications for every Local Government operating in Western Australia. SAT recently undertook the annual review with the latest SAT determination being made on 4 April 2025, effective from 1 July 2025. The Shire of Northampton is a Band 3 Local Government.

Elected Member Attendance Fees and Annual Allowance ranges were increased by **3.5%** following the latest determination.

A copy of the SAT determination is attached.

ATTACHMENT: 9.1.4 (1)

In 2024/25 Councillors received the following payments as per the decision of Council on 16 May 2024:

<u>Allowances and Fees</u> for Councillors for 2024/2025 as per the following rates:	
<u>Annual Attendance Fee</u>	
Councillors	\$8,320
President	\$13,867
<u>Annual Allowances</u>	
Shire President	\$16,000
Deputy Shire President	\$4,000
<u>ICT expenses allowance</u>	\$500

The purpose of this report is for Council to determine Councillor Fees, Allowances and Expenses to be paid in the 2025/26 financial year.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

The difficulty with the SAT determination for Attendance Fees, Allowances and Expenses is that it is based on possible payments within a prescribed Band range and as such Councillors are required to make their own payment decisions on an annual basis.

FEES

Attendance fees

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

Band 3	Council Meetings		Committee & Prescribed	Other Meetings
	Minimum	Maximum	Minimum	Maximum
Councillor	\$225	\$465	\$110	\$235
President	\$225	\$710	\$110	\$235

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

An alternative, however, is available under section 5.99 of the *Local Government Act 1995*, allowing Council to determine to pay an annual attendance fee in lieu of a fee for each individual meeting attended. The permissible range of annual fees in 2025/26 are:

Band 3	Minimum	Maximum
Councillor	\$8,615	\$18,335
President	\$8,615	\$28,385

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

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

In 2024/25 Council opted to pay an annual attendance fee in lieu of a fee for each individual meeting attended. Based on the current situation Council budgeted \$58,240 for attendance fees in 2024/25 equating to payments of approximately:

	Council Meetings	Total
Councillors x 7	\$8,320	\$58,240
President	\$13,867	\$13,867
		\$72,107

Officer Recommendation:

That Council agree to pay the attendance fee method to the annual attendance fee from the with payments to be indexed by 3.5% from 2024/25 in accordance with the following table:

	All Meetings	TOTAL
Councillors x 7	\$8,611	\$60,278
President	\$14,352	\$14,352
		\$74,630

ALLOWANCES

Shire President's and Deputy Shire President's Local Government Allowance

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

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

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

Band 3	SAT Minimum	SAT Maximum	Operating Revenue Maximum	Existing Payment
President	\$1,152	\$41,388	\$41,388	\$16,000
Deputy President	\$288	\$10,347	\$10,347	\$4,000

[Note: the 2024/25 budgeted operating revenue was \$15,921,132 and 0.2% equates to \$31,842]

The 2024/25 payments to the Shire President and Deputy Shire President are as follows:

Shire President	\$16,000
Deputy Shire President	\$4,000
TOTAL	\$20,000

Under the 2024/25 allowances allocated by Council, the allowance payment to the Deputy Shire President can not exceed 25% of what is paid in the allowance to the Shire President. Both allowance payments from 2024/25 sit within the SAT determined range and it is recommended a 3.5% increase in the allowances in accordance with the determination is applied.

Officer Recommendation:

That Council pay the 2025/26 allowance to the Shire President and Deputy Shire President to the amount outlined in the table:

Shire President	\$16,560
Deputy Shire President	\$4,140
TOTAL	\$20,700

Information Communication and Technology (ICT) Annual Allowance

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

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

In 2024/25 Councillors and the Shire President were paid \$500 as part of an annual ICT allowance and it is recommended this is maintained.

Officer Recommendation:

That Council pay the 2025/26 Information Communication Technology allowance to the Shire President and Councillors to the amount outlined in the table:

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

Travel and Accommodation Annual Allowance

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

Officer Recommendation:

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

REIMBURSABLE EXPENSES

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

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

Officer Recommendation:

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

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

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

Officer Recommendation:

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

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

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

Officer Recommendation:

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

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

Officer Recommendation:

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

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

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

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

STATUTORY ENVIRONMENT:

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

Local Government (Administration) Regulations 1996.

Salaries and Allowances Act 1975.

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

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

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non 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 proposed officer recommendations will result in a \$3,223 increase in expense for 2025/26 as follows:

	2024/25	2025/26	Increase (Decrease)
Annual Attendance Fee (Councillors)	\$58,240	\$60,278	\$2,038
Annual Attendance Fee (President)	\$13,867	\$14,352	\$485
Per Meeting Allowance (Councillors)	\$0	\$0	\$0
Per Meeting Allowance (Shire President)	\$0	\$0	\$0
Local Government Allowance (Shire President)	\$16,000	\$16,560	\$560
Local Government Allowance (Deputy Shire President)	\$4,000	\$4,140	\$140
ICT Allowance (All)	\$4,000	\$4,000	\$0
Travel Reimbursement (All)	At Cost	At Cost	\$0
Total Funding Required	\$96,107	\$99,330	\$3,223

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council for the 2025/26 financial year:

- 1. Pay all Councillors an Annual Attendance Fee, in lieu of “per meeting” Fees, being \$8,611 for Councillors and \$14,352 for the Shire President;**
- 2. Pay the Shire President a Local Government Allowance of \$16,560;**
- 3. Pay the Deputy Shire President a Local Government Allowance of \$4,140;**
- 4. Pay the Shire President and all Councillors an Information Communication and Technology Allowance of \$500;**
- 5. Not pay Councillors an annual Travel and Accommodation Allowance;**
- 6. Require all approved claims for Child Care be paid, to the extent permissible, on a reimbursement basis as incurred;**
- 7. Require all approved claims for travel and accommodation be paid, to the extent permissible, on a reimbursement basis as incurred; and**
- 8. Require all Attendance Fees and Allowances be paid in two equal instalments throughout the course of the 2025/26 financial year.**

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Burges, R

04/25-50

That Council for the 2025/26 financial year:

- 1. Pay all Councillors an Annual Attendance Fee, in lieu of “per meeting” Fees, being \$8,611 for Councillors and \$14,352 for the Shire President;**
- 2. Pay the Shire President a Local Government Allowance of \$16,560;**
- 3. Pay the Deputy Shire President a Local Government Allowance of \$4,140;**
- 4. Pay the Shire President and all Councillors an Information Communication and Technology Allowance of \$500;**
- 5. Not pay Councillors an annual Travel and Accommodation Allowance;**
- 6. Require all approved claims for Child Care be paid, to the extent permissible, on a reimbursement basis as incurred;**

7. **Require all approved claims for travel and accommodation be paid, to the extent permissible, on a reimbursement basis as incurred; and**
8. **Require all Attendance Fees and Allowances be paid in two equal instalments throughout the course of the 2025/26 financial year.**

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.2.1 Monthly Financial Statements for the Period Ending 31 March 2025**

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:	Andrew Campbell
DATE OF REPORT:	2 April 2025
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 March 2025 are detailed from page 1 to page 24 per the attached Monthly Financial Report.

A copy of the Monthly Financial Report is attached.

ATTACHMENT: 9.2.1 (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 1996.
Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk would be the failure to comply with Financial Management 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 March 2025 financial position is comprised of the following which are total operating variances between year-to-date budget and actual figures from the Statement of Financial Activity (page 2):

- Total operating revenue has an inflated position of \$1,735,116, largely due to timing in receiving DFRAWA funds of \$1,583,259 above the budgeted amount;
- Operating expenditure has a reduced position of \$3,206,496 predominately due to DFRAWA works completed by March 2025 of \$3,763,116 over budgeted amount; and
- It is anticipated that as DFRAWA Coastal Infrastructure Repairs Kalbarri AGRN965 and ongoing capital works are completed by June 30, the material variances will reconcile to a neutral position.

Further explanations of material variances are detailed by reporting program in Note 3 (page 6) 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 March 2025 in accordance with ATTACHMENT: 9.2.1(1).

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Gibb, T

04/25-51

That Council receives the Monthly Financial Report for the period ending 31 March 2025 in accordance with ATTACHMENT: 9.2.1(1).

MOTION CARRIED 7/0

FOR

Cr L Sudlow

Cr R Burges

Cr T Gibb

Cr T Hay

Cr D Pike

Cr K Suckling

Cr R Suckling

AGAINST

ATTACHMENT**9.2.2 Proposed March 2025 List of Accounts for Endorsement on 17 April 2025**

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:	Andrew Campbell
DATE OF REPORT:	2 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of March 2025 payments is submitted to Council on 17 April 2025 for consideration.

A copy of the Payment List is attached.

ATTACHMENT: 9.2.2 (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 the *Local Government Act 1995 (Financial Management) Regulations 1996 Section 13 (1)* for recording in the minutes.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk would be the failure to comply with *Local Government Act 1995 (Financial Management) Regulations 1996 Section 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:

The list of payments is required to be presented to Council as per section 13 of the *Local Government Act 1995 (Financial Management) Regulation 1996*.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note Municipal EFT payments numbered EFT27529 to EFT27640 totalling \$950,967.58; Municipal Fund Cheques 22565 to 22571 inclusive totalling \$863.45, Direct Debit payments numbered GJ0904B to GJ0911B inclusive, payroll and superannuation totalling \$326,564.16; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.2 (1).

COUNCIL RESOLUTION:**MOVED: Suckling, K SECONDED: Gibb, T****04/25-52**

That Council note Municipal EFT payments numbered EFT27529 to EFT27640 totalling \$950,967.58; Municipal Fund Cheques 22565 to 22571 inclusive totalling \$863.45, Direct Debit payments numbered GJ0904B to GJ0911B inclusive, payroll and superannuation totalling \$326,564.16; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.2 (1).

MOTION CARRIED 7/0**FOR**

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

AGAINST

ATTACHMENT**9.3.1 Proposed Council Policy - Temporary Banners on Fixed Frame**

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Existing Banner Poles – Corner of Grey Street and Porter Street, Kalbarri
ZONE:	N/A
BUSINESS AREA:	Community, Development and Regulation
FILE REFERENCE:	10.6.6
LEGISLATION:	<i>Local Government Act 1995</i> <i>Shire of Northampton – Activities on Thoroughfares and Public Places and Trading Local Law 2017</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	7 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

As Councillors would be aware, two permanent banner poles are located within the road verge at the intersection of Grey Street and Porter Street within the Kalbarri Townsite. With the prior approval of the Chief Executive Officer (CEO), the poles are used by various community groups to promote upcoming events or other activities.

There are currently guidelines or policies relating to the use of the frames. As a result, requests to use the banner poles are determined on a case by case basis by the CEO.

Council is requested to consider the adoption of a policy in order to provide guidelines to both staff and members of the community relating to the acceptable use of the fixed banner poles and the processes required to obtain approval.

A copy of a draft Policy is attached for Council consideration.

ATTACHMENT: 9.3.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

In accordance with Part 3 – clause 3.2 of the Shire's Activities in Thoroughfares and Public Places and Trading 2017 (Local Laws), the Shire's prior approval is required for all signage that is to be located within a road reserve. It is appropriate that Council adopt a policy to guide the assessment of applications seeking to use the Shire's fixed banner poles.

Within regional community, the promotion of a local events and community groups is critical to the success of the event or community group to attract attention to the event or activities of the community group. Clear guidelines are required to ensure:

- a) That applications for approval are dealt with consistently; and
- b) The banner locations are not used for the promotion of commercial or political purposes and not offensive any way.

It is recommended that the draft Policy as attached is adopted for the above purpose.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Shire of Northampton – Activities on Thoroughfares and Public Places and Trading Local Law 2017.

POLICY / STRATEGIC IMPLICATIONS:

The regulated use of fixed banner poles to advertise events and community groups within the local community is consistent with the following Key Outcomes and Objectives as contained with the Shire of Northampton Strategic Community Plan 2020-2030.

	Key Outcome	Objectives	Success Measures
1.1.1	Support for visitor attraction and for community driven events-based tourism.	Increase of events that attract overseas, regional, and local people to support the local economy.	Increase or decrease of visitors and number of events held
3.2	Support community action groups wherever practicable to achieve positive outcomes in their locality to enhance lifestyle.	Each community has a progress or community association that is supported by Council.	Level of activity or number of community projects in each locality.
5.1.3	To demonstrate a proactive approach to community and economic development and service delivery.	Community engagement strategies in place and positive relationships with business and service providers.	Community satisfaction levels and level of interaction with business owners and service providers.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered 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:

Previously Shire Officers have been erecting and removing the banners at no cost to the applicants. By adopting an approach where the applicant is responsible for this, cost implications for the Shire are minimised.

SUSTAINABILITY:

Environmental: Nil.

Economic: Temporary advertising signage is regularly used to promote events, maximising patrons and/or attracting visitors to the region.

Social: Temporary signage adds to the vitality of local communities ensuring knowledge of current events or activities is maximised.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council adopt Community Development Policy 5.2 – Temporary Use of Fixed Banner Poles as shown at Attachment: 9.3.1 (1).

COUNCIL RESOLUTION:

MOVED: Gibb, T

SECONDED: Suckling, K

04/25-53

That Council adopt Community Development Policy 5.2 – Temporary Use of Fixed Banner Poles as shown at Attachment: 9.3.1 (1).

MOTION CARRIED 4/3

FOR

Cr R Burges

Cr T Gibb

Cr D Pike

Cr K Suckling

AGAINST

Cr L Sudlow

Cr T Hay

Cr R Suckling

**ATTACHMENT
APPENDIX**

9.3.2 Kalbarri Foreshore Revitalisation Project - Proposed Financial Assistance Agreement for Stage 1

PROPONENT OWNER	Western Australian State Government Crown - Management Order held by Shire of Northampton
LOCATION / ADDRESS:	Reserves 25307 & 26591 Grey Street, Kalbarri
ZONE:	Public Open Space
BUSINESS AREA:	Community, Development & Regulation
FILE REFERENCE:	10.6.7
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	7 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton is the recipient of an \$8.1 million grant from the Western Australian State Government relating to Stage 1 of the Kalbarri Foreshore Revitalisation Project. The purpose of this agenda item is to request that Council consider entering into a Financial Assistance Agreement for Stage 1 of the Project.

At its Ordinary Meeting held on 20 March 2025, Council considered the results of the survey and public consultation process which had resulted in 201 submissions on Stage 1 of the project as proposed by the Mid-West Development Commission. Having regard to the submissions received, portion of Council's resolution (Resolution 03/25-36) was not to support the following elements of the Landscape Master Plan and associated budget:

- a) Use of the National Park style Shade Shelters, with the majority of dependents agreeing with the Shire position to utilise Shade Shelters similar to those existing on the Murchison River Foreshore;*
- b) The construction of a viewing platform on top of the Kalbarri Volunteer Marine Rescue Building as proposed;*
- c) The construction of a new lookout off Grey Street due to the potential impact on existing vegetation and the existing view for drivers entering the townsite from the south; and*
- d) The proposed Zuytdorp Artwork, noting that the majority of respondents support improvements to the access and lookout area.*

A full copy of the Resolution is shown appended.

APPENDIX: 9.3.2 (A)

By not proceeding with the above elements, there is a need to review the Landscape Master Plan and proposed budget, with the view to include additional elements in Stage 1 that align with the original scope of works. Consistent with this, Council also resolved to seek approval to use portion of the grant funds to undertake a review of the Kalbarri Foreshore Revitalisation Landscape Master Plan and await a further report on the proposed Financial Assistance Grant.

The Midwest Development Commission has now provided the Shire with the latest draft of a Financial Assistance Agreement (FAA) in respect of the \$8.1 million grant. By way of summary the FAA acknowledges that a revised Master Plan will need to be developed to inform the revitalisation project. To facilitate this:

- a) The FAA outlines that the Shire will be provided with an initial payment of \$300,000 that is to be used for:
 - i) Revision of the Master Plan;
 - ii) Preparation and approval of a Project Management Plan and project budget; and
 - iii) Undertake any necessary engineering assessments to inform the project.
- b) Distribution of the balance of the funds to be based on an approved revision of the Master and Project Management Plans.

A copy of the final draft FAA as supplied by the Midwest Development Commission is shown attached.

ATTACHMENT: 9.3.2 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Shire Officers have undertaken a detailed review of the final draft FAA and provide the following advice for Council's consideration:

FAA Overview

The proposed FAA is a deed of agreement between the State of Western Australia, more specifically the Department of Primary Industries and Regional Development.

A review of the FAA indicates that it contains what appear to be standard conditions for such an agreement. The Terms contain standard conditions and outlines the requirements on the Shire in terms of delivery of the project, financial reporting, reporting on the project, protocols to be followed for promotion of the project, including requirements to acknowledge the State's contribution.

In accordance with the terms contained within Schedule 2 of the draft, the State reserves the right to terminate the grant or reduce the scope/funding under various circumstances, which are summarised as follows:

- Where it considers the Shire has failed, or is unable or unwilling to delivery the project; or
- Due to change in government policy or priorities; or
- To reduce the scope of the contract.

Appropriately, unspent funds will need to be returned to the State.

Schedule 4.1

Schedule 4 – clause 4.1 of the FAA outlines the specific project details, acknowledging Council's 20 March 2025 decision not to proceed with certain elements of the project.

The project description acknowledges that *“Following 2024/25 community communication of the funded foreshore redevelopment, and the SoN ability to complete several works in house, providing significant savings, a revised Masterplan will be developed highlighting the possible inclusion of additional elements, still aligning to the original scope.”*

Clause 4.1 also stipulates that the Revised Masterplan is required to include the following nodes and outcomes:

- a. A redeveloped **Chinaman's Beach** Precinct that includes:
 - An accessible formalised lookout area with enhanced artwork and interpretation.
 - A formalised walkway from carpark to lookout.
- b. A redeveloped **Boat Trailer/Foreshore** precinct inclusive of:
 - Visual enhancement and examination of a potential lookout in the area of the Volunteer Marine Rescue (VMR) Building, subject to engineering assessment.
 - Enhancement and improved access of the precinct.
- c. A new **Giddamarra Spring** attraction inclusive of:
 - A raised boardwalk around Giddamarra Spring with seating for tour groups.
 - Nanda interpretative signage, with artwork to be completed by Nanda artists.
 - Reinstatement of waterflow to reflect the sites earlier presentation and use by the Nanda people as a traditional water source.

Schedule 4 also stipulates that Phase One of the project must also include:

- At least one ablution facility built to Cyclone Standards.
- At least 9 shade structures, built to Cyclone Standards.
- An approx., 3m esplanade (non-slip) from Chinaman's Beach to Giddamarra Spring.
- Landscaping, wayfinding and interpretation, tying all areas along the foreshore.
- Inclusive access to beaches and amenities, as well as safe pedestrian linkages to commercial nodes opposite Grey Street.
- Picnic tables, seating and bins throughout.
- Water fountains/dog drinking facilities, subject to serviceability.

Consistency with Council Resolution

The proposed FAA is consistent with the content of Council's resolution 03/25 – 36 as passed on 20 March 2025.

Project Management Plan

The FAA also outlines specific requirements to be addressed with a detailed Project Management Plan. Amongst other things, the Project Management Plan must provide a detailed project schedule, budget, Procurement Plan, Regional Business Engagement Plan a Stakeholder Communication Plan.

Should Council agree to endorse the FAA, portion of the initial \$300,000 will be used to employ a consultant to prepare the Project Management Plan.

Local Business Engagement

With specific reference to the Regional Business Engagement Plan, it should be noted that the Midwest Development Commission considers businesses located within Geraldton are "local". This differs from the Shire's definition of local business, being business residing and actively carrying on business within the district that is the Shire of Northampton.

Currently, the Shires Policy 2.1 – Local Purchase Policy provides that goods or services provided by local business are to be given a preference of 5% variation. That is the price submitted by a local supplier is discounted 5% when comparing with non-local suppliers.

In accordance with Part 4A -Clause 24E of the *Local Government (Functions and General Regulations) 1995*, a local government that is located outside of the Perth metropolitan area may adopted a policy providing a preference to a "regional tenderer" by assessing the price as if it was reduced by:

- (a) *Up to 10% - where the contract is for goods or services up to a maximum price reduction of \$50,000; or*
- (b) *Up to 5% where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or*
- (c) *Up to 10% - where the contracts is for goods and services (including construction (building) services), up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods and services for the first time, due to those goods or services having been, until then, undertaken by the local government.*

As the current policy relates to Local Businesses based and operating in the Shire only, no Regional Price Preference will be applied to any procurement associated with the project.

STATUTORY ENVIRONMENT:

Expenditure associated with the grant will be required to be undertaken in accordance with the provisions of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

Subsequent development will subject to requirements for prior planning approval and building permits in accordance with the *Planning and Development Act 2005 and Building Act 2011*.

POLICY / STRATEGIC IMPLICATIONS:

The following Key Outcomes and objectives of the Shire of Northampton's Strategic Community Plan 2020-2030 are relevant to the revitalisation of the Kalbarri Foreshore:

	Key Outcomes	Objectives	Success Measures
1.3.4	Support for visitor attraction and for community driven events-based tourism	Increase of events that attract overseas, regional and local people to support the local economy	Increase or decrease of visitors and number of events.
2.1.1	Natural Environment and Biodiversity are conserved and protected.	Protection of coastal land by managing access points with designated entry and exist points. Managing camping and litter.	Well managed environments that are protected and enjoyed by residents and visitors
3.1	Providing community and recreation facilities within budget constraints.	Asset development and management plans in place.	Community satisfaction and level of facility use.
4.1.3	To ensure the built assets enhance the ambience of each town or location.	Each town and location maintain their own unique characteristics.	Community satisfaction.
5.1.3	To demonstrate a proactive approach to community and economic development, and service delivery.	Community engagement strategies in place and positive relationships with business and service providers.	Community satisfaction levels and level of interaction with business owners and service providers.

The State Government grant of \$8.1 million provides a unique opportunity for substantial improvements to the Kalbarri Foreshore, consistent with the above key outcomes and objectives.

ORGANISATIONAL RISK MANAGEMENT:

As a substantial project both in terms of value and the potential community and economic benefit, it is imperative that the project is successfully delivered. The risk rating is considered Major given the potential for substantial reputational damage should the project not be delivered.

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 grant has been offered to the Shire without any requirement for the Shire to provide any co-contribution or obtain other grant funding. That said, it should be noted that:

- Processes associated with the review of the Masterplan and its ultimate implementation will involve considerable officer time; and
- Once the revised Masterplan is approved, there will be an opportunity to identify and apply for other potential grant funds in order to compliment the significant improvements that will result from the current grant funding (i.e. potential grants towards any playground improvements could be sourced from several grant programs).

It should also be noted that in accordance with Schedule 4 of the FAA, the Shire will be the recipient of the \$300,000 payment this financial year. An amendment of the budget is therefore required.

SUSTAINABILITY:

Environmental: The Murchison River foreshore is a significant element of the Kalbarri environment, with many respondents to the survey indicating a desire to retain the informal/natural landscape that exists.

Economic: As reflected within the Kalbarri Foreshore Revitalisation Master Plan, there are opportunities on the Foreshore reserve to stimulate additional economic activity in the area.

Social: The Murchison River Foreshore is a critical component of the Kalbarri lifestyle, providing significant active and passive recreational opportunities for both residents and visitors alike.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. **Accept the Terms and Conditions of the Financial Assistance Agreement as shown at Attachment: 9.3.2 (1) relating to the State Governments grant of \$8.1 million for Phase 1 of the Kalbarri Foreshore Revitalisation with an initial payment of \$300,000 being for:**
 - a. **Revision of the Kalbarri Foreshore Landscape Master Plan;**
 - b. **Preparation and approval of a Project Management Plan and project budget; and**
 - c. **To undertake any necessary engineering assessments to inform the project.**
2. **Authorise the Chief Executive Officer to endorse the latest draft Financial Assistance Agreement as shown at Attachment: 9.3.2 (1);**
3. **Amend the 2024/2025 annual budget as follows:**

Description	Current Budget	Amended Budget	Variation
Kalbarri Foreshore Revitalisation initial payment for Stage 1	\$0	\$300,000	\$300,000
Kalbarri Foreshore Master Plan Review, Project Management Plan and Engineering	\$0	(\$300,000)	(\$300,000)
Net Funds			\$0

4. **Note that no Regional Price Preference will be provided in relation to procurement under the project, but Local Price Preference in accordance with adopted Council Policy.**

COUNCIL RESOLUTION:**MOVED: Suckling, K SECONDED: Suckling, R****04/25-54****That Council:**

1. **Accept the Terms and Conditions of the Financial Assistance Agreement as shown at Attachment: 9.3.2 (1) relating to the State Governments grant of \$8.1 million for Phase 1 of the Kalbarri Foreshore Revitalisation with an initial payment of \$300,000 being for:**
 - a. **Revision of the Kalbarri Foreshore Landscape Master Plan;**
 - b. **Preparation and approval of a Project Management Plan and project budget; and**
 - c. **To undertake any necessary engineering assessments to inform the project.**
2. **Authorise the Chief Executive Officer to endorse the latest draft Financial Assistance Agreement as shown at Attachment: 9.3.2 (1);**
3. **Amend the 2024/2025 annual budget as follows:**

Description	Current Budget	Amended Budget	Variation
Kalbarri Foreshore Revitalisation initial payment for Stage 1	\$0	\$300,000	\$300,000
Kalbarri Foreshore Master Plan Review, Project Management Plan and Engineering	\$0	(\$300,000)	(\$300,000)
Net Funds			\$0

4. **Note that no Regional Price Preference will be provided in relation to procurement under the project, but Local Price Preference in accordance with adopted Council Policy.**

MOTION CARRIED 7/0**FOR**

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

AGAINST

ATTACHMENT

9.4.1 Delegated Planning Decisions for March 2025

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Various
ZONE:	Various
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	1 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

To ensure the efficient and timely process 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 Local Planning Policies.

Delegated planning decisions are reported to Council monthly 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, detail those decisions made under delegated authority in March 2025.

ATTACHMENT: 9.4.1 (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 overleaf.

COMMENT (Includes Options):

During March 2025 a total of nine (9) 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 March 2025 compared to March 2024.

Table 1(a): Planning Decisions made in March 2024 and March 2025

	March 2024	March 2025
Delegated Decisions	1 - \$8,000	2 - \$250,000 **1
Council Decisions	5 - \$1,323,649 **1	7 - \$401,412 **4
Total	6 - \$1,331,649	9 - \$651,412

Table 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2024-25 compared to the previous Financial Year.

Table 2: Planning Decisions Made Year-To-Date 2024 and 2025

	YTD 2024	YTD 2025
Delegated Decisions	12 - \$1,384,936 **2	15 - \$1,112,921 **4
Council Decisions	5 - \$1,043,999 **1	7 - \$401,412 **4 1 Refusal
Total	17 - \$2,428,935	22 - \$1,514,333

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

There was also one (1) subdivision referred to the Shire for comment in the month of March 2025. The application was in relation to a boundary rationalisation of two (2) lots. Further information is provided attached.

ATTACHMENT: 9.4.1 (2)

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, which gives the CEO authorisation to exercise its power on behalf of the local government.

The Shire's Local Planning Schemes, made in accordance with the *Planning and Development Act 2005* and associated regulations, set out procedures for the assessment and determination of development applications.

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 the 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 determined under delegated authority has been processed and advertised, where required in accordance with the Local Planning Scheme provisions and Shire of Northampton adopted Policies.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

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

SUSTAINABILITY:

Environmental: Nil

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the report on Delegated Development Approvals for March 2025 as detailed in ATTACHMENT: 9.4.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Pike, D

04/25-55

That Council receive the report on Delegated Development Approvals for March 2025 as detailed in ATTACHMENT: 9.4.1 (1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.4.2 Proposed Relocated Dwelling - Lot 30 (No 3) Phelps Loop, Kalbarri**

PROPONENT	R Gilmour
OWNER	R Gilmour
LOCATION / ADDRESS:	Lot 30 (No 3) Phelps Loop, Kalbarri
ZONE:	Residential (R17.5)
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.6.1.1 & A4578
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The subject land is a 692m² vacant residential lot located on the eastern side of Phelps Loop. Similar sized residential lots are located abutting all boundaries. Whilst there is a significant number of vacant residential properties in the area, there are four dwellings already established on Phelps Loop.

Location Plan

The submitted site plan indicates that the applicant is proposing to place a relocated transportable building on the site comprising of a Single bedroom with en-suite and a combined kitchen/dining/living area at the rear of the property. The site plan also shows a combined a shed with carport located facing Phelps Loop. Copies of the submitted plans are shown attached.

ATTACHMENT: 9.4.2 (1)

However, when examining the submitted floor plans, the floor plan for the shed shows what appears to be a full en-suite connected to a 3.3m by 4m (approx.) room. That room is further connected internally to the garage.

Council is requested to determine the application having regard to the three objections to the proposal.

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with Council's Local Planning Policy – Consultation for Planning Proposals, the application was referred to adjacent landowners for comment.

In response three submissions were received objecting to the proposal. Whilst a summary of the submissions is provided attached, the content of the submissions is further detailed and discussed within the Comment Section below.

COMMENT (Includes Options):

To assist Council in determining the application, the following comments and advice are offered:

Matters to be Considered

Clause 67(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed to Apply Provisions*, requires that in determining an application for Development Approval, local governments must have regard to various matters, including:

- a) The aims and provisions of the Scheme (including and planning codes that are read into the Scheme);
- b) Any approved State Planning Policy;
- c) Any Local Planning Policy adopted within the Scheme area.
- d) The compatibility of the development with its setting, including:
 - i) the desired future character of its setting
 - ii) the relationship of the development to development on adjoining land or other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.
 - iii) The amenity of the locality including the character of the locality.
- e) Comments received in response to consultation on a proposal.

An assessment against these criteria is provided in the balance of this agenda item.

Zoning & Zone Objectives

The provisions of Local Planning Scheme No 11 (the Scheme) include the subject land within the Residential Zone, with an applicable density of R17.5 in accordance with the Residential Design Codes of Western Australia (R-Codes).

As set out in Part 3 of the Scheme, the objectives of the Residential Zone are:

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

As outlined in the balance of this agenda item, it is considered that the proposal as submitted is not consistent with the second objective stated above.

R-Codes

The R-Codes are a State Planning Policy, but also form part of the Scheme in accordance with clause 25 of the Scheme. The application as has been assessed against the provisions of the R-Codes, with the following being identified.

- a) With a front setback of approximately 22m, the application as submitted complies with the street setback requirements applicable to a density of R17.5, being an average setback of 6m;
- b) The submitted plans show that both the relocated home and shed will be setback 0.9m, the shed to be setback 0.9m from the rear boundary also. This does not comply with the Deemed to Comply Provisions, which stipulate a minimum 1m side setback for the dwelling;
- c) For the Shed, the R-Codes stipulate a minimum of 1m setback to the rear of the shed and a side setback of 1.5m to the shed/carport given the proposed shed having a wall height of greater than 3.5m; and
- d) No details regarding the planting of trees as required by the R-Codes nor other landscaping has been provided.

Approval to the proposed setbacks must therefore be assessed against the following design principles as set in in Clause 5.2.14 of the R-Codes:

P3.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:

- *reduce impacts of building bulk on adjoining properties;*
- *provide adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties; and*
- *minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

It is considered that permitting a minimum setback of 0.9m as proposed, the development will result in a greater impact on the adjacent land than if the required setbacks had been met. It is therefore considered that the application is not consistent with the Design Principles of P3.1 of the R-Codes given the area of land available.

Repurposed Dwelling Provisions

Clause 4.8.20 of the Scheme outlines that the local government may permit the erection or placement of a repurposed dwelling providing it is satisfied the building:

- *Is in a satisfactory condition;*
- *Will not detrimentally affect the amenity of the area having regard to the zoning of the land and the use proposed for the building;*
- *Is permanent affixed to the ground; and*
- *The facades, colours and materials and design features of the building area appropriate to that prevailing or proposed in the vicinity.*

The application as submitted it not consistent with the prevailing colours, materials and design features of existing development in the area.

Further guidance on the amenity considerations and requirements to ensure an acceptable level of appearance and amenity are provided within Local Planning Policy – Repurposes and Second-Hand Dwellings. The provisions of the policy are detailed overleaf.

Submissions Received

As reflected at Attachment: 9.4.2 (2), three submissions were received, objecting to the proposal on four primary grounds being the inconsistency with the design and standard of homes in the area, impact on the amenity of the area, impact on the streetscape and the potential for a negative impact on property values.

In determining applications for development approval, Council is required to have regard to a wide range of matters as prescribed within the *Planning and Development (Local Planning Schemes) Regulations 2015*. Whilst properties are not a valid planning consideration, the balance of the objections are addressed below.

Amenity

In determining the potential impact, a development may have on the Amenity of an area, consideration must be given to the following matters in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- the desired future character of its setting
- the relationship of the development to development on adjoining land or other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.
- The amenity of the locality including the character of the locality.

In order to guide applicants seeking approval to the use of relocated dwellings, Council has adopted Local Planning Policy - – Repurposed & Second-hand Dwellings. The proposed development is not consistent with the requirements of the policy as outlined under the heading Policy/Strategic Implications.

In this case the appearance of the proposed building is that of a flat roof donga style building. This is not considered to consistent with the prevailing form of development being homes of a more standard residential appearance with

pitched rooves, or the desired future character of the area. Refusal of the application is therefore recommended.

Streetscape

The prevailing form of development in the area can be described as homes with a more traditional residential appearance, incorporating a garage under a main, usually pitched roof. Each home has a defined relationship to the street.

In the case of the submitted design, the proposed dwelling is setback substantially further from Phelps Street. No details having been provided in respect of the development or use of the proposed front setback other than a single car driveway abutting the most southern side boundary.

Given the above, the applicant has not demonstrated how the proposed development would complement the existing streetscape.

Proposed Fill Levels

Details submitted with the application indicate that the block rises from a height of 9.58m RL in the northern corner abutting Phelps Street, rising to a height of 11.34m RL in the rear (southern) corner of the property.

The applicant is proposing to undertake a “cut and fill” approach to achieve a finished ground level of 11.00RL. Given the extent of the fill footprint, some retaining will be required. No retaining wall details are provided on the submitted plans.

Proposed Fencing

It is also noted that the submitted plans indicate the erection of a 2.1m high colourbond® fence along the rear and approximately half of the side boundaries. The Shire of Northampton’s Fencing Local Law identify that within a residential area, a steel fence is deemed to be a sufficient fence with a height of 1.8m. The proposed fencing therefore exceeds standard heights.

No justification has been provided for the additional height.

Conclusion

Repurposed and relocated buildings are a necessary and acceptable part of the State’s housing products. However, without the incorporation of appropriate design elements, such as outlined within Council Policy, detrimental impacts on the amenity and streetscape are likely to result.

The proposed development is not consistent with the amenity and intended character of the area, does not comply with the Shire’s Local Planning Policy – Repurposed & Second-hand Dwellings. Given this and the potential for approval to create an undesirable precedent for similar development in the area, it is recommended that the application be refused.

STATUTORY ENVIRONMENT:

*Planning and Development Act 2005; and
Planning and Development (Local Planning Scheme) Regulations 2015.*

POLICY / STRATEGIC IMPLICATIONS:

The objectives of the Shire's Local Planning Policy – Repurposed & Second-hand Dwellings, are to:

- 3.1 *To ensure that any development proposing to use a repurposed or second hand building meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.*
- 3.2 *To ensure that any repurposed or second-hand dwelling does not detract from an existing (or reasonably desired) streetscape.*
- 3.3 *To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.*

Consistent with these objectives, the Policy outlines that conditions may be imposed to ensure the building presentation is of an acceptable standard to enhance the streetscape appearance. Such conditions may include (but are not limited to) the following:

- a) The need for additional setbacks over and above the prescribed minimum requirements and the need for screening via landscaping and/or boundary fencing;
- b) A bond/bank guarantee being equivalent to 20% of the estimated value of the approved works, to ensure the building presentation is of an acceptable standard, with a minimum amount of \$5,000. In this case the applicants have identified the development as having a cost of approximately \$75,000, which would require a bond of \$15,000;
- d) Upgrading, alterations or additional design features that will enhance the elevations and architectural detail of the proposed development (i.e. roof pitch, eaves, colours/materials and external treatments);
- e) The roof and/or walls being clad of non-reflective materials and be consistent or complimentary in colour with the surrounding natural landscape features or desired streetscape; and
- f) Require landscaping and constructed vehicle access to be established within a specified timeframe.

In addition to the above conditions, Development Guidelines are set out in clause 5.2 of the Policy. These Guidelines include, but are not limited to:

- i) To ensure that the repurposed dwelling does not detract from an existing (or reasonably desired) streetscape, the development is required to provide veranda's, awnings, balconies, porches or other architecture relief on the elevations that are viewed from the street;
- ii) Roof design can utilise gable, hipped or skillion design. Flat roofs are only permitted where the design of the building has been extensively enhanced by other external treatments and is an integral part of the modern profile of the dwelling; and
- iii) In order to not detract from an existing (or reasonably desired) streetscape, the proposed development is required to lodge and implement a landscape plan. No details have been provided with respect to proposed landscaping at this point.

As submitted the proposal does not comply with the above policy requirements.

ORGANISATIONAL RISK MANAGEMENT:

It is considered that approval to the application would be consider a moderate to major risk to the Shire's reputation, allowing development that is contrary to

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

FINANCIAL IMPLICATIONS:

The required application fee has been paid in accordance with the Shire's Schedule of Fees and Charges for the 2024/25 financial year.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Ensuring development is consistent with the existing and likely future character and amenity of a neighbourhood will ensure the current standards are maintained.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council refuse to grant planning approval to the proposed development of Lot 30 (No 3) Phelps Loop as shown at Attachment: 9.4.2 (1) for the following reasons:

1. The proposed setbacks to the repurposed dwelling and outbuilding do not comply with the Deemed to Comply provisions of the Residential Design Codes of Western Australia;
2. Approval to the proposal as submitted would result in development of the land in a manner not consistent with the existing and likely future amenity of the area and is likely to result in a detrimental impact on the amenity of the adjacent properties and streetscape;
3. The development as proposed with a flat roof for the transportable building is not consistent with the requirements of Local Planning Policy - Repurposed & Second-hand Dwellings;
4. The application fails to demonstrate compliance with the requirements of clause 5.3.2 of the Residential Design Codes of Western Australia relating to landscaping;
5. No detail being provided with respect to associated retaining walls, despite the proposal for a 'cut and fill', which will result in the altering of ground levels at the boundary with adjacent properties;
6. The proposed fence height of 2.1m exceeds the specifications for an acceptable residential fence being 1.8m high as prescribed by the Shire of Northampton's Fencing Local Laws 2017.

Advice to Applicant:

1. Whilst the applicant is welcome to revisit the design to address the requirements of the Residential Design Codes of Western Australia and Shire of Northampton Local Planning Policy, substantial redesign of the development will be required to ensure consistency with the existing standard of development, amenity and streetscape before Council will be prepared to favourably consider any revised proposal; and
2. The applicant is advised that the Shire of Northampton is not prepared to support portion of the proposed outbuilding for human habitation. If it is intended that the en-suite and associated room at the rear of the outbuilding is intended for habitation, its intended use should be identified and prior development approval sought in addition to a Building Permit.

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Hay, T

04/25-56

That Council refuse to grant planning approval to the proposed development of Lot 30 (No 3) Phelps Loop as shown at Attachment: 9.4.2 (1) for the following reasons:

1. The proposed setbacks to the repurposed dwelling and outbuilding do not comply with the Deemed to Comply provisions of the Residential Design Codes of Western Australia;
2. Approval to the proposal as submitted would result in development of the land in a manner not consistent with the existing and likely future amenity of the area and is likely to result in a detrimental impact on the amenity of the adjacent properties and streetscape;
3. The development as proposed with a flat roof for the transportable building is not consistent with the requirements of Local Planning Policy - Repurposed & Second-hand Dwellings;
4. The application fails to demonstrate compliance with the requirements of clause 5.3.2 of the Residential Design Codes of Western Australia relating to landscaping;
5. No detail being provided with respect to associated retaining walls, despite the proposal for a 'cut and fill', which will result in the altering of ground levels at the boundary with adjacent properties;
6. The proposed fence height of 2.1m exceeds the specifications for an acceptable residential fence being 1.8m high as prescribed by the Shire of Northampton's Fencing Local Laws 2017.

Advice to Applicant:

1. Whilst the applicant is welcome to revisit the design to address the requirements of the Residential Design Codes of Western Australia and Shire of Northampton Local Planning Policy, substantial redesign of the development will be required to ensure consistency with the existing standard of development, amenity and streetscape before Council will be prepared to favourably consider any revised proposal; and
2. The applicant is advised that the Shire of Northampton is not prepared to support portion of the proposed outbuilding for human habitation. If it is intended that the en-suite and associated room at the rear of the outbuilding is intended for habitation, its intended use should be identified and prior development approval sought in addition to a Building Permit.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.5.1 Building Approval Report for March 2025

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Northampton and Kalbarri
BUSINESS AREA:	Building
FILE REFERENCE:	N/A
LEGISLATION:	Local Government Act 1995 Building Act 2011 Building Registrations 2012
AUTHOR:	Michaela Simpson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 April 2025
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 01 March 2025 to 31 March 2025.

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

During March 2025, nine (9) building and demolition applications were determined under delegated authority.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered 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:

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 March 2025 in accordance with Attachment: 9.5.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

04/25-57

That Council receive the Building Approvals Report March 2025 in accordance with Attachment: 9.5.1 (1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.6.1 Kalbarri Festival Market Stallholders Request to Camp On-site**

PROPONENT OWNER	Shire of Northampton Shire of Northampton Manager of Crown Reserve
LOCATION / ADDRESS:	Sally's Tree Grassed Area, Reserve 25307 Grey Street, Kalbarri
ZONE:	Kalbarri
BUSINESS AREA:	Environmental Health & Town Planning
FILE REFERENCE:	7.1.9 & 11.1.2
LEGISLATION:	<i>Caravan Park and Camping Grounds Regulations 1997</i>
AUTHOR:	Wendy Dallywater/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	25 March 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A Medium-Large Event Application has been received from the Kalbarri Development Association (KDA) for the holding of the Kalbarri Festival Event on Saturday 31 May and Sunday 1 June 2025. Market stalls will again be part of this event, located in the vicinity of Sally's tree, operating during the day and evening and trading on both days.

With the markets operating over two days, KDA have requested permission for stall holders and food vendors to leave their tent/marquees erected overnight and have permission to camp overnight within their stall, food van or other vehicle. This will prevent the need to pack up on Saturday and set up again on the Sunday. The use of caravans or other vehicles is not being sought, with such vehicles to be directed to local caravan parks.

Permission to camp on-site Saturday night is sought so that vendors may protect their stall from vandalism or theft. A copy of the email request is shown attached.

ATTACHMENT: 9.6.1 (1)

Council is requested to determine if stalls may remain in place overnight and if sleeping overnight on the Shire reserve will be permitted.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

As Councillors may be aware a marquee associated with Australia Day Celebrations was left in place overnight and overnight vandals significantly damaged the marquee. By permitting vendors to stay overnight, the potential for vandalism and theft will be significantly reduced.

Approval to Camp

Council can grant approval for these stallholders to camp next to their stall on-site at Sally's Tree, which is not a designated camping area, via the use of Regulation 11 (1) (d) (ii) of the Caravan Park and Camping Grounds Regulations (Refer to Statutory Environment section overleaf).

Approval to camp is issued to a person, It will therefore be necessary for each stallholders details to be provided for an approval to be granted. It is recommended that Council delegate authority to the CEO to grant these approvals.

Reserve Purpose

Reserve 25307 is for public purposes recreation. The holding of community markets on this land is an approved land use. Stallholders camping over-night for one night only for the purposes of having their stall at the community markets by association is in-line with the land use. However, as camping is not permitted on this land usually, Council needs to grant special approval as a one-off approval to camp over-night on Saturday 1st June 2024.

Previous Decision

At its meeting on 18 April 2024, Council was requested to consider a similar request for the Kalbarri Lights Up Market Stallholders. In response Council resolved the following:

04/24-16

That Council:

- 1. Advise the Kalbarri Development Association that it has no objection to market stalls associated with the Kalbarri Lights Up Event on 1 June and 2 June 2024 on the Kalbarri Foreshore, but accepts no responsibility for any damage or losses that may occur; and**
- 2. Grant delegated authority for the Chief Executive Officer to grant permission to stall holders wishing to camp under their, or within adjacent vehicles overnight stalls for the night of 1 June 2024 in accordance with Regulation 11 of the Caravan Park and Camping Grounds Act 1995.**

CARRIED BY ABSOLUTE MAJORITY: 8/0

Conclusion

Given the markets are consistent with the reserve vesting and having regard facilities available in proximity to the market stall location, it is recommended approval be granted. To ensure that members of the public are aware that camping is otherwise prohibited on the foreshore, appropriate signage should be erected to advise that approval has been granted and camping is restricted to stall holders.

STATUTORY ENVIRONMENT:

Regulation 10 of the Caravan Park and Camping Grounds Regulations 1997 stipulates that a person may only camp in a caravan park/ camping ground, or in accordance with Regulation 11. In accordance with Regulation 11, a person may camp for a period of up to five nights on land which he or she owns or has a legal right to occupy.

As the Shire is effectively the landowner, Council can grant permission to the overnight camping as requested in accordance with Regulation 11.

POLICY / STRATEGIC IMPLICATIONS:

Without approval to leave their stalls in place and camp overnight, vendors will be forced to pack down and set up again the following morning. This could discourage vendors from participating the second day of the event, or attending at all. Approval to leave stalls in place and allow the overnight camping is consistent with the following Key Outcomes and Objectives as contained within the Shire of Northampton Strategic Community Plan 2020-2030.

	Key Outcomes	Objectives	Success Measures
1.3.4	Support for visitor attraction and for community driven events-based and tourism	Increase of events that attract overseas, regional and local people to support the local economy	Increase or decrease of visitors and number of events held.
3.2	Support communication action groups wherever practicable to achieve positive outcomes in their locality to enhance lifestyle	Each community has a progress association that is supported by Council.	Level of activity or number of community projects in each locality.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 – Insignificant if Council were to .

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: Approval for the overnight storage of stalls and camping within those stalls or associated vehicles will encourage stallholders to operate over both days of the event.

Social: A successful event will benefit locals and tourists over the long weekend.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Advise the Kalbarri Development Association that it has no objection to market stalls associated with the Kalbarri Festival Event held on 31 May and 1 June 2025 being on the grassed area at Sally's Tree over the two day period, but accepts no responsibility for any damage or losses that may occur; and
2. Grant delegated authority for the Chief Executive Officer to grant permission to stallholders wishing to camp under their stall tents or in their vehicle overnight on 31 May 2025 in accordance with Regulation 11 of the Caravan Park and Camping Grounds Regulations 1997, subject to the applicant arranging the erection of suitable signage to advise that camping is restricted to stall holders/vendors.

COUNCIL RESOLUTION:

MOVED: Burges, R

SECONDED: Gibb, T

04/25-58

That Council:

1. Advise the Kalbarri Development Association that it has no objection to market stalls associated with the Kalbarri Festival Event held on 31 May and 1 June 2025 being on the grassed area

at Sally's Tree over the two day period, but accepts no responsibility for any damage or losses that may occur; and

2. Grant delegated authority for the Chief Executive Officer to grant permission to stallholders wishing to camp under their stall tents or in their vehicle overnight on 31 May 2025 in accordance with Regulation 11 of the Caravan Park and Camping Grounds Regulations 1997, subject to the applicant arranging the erection of suitable signage to advise that camping is restricted to stall holders/vendors.

MOTION CARRIED 7/0

FOR

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

AGAINST

Councillor Sudlow left the Chambers at 14:27 pm.
Councillor Tim Hay took the position of chair.

ATTACHMENT

9.6.2 Determination of Event Application involving Temporary Closure of Memorial Avenue off Grey Street, Kalbarri

PROPONENT OWNER	Kalbarri Development Association Shire of Northampton Manager of Crown Reserve
LOCATION / ADDRESS:	Reserve 25307 and Memorial Avenue, Grey Street, Kalbarri
ZONE:	All
BUSINESS AREA:	Environmental Health & Works Department
FILE REFERENCE:	11.1.2 & 11.1.4
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Wendy Dallywater
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	25 March 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Kalbarri Development Association (KDA) is proposing a “Community Colour Ride” that is to be part of the proposed Kalbarri Festival which will be held on Sunday 1 June 2025. Details of the event provided by KDA are attached.

ATTACHMENT: 9.6.2 (1)

This is a family event for all ages to ride their bicycle, scooter, skateboard, including electric versions of each, and gophers from the starting point at the southern end of the large carpark opposite Clotworthy Street, along various footpaths on the foreshore to the finish point west of the Kalbarri VMR building. The event is not a race and participants must attend each of four colour stations along the event route to be eligible for a prize.

The event application includes a proposal to *“Close Memorial Avenue to the VMR from 9-10 or until last participant has completed the course.”* KDA submit *“This is necessary because this would be the busiest of all the crossings, and as riders will be coming up an incline through the markets it would not be a good place to stop the momentum of the ride.”* KDA have suggested that the western entrance off Grey Street to Chinaman’s Beach, VMR building and Sally’s Tree carpark areas will remain open to vehicle traffic.

Having concerns relating to the proposed closure, Shire officers suggested an alternative to the KDA. The alternative, which is detailed in the Comment section below, was discussed at the KDA’s Kalbarri Festival Event Committee meeting on 12 March 2025. The Committee believe that their proposal as per their plan is the correct proposal and have asked for the matter to be presented to Council for a decision.

Council is now requested to determine the application.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in determining that portion of the application relating to the closure of Memorial Avenue, the following comments are offered:

Memorial Avenue Status

Memorial Avenue provides the primary access to the RSL Memorial/Boat Ramp/Sallys tree foreshore precinct. It is constructed with a 7.5m wide sealed pavement with central line marking clearly delineating the access as a two way access. A give way sign and hold line are located in the exit lane abutting Grey Street. The accessway leading to the give way line is some 70m in length

Western Carpark/Chinaman's Beach Access

A second access point to the foreshore is located to the west of the Boat Ramp parking area. This access point also facilitates more direct access to the Chinaman's beach precinct.

The accessway is also sealed and has a slightly narrower width pavement of approximately 7m. There is no give way hold line at the intersection between the accessway and Grey Street and the driveway to Grey Street is only approximately 30m long.

Kalbarri Adventurethon

In addition to the Kalbarri Festival, Shire Officers have already granted approval to the Kalbarri Adventurethon Event, which includes the use of support personnel for paddlers who are finishing their Adventurethon 2025 paddle races at the beach opposite Sally's Tree area. These vehicles likely to be using the boat ramp and Sally's tree carparks.

Anticipated Traffic Demands

Traffic demands associated with the Festival events and the Kalbarri Adventurethon will be in addition to the significant levels of traffic, including boating traffic, that would be expected on the June long weekend.

Applicants Justification

KDA want participants of the Kalbarri Colour Ride to have right-of-way across Memorial Avenue as riders are coming up a slope through the Markets that are part of the Kalbarri Festival. They submit that having a backlog of riders in the markets area will adversely impact on those attending the markets and the stallholders.

This reasoning is not accepted as in accordance with the Event Application, participants will start the event depending on their mode of transport at staggered times which should mean that participants should travel through the Markets at a regular interval and spacing as the event is not a race.

Potential for Traffic Conflict

By closing Memorial Avenue, all traffic relating to the Kalbarri Adventurethon, the Festival (including the markets) Boat Ramp, Playground and the Volunteer Marine Rescue would be directed to the Western carpark entrance. Traffic movements being complicated by the carpark 'intersection' with the Chinaman's Beach access road.

KDA submits that leaving Memorial Avenue open to vehicles will create a backlog of vehicles on both Grey Street and Memorial Avenue waiting to turn into or out of Memorial Avenue and that this would be a deterrent to drivers.

Shire officers believe this is what normally occurs every day and the number of vehicles in the backlog increases during School Holidays and other peak periods so why should there be a difference for this event. It is also considered that Memorial Avenue is better designed and constructed as a two way access with exiting traffic required to give way to traffic on Grey Street and significant vehicle stacking can occur within the access way.

Proposed Alternative

As an alternative to closing Memorial Avenue, Shire officers have suggested to KDA that the western entrance off Grey Street be closed given that:

- 1) This is the main entrance off Grey Street to access Sally's Tree carpark and the carparking area adjacent to the War Memorial and the VMR building for local residents;
- 2) The majority of visitors to Kalbarri who wish to access this area would expect to access it via Memorial Avenue rather than the western entrance which is not a designated roadway; and
- 3) Memorial Avenue has been constructed to cater for higher volumes of traffic with a wider and longer access road allowing for queuing in both directions.

It is also noted that KDA have proposed that participants will ride along the access road to Chinaman's Beach before continuing along footpaths heading towards and along the Murchison River foreshore to the finishing point. Under the current plan, there is a risk that groups of riders will come into conflict with vehicles accessing or exiting Chinaman's Beach on the access road which has a pavement width of less than 6.5m.

Consideration should therefore be given to the temporary closure of the Chinaman's Beach access road for the duration of the riding event.

Traffic Management

As neither access road is gazetted, strictly speaking a formal traffic management assessment is not required. However, to ensure traffic conflicts are minimised and pedestrian and bike safety assured, some traffic management is required.

Council's Executive Manager of Works and Technical Services has advised that the traffic management techniques to be employed will be determined in

consultation with a suitably qualified consultant. This will consist of simple driveway closure and lane separation and partial closure of the Chinaman's Beach access road.

Shire Officers will be assisting the Festival organisers in implementing the road closure through the supply of conforming signage and traffic cones, including set and take down/removal of signs.

Conclusion

The closure of Memorial Avenue is not supported for those reasons outlined within the comment section above.

Given that Memorial Avenue is more suited to allow vehicle queuing and already has traffic controls in place to regulate traffic entering Grey Street, it is recommended that Council refuse this portion of the application. Alternatively it is recommended that approval be granted to a temporary closure of the western carpark entrance and implementation of a partial lane closure on the Chinaman's beach access road to limit the potential for conflict between rider groups and vehicular traffic.

STATUTORY ENVIRONMENT:

In accordance with Section 3.50 of the *Local Government Act 1995*, "A local government may close any thoroughfare that it manages to the passage of vehicles or partially, for a period not exceeding 4 weeks."

A public road or thoroughfare within the Shire cannot be closed or obstructed without Council's approval under the Shire's Activities in Thoroughfares and Public Places and Trading Local Laws 2017.

POLICY / STRATEGIC IMPLICATIONS:

Supporting potential thoroughfare closures and traffic management associated with an event such as proposed is consistent with the following Key Outcomes and Objectives as identified in the Shire of Northampton Strategic Community Plan 2020-2030.

	Key Outcomes	Objectives	Success Measures
1.3.4	Support for visitor attraction and for community driven events-based and tourism	Increase of events that attract overseas, regional and local people to support the local economy	Increase or decrease of visitors and number of events held.
3.2	Support communication action groups wherever practicable to achieve positive outcomes in their locality to enhance lifestyle	Each community has a progress association that is supported by Council.	Level of activity or number of community projects in each locality.

However, before supporting such closures, an assessment of the impact on traffic and potential for vehicle conflict must be considered.

ORGANISATIONAL RISK MANAGEMENT:

The closure of Memorial Lane even for a limited period on a long weekend is likely to have significant impact on traffic movement on Grey Street and access to and from the foreshore. This risk is greatly increased with two events being held in proximity to the boat ramp. The risks associated with supporting the temporary closure of Memorial Terrace is considered Major.

In the opinion of Shire Officers potentially risks would be dramatically reduced if it was the western carpark entrance and that traffic.

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 requirement s 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:

If the proposed closure of Memorial Avenue is approved there will be a small cost of assisting the KDA by providing traffic management signage (Event Ahead) to place either side of Memorial Avenue to indicate caution on approach of approximately \$100.00. If Council agrees to fund the drafting of a suitable Road Closure Management Plan and pay for suitably trained staff to man the temporary road closure this would be an additional \$500.00.

SUSTAINABILITY:

Environmental: None.

Economic: Nil.

Social: People who had visited Kalbarri in the past as well as main local residents who are used to accessing the car parking areas via Memorial Avenue and the proposed temporary closure could frustrate drivers. It could reduce trade for stallholders operating on Sunday morning and thus reduce the overall success of the Kalbarri Festival Event.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1) Refuse the Kalbarri Development Association request for permission to the temporary closure of Memorial Avenue off Grey Street, Kalbarri for the holding of the proposed Kalbarri Colour Ride Event on Sunday 1st June 2025.
- 2) Advise the Kalbarri Development Association, as an alternative option, that permission is granted to temporarily close the western entrance and the roadway to Chinaman's Beach between 9:00am – 10:00am together with a partial closure of the Chinaman's Beach access road to ensure the safety of riders as well as other road users; and
- 3) Require the approval referred to in point 2 above, to be subject to suitable traffic management measures being in place for the period of the approved closure to the satisfaction of the Executive Manager of Works and Technical Services.

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

04/25-59

That Council:

- 1) Refuse the Kalbarri Development Association request for permission to the temporary closure of Memorial Avenue off Grey Street, Kalbarri for the holding of the proposed Kalbarri Colour Ride Event on Sunday 1st June 2025.
- 2) Advise the Kalbarri Development Association, as an alternative option, that permission is granted to temporarily close the western entrance and the roadway to Chinaman's Beach between 9:00am – 10:00am together with a partial closure of the Chinaman's Beach access road to ensure the safety of riders as well as other road users; and
- 3) Require the approval referred to in point 2 above, to be subject to suitable traffic management measures being in place for the

period of the approved closure to the satisfaction of the Executive Manager of Works and Technical Services.

MOTION CARRIED 6/0

FOR

Cr R Burges
Cr T Gibb
Cr T Hay
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

Councillor Sudlow returned to the Chambers at 14:29 pm.

ATTACHMENT

9.6.3 Proposed Stallholder on Shire Managed Reserves - Kalbarri

PROPONENT	Fire & Ice Recovery
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Reserve 25307 Grey Street & Reserve 34550 Red Bluff Road, Kalbarri
ZONE:	Parks and Recreation
BUSINESS AREA:	Environmental Health
FILE REFERENCE:	11.1.4
LEGISLATION:	<i>Local Government Act 1995, Land Administration Act 1997, Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, Shire of Northampton Health Local Laws</i>
AUTHOR:	Wendy Dallywater/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	3 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The applicant, being based in Geraldton, is seeking permission to operate their business, providing a sauna and/or ice bath experience to customers in Kalbarri. By way of summary:

- The mobile sauna is a 2.38m long by 2.1m wide sauna unit mounted on a trailer that is 5.8m long, with access provided by a fold down set of steps;
- The sauna is powered by a 13kVa 3 Phase Petrol generator and will be used to provide 30 min sauna sessions;
- Towels are provided to customers as well as a portable shower for customers to hose off after the sauna and before using the ice bath;
- Two inflatable ice baths each being 1.5m long by 0.8m wide will be used to provide ice bath sessions up to 10 minutes in duration. Each bath is filled with water that is cooled via a circulation pump connected to two chillers with built-in ozone disinfectant;
- Water is proposed to be sourced from Shire water outlets and the disposal of water resulting from the draining of the ice baths and temporary showers is proposed via direct disbursement onto the adjacent ground.

The applicants are proposing to operate 1-2 times per month on a weekend, starting with once a month to determine interest in their service. Additionally they are wishing to attend events such as the Kalbarri markets. A copy of the applicants request is shown attached.

ATTACHMENT: 9.6.3 (1)

The additional information provided in this report was obtained as a result of clarifications sought by Shire Officers via email.

Approval is being sought to operate from two locations, being:

1. The northeast corner of the carpark in the vicinity of Sally's tree and portion of an abutting grass area; and
2. Adjacent to the gazebo toward the western end of the carpark access road at Jaques Point.

Council is requested to determine the application as Shire Officers do not have delegated authority.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in determining the applicants request, the following information is provided:

Reserve Vesting

Both Reserves 25307 and 34550 are Crown Reserves over which the Shire holds Management Orders for the purposes of "Public Recreation and Parkland". Both vesting orders identify that the Shire has, subject to Ministers approval, the ability to enter into a lease for a period not exceeding 21 years.

Reserve 25307 is an "A" Class reserve. The Class A reservation status is used solely to protect areas of high conservation or high community value.

Consistency with Reserve Purpose

Generally speaking commercial activities are not permitted, unless those activities are consistent with the vested purpose of the reserve and a management plan. For Council to approve the application it must be satisfied that the proposal is consistent with the purpose and the use should strictly speaking be identified within an approved management plan.

A common exception to this are commercial stallholders participating in a community event, such as markets.

Suitability of Proposed Locations

In terms of Reserve 25307, the carpark adjacent to Sallys Tree is a high demand parking facility, providing parking in close proximity to the Adventure Playground, RSL Memorial, Beach, Boat ramp and public toilets. The carpark is regularly full during peak periods such as school holidays and long weekends.

If approved, the applicants would occupy two of these parking bays, one with the sauna trailer (being longer than the standard bay of 5.5m) and one for the tow vehicle. Given that parking in this area is regularly in high demand, the dedicated use of two parking bays by the stall holder is not supported.

With respect to Jaques Beach, the applicants are proposing to set out immediately adjacent to the existing gazebo, being the only accessible gazebo at that location. There are no marked parking bays abutting the gazebo as it is not intended to facilitate parking in this area. Alternatively parking is provided in the main carpark abutting Red Bluff Road and at the point.

The stall holders setting up in this location is likely to impact on the users of the gazebo and has potential to encourage parking away from marked carparks.

Potential for Noise

Noise is a consideration at both locations. With the applicants proposing the use of a 13KvA generator, some noise will result. This is likely to impact on the amenity of the reserve and the experience of the public in attending these locations.

Proposed Use of Shire Water

The operators have stated that they are seeking approval to access public water supply near to where they will set-up their business but have not indicated that they are happy to reimburse the Shire for this water supply.

The reserve in the vicinity of Sally's tree contains one tap is on the west side of the Sally's Tree public toilet block. This is located some 45-50 metres from the proposed location of the ice baths and portable shower. Should Council wish to support the application, the proponents should be required to pay for the cost of water, otherwise water will be used at ratepayer expense.

There is no reticulated water supply located at Jacques Beach/Point. Water for the toilet block, which is located adjacent to Red Bluff Road, is purchased from an adjacent landowner. It is not understood how water at the toilet block would be accessed to fill ice baths located near the gazebo.

Waste Water Disposal

At completion of the days operation, the stallholder will need to drain the ice baths and discharge the water. Wastewater that is generated from baths or spa baths is classified as "Grey Water" under the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

As identified in the Department of Health Codes of Practice for the Use of Greywater in WA 2020, greywater can contain pathogenic microorganisms such as bacteria, protozoa, viruses and parasites in concentrations high enough to pose a health risk. For this reason, caution must be exercised with greywater re-use or disposal.

The health risk associated with the disposal of greywater can be minimised by not allowing human contact with untreated greywater, or by treating the greywater to an appropriate quality for its intended use. In this case, the applicants propose to use ozone to disinfect the water. Ozone in isolation is not considered treat water to completely remove pathogenic microorganisms. This may not be sufficient if someone were to be sick or urinate in the water, whether on purpose or as a response to the cold water.

There is also the concern that ice and very cold water will adversely affect the growth of grass and ground conditions where the wastewater is disposed.

Conclusion

The applicants are proposing a commercial activity that would provide a service not currently available in Kalbarri. The two sites that they have selected are two of the busiest locations in the Kalbarri Community, which would maximise their exposure to potential customers.

However, both locations experience periods of extremely highly demand and have limited carparking. Furthermore, the proposal will result in the direct discharge of wastewater on to the ground at those locations, which is not supported by Shire Officers due to the potential impact on the ground and potential health implications. The discharge of water and noise from generators associated with the activity have potential to detrimentally impact on users of the reserve.

STATUTORY ENVIRONMENT:

Legislation applicable to the use of Crown Reserves and operation of the proposed activities are the *Local Government Act 1995*, the *Land Administration Act 2017* and *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

In addition, the provisions of the Shire's Activities on Thoroughfares and Public Places and Trading Local Law 2017 apply. In accordance with this local law, the Shires prior approval is required for the conduct of a trade on Shire controlled reserves.

POLICY / STRATEGIC IMPLICATIONS:

Approval to the proposal as submitted could be deemed consistent with the following key outcomes and objectives as outlined within the Shire of Northampton Strategic Community Plan 2020-2030:

	Key Outcomes	Objectives	Success Measures	Timelines
1.3.4	Support for visitor attraction and for community driven events-based and tourism.	Increase of events that attract overseas, regional, and local people to support the local economy.	Increase or decrease of visitors and numbers of events held.	Ongoing
5.1.3	To demonstrate a proactive approach to community and economic development, and service delivery.	Community engagement strategies in place and positive relationships with business and service providers.	Community satisfaction levels and level of interaction with business owners and service providers.	Ongoing

However, Council must also have regard to the potential impact the proposed activity may have on the use of the reserve by the general public.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk with this request is that the proposal will result in impacts on the community. The 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:

There is the cost for the water supply to fill the ice baths each day of operation.

SUSTAINABILITY:

Environmental: The disposal of wastewater top ground on Shire reserves has the potential to impact on the existing vegetation and could result in issues of erosion if undertaken in an inappropriate manner.

Economic: The offer of a sauna or ice bath is not currently offered in Kalbarri.

Social: Locals and visitors to Kalbarri may find this service inviting and an additional experience currently on offer in Kalbarri.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council advise the applicants that it is not prepared to issue approval under the Shire of Northampton Activities on Thoroughfares and Public Places and Trading Local Law 2017 to the proposed activities as outlined within the applicants submission as shown at Attachment: 9.6.3 (1) for the following reasons:

- a) With respect to the proposed location on Reserve 25307, a restricted amount of carparking is available in this vicinity with the demand for parking exceeding available bays during periods of peak use such as school holidays and long weekends, or where activities or events are being held in the vicinity of that area. Council is not prepared to quarantine two carparking bays (one bay for trailer and one for towing vehicle) for use of the applicant;
- b) With respect to the proposed location on Reserve 34550, the proposed location adjacent to the Jacques Point gazebo as water is not available at this location and the location is not considered appropriate given that no marked parking bays are available in this area and operation of the business in this location is likely to impact on the use of the adjacent gazebo;
- c) The potential noise from the operation of a generator impacting on the amenity of the reserve locations;
- d) Council does not support the direct discharge of waste water associated with the activity onto the ground given the potential to impact on existing vegetation and ground conditions.

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Gibb, T

04/25-60

That Council advise the applicants that it is not prepared to issue approval under the Shire of Northampton Activities on Thoroughfares and Public Places and Trading Local Law 2017 to the proposed activities as outlined within the applicants submission as shown at Attachment: 9.6.3 (1) for the following reasons:

- a) With respect to the proposed location on Reserve 25307, a restricted amount of carparking is available in this vicinity with the demand for parking exceeding available bays during periods of peak use such as school holidays and long weekends, or where activities or events are being held in the vicinity of that area. Council is not prepared to quarantine two carparking bays (one bay for trailer and one for towing vehicle) for use of the applicant;
- b) With respect to the proposed location on Reserve 34550, the proposed location adjacent to the Jacques Point gazebo as water is not available at this location and the location is not considered appropriate given that no marked parking bays are available in this area and operation of the business in this location is likely to impact on the use of the adjacent gazebo;
- c) The potential noise from the operation of a generator impacting on the amenity of the reserve locations;

- d) Council does not support the direct discharge of waste water associated with the activity onto the ground given the potential to impact on existing vegetation and ground conditions.**

MOTION CARRIED 7/0

FOR

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

AGAINST

**ATTACHMENT
APPENDIX**

9.7.1 Unconfirmed Minutes of Bush Fire Advisory Committee Meeting held on 24 March 2025

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Community, Development & Regulation
FILE REFERENCE:	5.1.2
LEGISLATION:	<i>Local Government Act 1995;</i> <i>Bushfires Act 1954</i> <i>Shire of Northampton Bush Fire Local Laws 2017</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	25 March 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is requested to consider the unconfirmed minutes from a meeting of the Shire's Bush Fire Advisory Committee held on 24 March 2025. A copy of the minutes is shown attached.

ATTACHMENT: 9.7.1 (1)

The Bush Fire Advisory Committee is an Advisory Committee of Council, formed in accordance with the requirements of Division 2 of the *Local Government Act* and Division 4 of the *Shire of Northampton Bush Fire Local Law 2017*. As outlined within the adopted Terms of Reference, the purpose of the Advisory Committee is:

1. Advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires;
2. Annual bushfire budget and relevant financial matters;
3. Annual review of the Shire's Annual Firebreak Notice;
4. Standards of equipment that should be provided and maintained under Brigade Control;
5. General Maintenance and capital works on Bushfire Brigade Stations;
6. Planning, setting standards and works program for fire prevention within the Shire;
7. Composition, formation, rationalisation of winding up of any Bush Fire brigades within the Shire;

8. Preparation and periodical review of a Bush Fire Operational Procedure Manual to guide the management and co-ordination of bush firefighting resources within the Shire; and
9. Ensuring co-operation and co-ordination of bush fire brigades in their efforts and activities including training of brigade members.

A copy of the Terms of Reference as adopted by Council are appended.

APPENDIX: 9.7.1 (A)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

As this was the first meeting of the Bush Fire Advisory Committee that has been held in some time, a significant number of matters were raised and discussed. Two resolutions were passed by the Advisory Committee as shown below:

1. The minutes of the Bush Fire Advisory Committee meeting held on 14 September 2023 be accepted; and
2. That the Isseka, Sandy Gully/Alma Bush Fire Brigades be amalgamated.

The following is a summary of the more significant matters discussed that resulted in Action items, as shown at the rear of the unconfirmed minutes at Attachment: 9.7.1 (1):

Handheld Communication Devices

Currently the brigade's ability to communicate is restricted by inconsistent mobile telephone reception and a distinct lack of handheld radio devices. The Department of Fire and Emergency Services (DFES) Area Officer, who was in attendance, advised the meeting that it may be possible for DFES to supply two handheld units per brigade. The author of this agenda item will be liaising with DFES over this matter and potential inclusion of the devices within Local Government Operating Grant.

High Season Appliance

During peaks in fire risk, DFES has capacity to arrange for additional fire resources for a district. For example, during the most recent harvest season, DFES arranged for two water bombing aircraft to be based out of Geraldton. DFES also holds a range of fire appliances that are yet to be disposed of.

It is possible for an additional appliance to be located within the Shire during peak seasons. The Shire's Chief Bush Fire Control Officer will be liaising with DFES in respect of a high season appliance being located in the district prior to next harvest as a precautionary approach.

Preparation of Bush Fire Operational Guidelines

Within the Shire of Northampton's Bush Fire Brigades Local Law 2017 there is multiple references to a "Bush Fire Operational Manual" for matters such as "command of a fire". Despite this the Shire is yet to adopt an Operational Procedure Manual.

It is considered that a Manual should be developed in consultation with the Bushfire Advisory Committee as a matter of urgency, so that it may be finalised and implemented prior to the 2025.2026 Bushfire Season. A draft Manual is currently prepared by Shire Officers, with that draft to be considered by the Advisory Committee at its meeting that has been scheduled for May 2025.

Future Chief Bush Fire Control Arrangements

In recent years, the Chief Bush Fire Control Officer has been a Council appointed position, who has performed as CBFCO as part of their duties. Whilst there are no issues with a Shire Officer being the CBFCO, in many local government areas, a non-shire officer is appointed. Within Chapman Valley, the CBFCO is not a shire officer.

In the event that a non-shire officer is appointed as an CBFCO, it is common for the CBFCO to be paid an honorarium. Recently advertised CBFCO positions have made references to honorariums of between \$1,000 and \$10,000 dependent on experience. A budget allocation would therefore be necessary if Council was to consider appointment of a non-shire employee to the position.

Insurance Claims

Recently the Shire received what the brigades were terming a 'group claim' as a result of a fire that had apparently been deliberately lit. In order to address this situation and educate members of BFAC, the Shire's Manager of Corporate Services attended the meeting to provide information around the insurance process and the documentation that would be required if an insurance claim is to be entertained by the Shire's insurers.

Review of Bush Fire Management Plan

Local Governments who have an approved Bush Fire Management Plan may be eligible for grant funds towards mitigation costs associated with implementation of the plan under the Mitigation Activity Fund managed by DFES. This plan is now out of date and overdue for review.

For the Shire of Northampton, it has been noted that in recent years, no funding has been sought for mitigation activities. Whilst the reason for this has not been confirmed, it appears that previously only minor amounts of funding were being received given that:

- i) The Shire undertakes minor bush fire preparation for the Northampton townsite, which generally speaking consists of fire breaks;
- ii) The Shire is not eligible for mitigation funding on private property, with the Shire's primary land holdings in Horrocks being privately owned;
- iii) There is little opportunity to mitigation works around Port Gregory with land surrounding the town site forming part of Crown land or private property not under the Shire's ownership or management; and
- iv) Mitigation works surrounding the Kalbarri Townsite as co-ordinated by the Department of Biodiversity and Attractions and DFES in conjunction with management of the National Park and state owned/vested lands.

Updating of Terms of Reference

As reflected within the minutes, the majority of brigades have now clarified their representatives and proxies. Updating of the Terms of Reference is proposed to reflect these nominations.

ATTACHMENT: 9.7.1 (2)

Potential Amalgamation of Isseka and Sandy Gully/Alma Brigades

As reflected within the minutes, the Advisory Committee passed a recommendation that the Sandy Gully/Alma and Isseka brigades be amalgamated due to dwindling active membership.

Prior to formally considering this proposal, it is recommended that each of the brigades be asked to consider the formally consider and determine their position on the proposal.

Conclusion

As reflected within the unconfirmed minutes, there are a substantial number of matters that are required to be addressed to ensure that the Shire's local Bushfire Brigades are appropriately resources, supported and guided.

The Chief Bushfire Control Officer and the author of this agenda item will progressively work through each issue to ensure that the brigades are in the best position possible for the 2025/26 fire season.

STATUTORY ENVIRONMENT:

Local Government Act 1995;

Bushfires Act 1964; and

Shire of Northampton Bush Fire Local Laws 2017

POLICY / STRATEGIC IMPLICATIONS:

Support of the Shire's Local Bushfire Brigades is consistent with the following Key Outcomes and Objectives as identified in the Shire of Northampton Strategic Community Plan 2020-2030.

	Key Outcomes	Objectives	Success Measures
3.3.	Advocate for services or facilities the Shire cannot provide.	Increases services or facilities.	Reduction of the gaps in services or facilities.
5.1.2	To maintain best practice in all areas of Council operations incorporating appropriate risk management strategies.	Policy and procedure manuals reviewed and updated as required; risk management strategies embedded in planning and operations.	Satisfied community and employees.

ORGANISATIONAL RISK MANAGEMENT:

In effective management of Bushfire risks represents a Major risk to the Shires reputation and the potential for property damage and loss of life.

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:

Council will be requested to consider an increase in the budget allocation for bushfire brigade equipment and activities as part of the annual budget process. An increase in the Department of Fire and Emergency Services annual grant for bushfire brigade operations has been sought with the intention of offsetting the increased expenditure.

SUSTAINABILITY:

Environmental: Best practice management is required to minimise the potential for environmental impact as a result of fire.

Economic: The economic impact of a fire event can be greatly reduced through the timely response by brigades that are well resourced.

Social: Successful operation of bushfire brigades adds the community's sense of safety in the event of a fire.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Receive and note the unconfirmed minutes of the Shire of Northampton Bushfire Advisory Committee meeting held on 24 March 2025 as shown at Attachment: 9.7.1 (1);

2. Update the Bushfire Advisory Committee's Terms of Reference as shown at Attachment: 9.7.1 (1); and
3. Request that the Sandy Gully/Alma and the Isseka brigades be requested to formally consider the proposal for the two brigades to be amalgamated due to dwindling active membership at their next available meeting.

COUNCIL RESOLUTION:

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

04/25-61

That Council:

1. Receive and note the unconfirmed minutes of the Shire of Northampton Bushfire Advisory Committee meeting held on 24 March 2025 as shown at Attachment: 9.7.1 (1);
2. Update the Bushfire Advisory Committee's Terms of Reference as shown at Attachment: 9.7.1 (1); and
3. Request that the Sandy Gully/Alma and the Isseka brigades be requested to formally consider the proposal for the two brigades to be amalgamated due to dwindling active membership at their next available meeting.

MOTION CARRIED BY ABSOLUTE MAJORITY 7/0

FOR

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

AGAINST

ATTACHMENT**9.8.1 Information Items - Maintenance/Construction - Works Program**

PROPONENT	Executive Manager of Works and Technical Services
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	N/A
LEGISLATION:	N/A
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	2 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

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

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):Specific Road Works

- Maintenance grading carried out on Teakle, Isachar Back, Routledge, Ruddaway, Walsh, Ellen, Jackson, Starling, Murchison Station, Balla Whellarra, Blue Well, Horry, Swamp and Yarra Road/s.
- Gravel Patching - Unsealed Roads Gravel Sheeting / Verge works carried out on, Sudlow, Blue Wells, Percy and Wundi Road/s.
- Culvert clean outs prior to winter carried out on Frosty Gully, Horrocks Road floodways.
- Removal of faults on Anchorage Lane Road to reinstate to gravel surface.

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 road verge and Western Power line clearance.
- General – Contract dozer in Shire undertaking gravel pushup/stockpile works.
- Kalbarri Road verge mowing commenced.

Other Items

- Traffic Control on Ogilvie West Road following light aircraft crash.

Other Items (Budget)

- Kalbarri Road widening – Main Roads WA full funding (Blackspot funding) to the 10 kilometres of widening immediately to the east of Kalbarri as far as the Skywalk lookout turnoff. Practical completion has been granted. Works still have defects that require contractor rectification, defects are subject to legal action.
- Kalbarri – Tropical Cyclone Seroja rebuild works being Red Bluff, Jacques Point, Blue Holes and Chinamans Beach works plus Anchorage Lane temporary overflow workers accommodation works continuing with the delivery of the transportable ablution blocks for Anchorage Lane workers accommodation scheduled for 11-12 March.
- Disabled fishing platform and ramp construction commenced
- Binnu East Road, 2x floodway replacements commenced, and detours constructed.
- Port Gregory carpark construction-renovations continue.

Plant Items

- Disposal of Hitachi loader through Smith Broughton Auctioneers. A contract of sale has been received and a viewing of loader by Auctioneers ready for advertising.

Staff Items

Vacant positions to be advertised.

- 1 x Water Custodian (Port Gregory).
- Kalbarri Plant Operator / Labourer has closed, and staff are reviewing applications.

A copy of the Executive Manager of Works and Technical Services – Works Crew Budget – Program and Progress Report, March 2025 is attached.

ATTACHMENT: 9.8.1 (1)**STATUTORY ENVIRONMENT:**

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 Insignificant, as this is an information report only.

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 with maintenance and construction budget.

SUSTAINABILITY:

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

Economic: Part of the Executive 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 Executive Manager of Works and Technical Services plays a key role in the development of community leadership, infrastructure provision and community support.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the Executive Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for April 2025. In accordance with ATTACHMENT 9.8.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Hay, T

04/25-62

That Council receives the Executive Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for April 2025. In accordance with ATTACHMENT 9.8.1 (1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.8.2 Proposed Disposal of Shire of Northampton Surplus Assets

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	11.1.2
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	25 March 2025
DECLARATION OF INTEREST:	Employees Peter Davies, Michael Cragan and Jason Burrell have made submissions to this process however none of these employees have been involved in consideration of this matter.

BACKGROUND:

Management seeks Council approval for the disposal of various items of plant and sundry items that are surplus to council requirements and/or no longer required by the Shire of Northampton. The items as listed below have been advertised on an 'Expression of Interest' (EOI) basis.

Item #	Asset Type	Item Name / Asset
1.	Vehicle – Mazda BT 50 2014	(P259) Single Cab 2WD
2.	Vehicles – Isuzu DMAX 2016	(P270) Space Cab 4WD
3.	Trailer 6x4 unlicensed - single axle enclosed with toolbox	Old townscape trailer
4.	Trailer – licensed Tandem Axle 2.2m wide x 3.6m long	(P070) Large covered trailer
5.	Trailer – 6x4 unlicensed – single axle	Old signs trailer
6.	Trailer – 8 x 5 licensed - Tandem axle	(P138) Disused trailer
7.	Light Towers 4 Poles – 8 round lights – Extra fittings	Light towers
8.	Corrugated Iron – 6 Stacks all various lengths and conditions	Corrugated iron sheets
9.	Silvan – 3-point linkage spreader	Silvan Spreader
10.	Wacker – Pedestrian Roller Vibrating Drum – not working	Wacker Pedestrian (walk behind) Roller

Item details

1. P259 - Mazda BT50: not included as trade vehicle for 2024/25 utility fleet.
2. P270 - Isuzu DMax: not included as trade vehicle for 2024/25 utility fleet.
3. Old townscape trailer: Unknown purchased date.
4. P070 – Tandem axle trailer: large, covered trailer - Unknown purchased date.
5. Single axle trailer: old signs trailer.
6. P138 – Tandem axle trailer: old bitumen/water pump transport trailer.
7. Light Towers 4 poles and fixtures – old Northampton Community Centre fixtures.
8. Corrugated iron: Chiverton House TC Seroja renovation works.
9. Silvan 3-point linkage spreader : – Old seized spreader, not working.
10. Wacker Pedestrian (walk behind) Roller: not working.

This report seeks resolution of Council in accordance with section 3.58 of the *Local Government Act 1995* and Council Policy. An 'Expression of Interest - Disposal of Property' as advertised in Northampton News, Kalbarri Town Talk and social media platforms in February and March 2025 (closed 21 March 2025), to dispose of excess assets after inviting written expressions of interest from the public to purchase these items.

ATTACHMENT: 9.8.2 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Advertisements were placed in the Northampton News, Kalbarri Town Talk, on Shire of Northampton's website and social media advertising the items from 11 February to closing on the 21 March 2025.

Eight (8) submissions of 'Expressions of Interest' were received as shown in the attachment.

ATTACHMENT: 9.8.2 (2)**COMMENT (Includes Options):**

Based on the 'Expressions of Interest' received,

Item	Highest Bidder	Price (inc. GST)	Price (ex.GST)	Officer Recommendation
Mazda BT50 (P259)	J. Burrell	\$1,250	\$1,136.36	Dispose
Isuzu DMax Space cab (P270)	N. Fraser	\$7,500	\$6,818.18	Dispose
Old townscape trailer	D. Ward	\$400	\$363.63	Dispose
Trailer (P070)	M. Cragan	\$500	\$454.54	Dispose
Old signs trailer	D. Ward	\$300	\$272.72	Dispose
Trailer (P138)	D. Ward	\$500	\$454.54	Dispose

Light towers 4 poles	No offer	No offer	No offer	Scrap/Recycle
Corrugated Iron	N. Fraser	\$570	\$518.18	Dispose
Silvan 3-point linkage spreader	No offer	No offer	No offer	Scrap/Recycle
Wacker Pedestrian Roller	D. Tyler	\$1,000	\$909.09	Dispose
TOTAL		\$12,020	\$10,927	

It is recommended that Council agree to dispose of the surplus assets in accordance with the table above.

STATUTORY ENVIRONMENT:

As section 3.58 of the *Local Government Act 1995* which controls property disposal is an Absolute Majority decision of Council, this function can not be delegated to the Chief Executive Officer (CEO). However, the two licensed vehicles could be determined by the CEO as they form part of the 2024/25 budget, but in the interests of transparency as one of the vehicles is recommended to be disposed of to a Shire employee, Council is asked to consider all of the proposed disposals.

POLICY / STRATEGIC IMPLICATIONS:

The Disposal of Shire of Northampton Property policy (the Policy), adopted by Council in June 2024, clarifies the circumstances and methods by which Shire property is to be disposed.

As outlined in the Policy, from time-to-time minor property that is surplus to the needs of the Shire of Northampton is identified for disposal. Where the property to be disposed of is exempt under the market value provisions (i.e. value is less than \$20,000) the Chief Executive Officer (CEO) is to determine the most efficient method of disposal taking into consideration the costs associated with disposal.

As a general guideline the following approach is to apply based on the estimated value of the property,

(a)	\$10,000 - \$20,000	Local public notice calling for expressions of interest
(b)	\$ 5,000 - \$10,000	Seek three quotations (if possible) from likely purchasers
(c)	\$ 5,000 or less	Seek only one quotation from likely purchasers
(d)	\$ 1,000 or less or of no commercial value	Internal expressions of interest or alternatively, by way of a donation to a not-for-profit community group

As there was a number of surplus assets offered at the same time, the option to use a local Expression of Interest process was undertaken.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate if the correct asset disposal process is not followed.

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 2024/25 budget had a combined revenue allocation of \$7,500 (ex GST) for the two licensed vehicles. It is intended to allocate the \$10,927 (ex GST) of total revenue received from the disposal of surplus assets to the same revenue account. At the end of the 2024/25 financial year these additional funds can be used to offset over budget expenditure if that occurs, or alternately with be carried forward as an untied budget surplus.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1) Accept the following recommendations for the disposal of Shire of Northampton property:**

Item	Highest Bidder	Price (inc. GST)	Price (ex.GST)	Officer Recommendation
Mazda BT50 (P259)	J. Burrell	\$1,250	\$1,136.36	Dispose
Isuzu DMax Space cab (P270)	N. Fraser	\$7,500	\$6,818.18	Dispose
Old townscape trailer	D. Ward	\$400	\$363.63	Dispose
Trailer (P070)	M. Cragan	\$500	\$454.54	Dispose
Old signs trailer	D. Ward	\$300	\$272.72	Dispose
Trailer (P138)	D. Ward	\$500	\$454.54	Dispose
Light towers 4 poles	No offer	No offer	No offer	Scrap/Recycle
Corrugated Iron	N. Fraser	\$570	\$518.18	Dispose
Silvan 3-point linkage spreader	No offer	No offer	No offer	Scrap/Recycle
Wacker Pedestrian Roller	D. Tyler	\$1,000	\$909.09	Dispose
TOTAL		\$12,020	\$10,927	

- 2) Adjust the 2024/25 Budget in accordance with the following table:**

Item	Current 2024/25 Budget	Proposed 2024/25 Budget	Variance
Proceeds of Sale of Utilities P259 and P270	\$7,500	\$10,927	\$3,427
Sale of P259 and P270	(\$7,500)	(\$7,954)	(\$454)
Sale of other unbudgeted surplus assets	0	(\$2,973)	(\$2,973)
		Net	\$0

COUNCIL RESOLUTION:**MOVED: Hay, T****SECONDED: Suckling, K****04/25-63****That Council:**

- 1) Accept the following recommendations for the disposal of Shire of Northampton property:

Item	Highest Bidder	Price (inc. GST)	Price (ex.GST)	Officer Recommendation
Mazda BT50 (P259)	J. Burrell	\$1,250	\$1,136.36	Dispose
Isuzu DMax Space cab (P270)	N. Fraser	\$7,500	\$6,818.18	Dispose
Old townscape trailer	D. Ward	\$400	\$363.63	Dispose
Trailer (P070)	M. Cragan	\$500	\$454.54	Dispose
Old signs trailer	D. Ward	\$300	\$272.72	Dispose
Trailer (P138)	D. Ward	\$500	\$454.54	Dispose
Light towers 4 poles	No offer	No offer	No offer	Scrap/Recycle
Corrugated Iron	N. Fraser	\$570	\$518.18	Dispose
Silvan 3-point linkage spreader	No offer	No offer	No offer	Scrap/Recycle
Wacker Pedestrian Roller	D. Tyler	\$1,000	\$909.09	Dispose
TOTAL		\$12,020	\$10,927	

- 2) Adjust the 2024/25 Budget in accordance with the following table:

Item	Current 2024/25 Budget	Proposed 2024/25 Budget	Variance
Proceeds of Sale of Utilities P259 and P270	\$7,500	\$10,927	\$3,427
Sale of P259 and P270	(\$7,500)	(\$7,954)	(\$454)
Sale of other unbudgeted surplus assets	0	(\$2,973)	(\$2,973)
		Net	\$0

MOTION CARRIED 7/0

FOR

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

AGAINST

10. LATE REPORTS:

Nil.

11. QUESTIONS FROM MEMBERS:

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

11.2 Questions from members: Nil.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

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

Nil.

14. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

15. CLOSURE:

There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.40pm.

SIGNED:



**Cr Liz Sudlow
Shire President**

DATE: 15 May 2025