



MINUTES

COUNCIL MEETING

15 MAY 2025

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SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Allen Centre, Kalbarri, Thursday, 15 May 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 Tim Hay (Deputy Shire President)

Cr Richard Burges

Cr Trevor Gibb

Cr Des Pike

Cr Karl Suckling

Cr Roslyn Suckling

Staff

Mr Andrew Campbell (Chief Executive Officer)

Mr Brian Robinson (Executive Manager of Community, Development and Regulation)

Mrs Leanne Rowe (Manager Financial Services)

Mrs Michelle Allen (Manager Corporate Services)

Mrs Kaylene Roberts (Planning Officer)

Ms Sonya Hasleby (Executive Support Officer)

Gallery

Peter McNaught, Sharon Fawcett.

3.1 Apologies: Nil.

3.2 Leave Of Absence: Nil.

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 Tim Hay declared an financial interest in relation to item 9.1.2 Chief Executive Officer Review of Port Gregory Water Supply – as he owns Port Gregory Caravan Park and a house in the townsite.

Cr Tim Hay declared an impartiality interest in relation to item 9.4.1 Proposed Outbuilding and Temporary Accommodation During Dwelling Construction – Lot 39 (135) Hampton Road, Northampton – as his father in law is the electrician on site.

Cr Liz Sudlow declared an impartiality interest in relation to item 9.9.1 Consideration of the Unconfirmed Minutes of the Community Grants Advisory Committee Meeting Held 17 April 2025 – as she is a member of the Northampton District Agricultural Society, Kalbarri Tennis Club and Northampton Community Centre.

Cr Des Pike declared an impartiality interest in relation to item 9.9.1 Consideration of the Unconfirmed Minutes of the Community Grants Advisory Committee Meeting Held 17 April 2025 – as he is the Council Representative for the Kalbarri Development Association.

Cr Richard Burges declared an impartiality interest in relation to item 9.9.1 Consideration of the Unconfirmed Minutes of the Community Grants Advisory Committee Meeting held 17 April 2025 – as he advised and assisted with a grant written by Kalbarri Boardriders Club.

Cr Roslyn Suckling declared an impartiality interest in relation to item 9.9.1 Consideration of the Unconfirmed Minutes of the Community Grants Advisory Committee Meeting held 17 April 2025 – as she is a vestry member of the Anglican Parish, a member of the Northampton District Agricultural Society and an associate member of the Northampton RSL.

5. PUBLIC QUESTION TIME:

- 5.1 Response to public questions taken on notice: Nil.
- 5.2 Public Question Time: Nil.

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:

- 17/04/2025 – Community Grant Advisory Committee Meeting held at the Northampton Shire Chambers.
- 23/04/2025 – Road Infrastructure and Plant Advisory Committee Meeting.
- 23/04/2025 – Meeting with David and Jill Simshauser re planning/proposed building at Lot 39 Hampton Rd Northampton.
- 14/05/2025 – Meeting with Minister for Midwest Jackie Jarvis, Hon Sandra Carr and MWDC CEO, Nils Hay at Northampton Chambers.

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

- 07/05/2025 – Community Grants Advisory Committee Meeting held at the Northampton Shire Chambers.
- 14/05/2025 – Meeting with Minister for Midwest Jackie Jarvis, Hon Sandra Carr and MWDC CEO, Nils Hay at Northampton Chambers.

Since the last Council meeting **Cr T Gibb** had nothing to report.

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

- 17/04/2025 – Community Grants Advisory Committee Meeting held at the Northampton Shire Chambers.
- 25/04/2025 – Laid the wreath on behalf of the Northampton Shire at the Kalbarri RSL Anzac Service.
- 05/05/2025 – Kalbarri Visitors Centre Meeting.
- 07/05/2025 – Kalbarri Sports and Recreation Meeting.

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

- 23/04/2025 – Road Infrastructure and Plant Advisory Committee Meeting held at the Northampton Shire Chambers.

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

- 17/04/2025 – Community Grants Advisory Committee Meeting held at the Northampton Shire Chambers.
- 23/04/2025 – Road Infrastructure and Plant Advisory Committee Meeting held at the Northampton Shire Chambers.
- 25/04/2025 – Laid the wreath on behalf of the Northampton Shire at the Northampton RSL Anzac Service.
- 07/05/2025 – Grants System Workshop held at the Northampton Shire.
- 12/05/2025 – Horrocks Community Centre AGM.

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

- 17/04/2025 – Community Grants Advisory Committee Meeting held at the Northampton Shire Chambers.
- 07/05/2025 – Kalbarri Sport and Recreation Meeting.

6.5 Conference reports: Nil.

7. CONFIRMATION OF MINUTES:**MOVED: Hay, T****SECONDED: Suckling, K****05/25-65****That the Minutes of the Ordinary Meeting of the Council held on 17 April 2025 be confirmed.****MOTION CARRIED 7/0****FOR****AGAINST**

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

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil.

9. OFFICERS' REPORTS:

9.1.1	Chief Executive Officer Activity Report January 2025 to March 2025
9.1.2	Chief Executive Officer Review of Port Gregory Water Supply
9.1.3	Consideration of the Payment of Superannuation for Councillor Attendance Fees and Annual Allowances
9.2.1	Monthly Financial Statements for the Period Ending 30 April 2025
9.2.2	Proposed April 2025 List of Accounts for Endorsement on 15 May 2025
9.2.3	Proposed 2024/25 Budget Amendment LRCI Phase 4 Funding Variation
9.2.4	Murchison Region Aboriginal Corporation Request for Rate Exemption
9.4.1	Proposed Outbuilding and Temporary Accommodation During Dwelling Construction - Lot 39 (135) Hampton Road, Northampton
9.4.2	Proposed Temporary Workforce Accommodation - Lot 5068 (3810) Balla-Whelarra Road, Binnu
9.4.3	Delegated Planning Decisions for April 2025
9.5.1	Building Approval Report for April 2025
9.8.1	Information Items - Maintenance/Construction - Works Program
9.9.1	Consideration of the Unconfirmed Minutes of the Community Grants Advisory Committee Meeting Held 17 April 2025
9.9.2	Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 23 April 2025
9.9.3	Presiding Member Appointments to Committees

ATTACHMENT

9.1.1 Chief Executive Officer Activity Report January 2025 to March 2025

PROPONENT	Chief Executive Officer
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	24 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to assist Council understand the activity of the Chief Executive Officer (CEO) for the quarterly period of January 2025 to March 2025.

A copy of the CEO Activity Report January 2025 to March 2025 is attached.

ATTACHMENT: 9.1.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

Open dialogue between the Council and CEO is important and failure to do so could result in a considerable degree of risk to the organisation. Risk rating is considered Level 3 – Moderate.

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

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

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

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

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the Chief Executive Officer Activity Report January 2025 to March 2025 in accordance with ATTACHMENT: 9.1.1(1).

COUNCIL RESOLUTION:

MOVED: Gibb, T SECONDED: Suckling, R

05/25-66

That Council receive the Chief Executive Officer Activity Report January 2025 to March 2025 in accordance with ATTACHMENT: 9.1.1(1).

MOTION CARRIED 7/0

FOR

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

AGAINST

Cr Tim Hay declared an financial interest in relation to item 9.1.2 Chief Executive Officer Review of Port Gregory Water Supply

Councillor Hay left the Chambers at 2:06 pm.

9.1.2 Chief Executive Officer Review of Port Gregory Water Supply

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Various
ZONE:	N/A
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	10.7.2
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	1 May 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At the Council meeting held 19 December 2024, Cr Karl Suckling provided the following Notice of Motion for consideration at the following meeting:

“That the Port Gregory water supply issues are identified through a strategic review of that water supply to determine priorities.”

Arising from the Notice of Motion at the Council meeting held 20 February 2025, Council resolved the following:

**MOVED: Suckling, K SECONDED: Burges, R
02/25-02**

That the Port Gregory water supply issues are identified through a strategic review of that water supply to determine priorities.

MOTION CARRIED 6/0

The purpose of this report is to provide the results of the strategic review of the Port Gregory Water Supply (PGWS) completed by the Chief Executive Officer (CEO) on 30 April 2025. It should be noted that the CEO’s review only covers from the bore sources through to the Port Gregory tanks. The reticulated system that is provided to the Port Gregory townsite is the subject of an external review being conducted by consultants, GHD.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The high-level review undertaken by the CEO is focussed primarily about the existing infrastructure and what can be done to improve the water system for Port Gregory which forms the basis of this report. However, Council should also take note that during the course of this review of onsite water infrastructure and associated records, matters including licensing obligations, public health considerations, and infrastructure access have been identified that has exposed the Shire of Northampton (Shire) to considerable risk for previous years. The CEO is taking immediate steps to prioritise risk with critical matters to be addressed as soon as possible with short, medium and long term matters to be prioritised for further future action.

System Description

The PGWS is a relatively simple water system best described by the following:

1. A primary and secondary bore system with electric submersible pumps;
2. Pumping production volume tested short duration at 150kL per day with usual production volumes at approximately 100kL per day with no apparent aquifer depletion beyond the pump level;
3. A 240V power supply provided from Western Power Infrastructure for the submersible pumps;
4. Approximately 14km of 90mm diameter poly water pipe with stop valves, breather valves and non-return valves built in;
5. Water is pumped to two 50kL high-level tanks located approximately 2km from the bore areas;
6. Water is fed from the high-level tanks by gravity to two 100kL low-level tanks on the eastern edge of the Port Gregory town site servicing the reticulated water system in Port Gregory;
7. A remote telemetry system that monitors pump operation and water flow; and
8. The water supply is classed as non-potable meaning that there is no form of filtration, microbiological or chemical treatment incorporated into the system. The PGWS is deemed unfit for human consumption on this basis.

System Operation

The PGWS system is automated with flow control devices and monitoring that enables automatic operation. Generally, the system has operated effectively since new high-level tanks and the new remote telemetry system was installed. Shire staff monitor the PGWS system and conduct routine or reactive maintenance as required. The low-level water tanks are managed in such a way to maintain 50% redundancy to ensure major reticulated system breakages can be dealt to assist in minimising supply disruption.

PGWS Issues

Capacity

During peak holiday visitation periods in Port Gregory water demand rises significantly. This often coincides with warmer weather with landscape irrigation exacerbating the water demand. Increasing water holding capacity in the system would enable demand challenges to be met adequately. The existing submersible bore pumps and the aquifer are considered sufficient to sustain any extra capacity added to the PGWS. There is sufficient area at both tanks sites to add additional capacity.

Fire Fighting Water

Currently fire fighting water for Port Gregory is provided by fire hydrants dispersed through the town site. Whilst this matter is the subject of a separate review by GHD, there is much concern that the water capacity of the system would be insufficient in the advent of a significant structural fire or bushfire, the pressure provided from the fire hydrants may be insufficient, and if the fire hydrants are pressurised to increase water pressure, they may fail due to the age of the infrastructure. A strong case can be made for increasing capacity of the water supply and providing strategic standpipes to assist with firefighting capabilities.

Power Failure

A significant issue often experienced for the PGWS is failure of the 240V power supply at the bore fields. When this happens, the submersible electric pumps do not operate. This appears to be a relatively regular occurrence for Western Power infrastructure and often results in many hours of downtime impacting the provision of water for the PGWS. It is considered that a permanent emergency generator located near the electrical system of sufficient capacity to power the submersible bore pumps with auto-switching capability would resolve this issue entirely at relatively low cost.

Existing Infrastructure

The main elements of the PGWS such as tanks, pumps, bores and remote telemetry appear to be in very good condition resulting from upgrading in recent years. However, the water pipeline and some of the valves are aged and are prone to failure. The most often reactive maintenance undertaken by Shire staff is the repair of breaks in the water pipeline particularly adjacent to the Port Gregory Road. Shire staff will continue to undertake routine and reactive maintenance on the PGWS however there will come a time when water pipeline and valve replacement will become critical as a result of major failure.

Water Pipe Alignment

The water pipeline alignment is not clearly defined in “as constructed” or surveyed form. There are some infrastructure easements for the PGWS water pipeline however it is very unclear whether the water pipeline is actually located in the easements. In conducting the PGWS review, the CEO has had to undertake some basic infrastructure mapping to conceptually establish the alignment of the water pipeline. It is further understood (as a result of reactive maintenance) that the water pipeline lies at various depths underground, further

complicating maintenance. Councillors are able to view the basic mapping of the infrastructure completed by the CEO upon request.

During the mapping exercise the CEO identified some anomalies with the water pipeline known to cross under the Port Gregory Road in at least three separate locations. Applying an experience from previous water supply infrastructure management, it is now considered that the water pipeline on the Port Gregory Road is most likely to follow the old Port Gregory Road (and Road Reserve). If this is the case, there will be many more Port Gregory Road crossing points on the water pipeline alignment which add further complexity to the system.

CEO Review Recommendations

Following the PGWS review by the CEO there are several obvious infrastructure improvements for Council's consideration outlined in the following table:

Recommended Improvement	Detail	Urgency	Estimated Cost
Increase capacity at low-level town tanks	Add additional 100kL tank and operate with 200kL with 100kL redundancy.	Immediate	\$25k - \$30k Includes tank, site works, connections, telemetry
Provide a fire standpipe at the base of the low-level town tanks	A separate line connected to the redundant low-level tank (through valve system) for fire fighting purposes	Moderate	\$10k Improvement may be able to be funded through ESL scheme
Increase capacity at high level tanks	Add two additional 100kL tanks	Moderate	\$40k to \$50k Includes tank, site works, connections, telemetry Improvement may be able to be funded through ESL scheme
Add an emergency auto switching generator to overcome regular power failures	A permanent auto-switching generator approx. 15kVA with weather protection and security	Immediate	\$20k Includes generator, connections, weather and security protection, and telemetry (if possible)

Provide a fire standpipe near George Grey Drive.	A separate line connected to the redundant high-level tank (through valve system) for fire fighting purposes	Moderate	\$20k to \$30k Improvement may be able to be funded through ESL scheme
Program to replace water pipeline and valves	Commencing on Port Gregory Road	Moderate	Unknown cost, further investigation needed.

STATUTORY ENVIRONMENT:

The Shire is obligated to comply with all statutory requirements applicable to the provision of non-potable water.

POLICY / STRATEGIC IMPLICATIONS:

The PGWS needs additional strategic focus from the Shire in order to meet obligations of the provision of a water supply for Port Gregory.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Major potentially arising from financial impacts, service interruption, 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:

Nil from this report. Relevant matters are to be considered in future budgets.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the Chief Executive Officers Review Report into the Port Gregory water supply infrastructure and give consideration to funding matters within as part of future budget processes.

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Suckling, K

05/25-67

That Council receive the Chief Executive Officers Review Report into the Port Gregory water supply infrastructure and give consideration to funding matters within as part of future budget processes.

MOTION CARRIED 6/0

FOR

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

AGAINST

Councillor Hay returned to the Chambers at 2:08 pm.

9.1.3 Consideration of the Payment of Superannuation for Councillor Attendance Fees and Annual Allowances

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	N/A
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:	6 May 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Starting from 2025/26, superannuation must be paid to Band 1 and Band 2 Local Government Councillors in Western Australia. Band 3 and Band 4 Local Governments have an optional choice to pay superannuation to Councillors. The Shire of Northampton is a Band 3 Local Government.

The purpose of this report is for Council to consider whether to pay superannuation to Councillors or not.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

It is understood that Council has considered payment of optional superannuation to Councillors as part of previous considerations with the final decision not to pay superannuation.

At the Council meeting held 17 April 2025, Council considered a review of Attendance Fees, Allowances and Expenses for 2025/26 however discussion on superannuation payments on Attendance Fees and Annual Allowances was inadvertently omitted by the author. Based on the adopted resolution of Council from 17 April 2025, the payment of superannuation would be as follows:

Position (2025/26)	Attendance Fees	Annual Allowance	Superannuation (applied at 12%)
Shire President	\$14,352	\$16,560	\$3709.45
Deputy Shire President	\$8,611	\$4,140	\$1530.10
Councillors x 5	\$8,611	\$0	\$5166.60
		total	\$10,406.15

In 2025/26 elected member numbers will be reduced to seven from eight as part of Local Government reform. On this basis the Shire of Northampton will save \$8,320 in Attendance Fees (2024/25) which is \$2,086.15 less than paying superannuation in 2025/26. There would be an additional administration cost of applying the superannuation in the first instance setting up payments to accounts, however once this is done administration costs will not be material for twice yearly payments to Councillors.

On this basis it is recommended that Council resolve to pay superannuation to Councillors in 2025/26 for Attendance Fees and Annual Allowances where applicable.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation allows optional superannuation to be paid to Councillors.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Minor due to financial impact.

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:

\$10,406.15 will be sourced from the 2025/26 budget if approved.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council optionally elect to pay Councillors superannuation (at the compulsory rate) for Attendance Fees and Annual Allowances where applicable in 2025/26.

COUNCIL RESOLUTION:

MOVED: Gibb, T SECONDED: Pike, D

05/25-68

That Council optionally elect to pay Councillors superannuation (at the compulsory rate) for Attendance Fees and Annual Allowances where applicable in 2025/26 and individual Councillors opt to take superannuation.

MOTION CARRIED 7/0

FOR

Cr L Sudlow

Cr T Hay

Cr R Burges

Cr T Gibb

Cr D Pike

Cr K Suckling

Cr R Suckling

AGAINST

ATTACHMENT**9.2.1 Monthly Financial Statements for the Period Ending 30 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:	28 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 30 April 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 30 April 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 variance position of \$2,309,981, largely due to timing in receiving DFRAWA funds of \$2,545,125 above the budgeted amount;
- Operating expenditure has a reduced variance position of \$2,624,429 predominately due to DFRAWA works completed by April 2025 of \$3,379,028 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 30 April 2025 in accordance with ATTACHMENT: 9.2.1(1).

COUNCIL RESOLUTION:

MOVED: Gibb, T SECONDED: Suckling, R

05/25-69

That Council receives the Monthly Financial Report for the period ending 30 April 2025 in accordance with ATTACHMENT: 9.2.1(1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.2.2 Proposed April 2025 List of Accounts for Endorsement on 15 May 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:	28 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of April 2025 payments is submitted to Council on 15 May 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 EFT27641 to EFT27730 totalling \$896,673.32; Municipal Fund Cheques 22572 to 22580 inclusive totalling \$22,735.93, Direct Debit payments numbered GJ1005 to GJ1012 inclusive, payroll and superannuation totalling \$327,934.56; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.2 (1).

COUNCIL RESOLUTION:

MOVED: Hay, T

SECONDED: Suckling, R

05/25-70

That Council note Municipal EFT payments numbered EFT27641 to EFT27730 totalling \$896,673.32; Municipal Fund Cheques 22572 to 22580 inclusive totalling \$22,735.93, Direct Debit payments numbered GJ1005 to GJ1012 inclusive, payroll and superannuation totalling \$327,934.56; 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 T Hay
Cr R Burges
Cr T Gibb
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

9.2.3 Proposed 2024/25 Budget Amendment LRCI Phase 4 Funding Variation

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	28 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council adopted the 2024/25 Statutory Budget on 15 August 2024 which included Local Roads and Community Infrastructure Program Phase 4 (LRCI Phase 4) Funding.

The LRCI Phase 4 Approved Work Schedule includes five projects, Little Bay Road, Whiting Pool Stairs/Ramp, Hampton Road Footpath (Northampton), Kalbarri Oval Surface Upgrade and Fencing, and Binu East Road Reseal (8,000m²).

The construction period for LRCI Phase 4 finishes on 30 June 2025 with no possibility of time or funding extension.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

All LRCI projects will be complete by 30 June 2025, except for the Binu East Road Reseal. This is due to the Binu East Road receiving further extensive damage to nominated reseal area, rendering the project unachievable within LRCI Phase 4 funding. Binu East Road forms part of the natural disaster funding following extensive rainfall events in June 2024.

Should the agreed funds of \$44,800 not be spent they would need to be returned. It is considered that rather than losing the funds, it would be pertinent to apply for a variation to the Approved Work Schedule with the Binu East Road funds \$44,800 be redirected to the Whiting Pool Stairs project increasing by \$20,000, and the Little Bay Road project increasing by \$24,800. Both projects are scheduled for completion by 30 June 2025 and will benefit from funding increases to cover actual costs.

As the variation has been approved by LRCI Program, Council approval is sought for the 2024/25 Budget variation.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* establishes the statutory process to undertake budget amendments.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered insignificant based on financial impact.

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:

This is a proposed 2024/25 budget amendment, with no financial impact to the current budget.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council endorse the following amendment to the 2024/25 budget in accordance with the following table:

Item	Current	Proposed	
Binnu East Road LRCI4 Funding	\$44,800	\$0	(\$44,800)
Little Bay Road LRCI4 Funding	\$537,300	\$562,100	\$24,800
Whiting Pool Stairs/Ramp LRCI4 Funding	\$55,000	\$75,000	\$20,000
		Net	0

COUNCIL RESOLUTION:

MOVED: Gibb, T

SECONDED: Suckling, R

05/25-71

That Council endorse the following amendment to the 2024/25 budget in accordance with the following table:

Item	Current	Proposed	
Binnu East Road LRCI4 Funding	\$44,800	\$0	(\$44,800)
Little Bay Road LRCI4 Funding	\$537,300	\$562,100	\$24,800
Whiting Pool Stairs/Ramp LRCI4 Funding	\$55,000	\$75,000	\$20,000
		Net	0

MOTION CARRIED 7/0

FOR

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

AGAINST

9.2.4 Murchison Region Aboriginal Corporation Request for Rate Exemption

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Leanne Rowe / Sharon Blight
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	29 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Murchison Regional Aboriginal Corporation in April 2025 have requested a full rates exemption on their properties located within the Shire of Northampton.

The properties are:

44 (Lot 299) West Street Northampton	A1310
77 (Lot 20) West Street Northampton	A1349
62 (Lot 32) Mary Street, Northampton	A3209
30 (Lot 4) Gwalla St Northampton	A4671

Previously, at Council meeting 15 September 2017 minute 9.10.8, it was resolved that Murchison Regional Aboriginal Corporation (MRAC) are entitled to a rate exemption; and accept MRAC's offer to pay a 20% ex-gratia payment.

9.10.8 RATES EXEMPTION REQUEST – MURCHISON REGION ABORIGINAL CORPORATION (ITEM 6.5.8)

Moved Cr SUCKLING, seconded Cr STANICH

That Council:

1. Pursuant to Section 6.47 of the Local Government Act 1995 grant rates exemption for properties 30 Gwalla Street, 62A and 62B Mary Street, 44 West Street and 77 West Street Northampton, owned by the Murchison Region Aboriginal Corporation, and
2. Accept the 20% ex-gratia payment of \$655.65, as offered by MRAC.

CARRIED 6/0

Legal advice received in 2017, MRAC are entitled to a rate exemption due to them being a charitable organisation and the properties are used exclusively

for charitable purposes. This advice is still current and supported by State Administrative Tribunal Decision WASAT17 [2018].

The 20% ex-gratia payment was an offer from MRAC based on their belief (at the time) that they were entitled for a full 100% rate exemption however offered to pay a 20% ex-gratia payment.

The rate exemption applies only to rates, not refuse or ESL charges.

Each year when Council adopts their Budget, an item is presented for Proposed Rate Waivers and Concessions. Within this item, Council includes a 80% concession to the MRAC said properties (the 20% ex-gratia payment), which MRAC have paid each year.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

MRAC have in April 2025 requested a full exemption of rates for the four properties, on the same basis of a charitable organisation and the properties are used exclusively for charitable purposes.

MRAC are already receiving a full rate exemption on the properties, and have been paying a 20% ex-gratia payment which was their offer in 2017.

As MRAC are requesting a full exemption, it is requested that Council consider the 20% ex-gratia charge should cease on the basis that MRAC are entitled to a full exemption.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995*

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered insignificant based on financial impact.

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

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

FINANCIAL IMPLICATIONS:

There will be no financial implication on the 2024/25 Budget, but the 2025/26 and future budgets rate income will reduce by approximately \$750.00 (or 20%).

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Continue to grant rates exemption for properties owned by Murchison Region Aboriginal Corporation, 44 West Street Northampton, 77 West Street Northampton, 62 Mary Street Northampton and 30 Gwalla Street Northampton; and
2. From 2025/26 rescind the annual 20% ex-gratia payment on the same properties as resolved 17 September 2017 minute 9.10.8.

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Hay, T

05/25-72

That Council:

1. Continue to grant rates exemption for properties owned by Murchison Region Aboriginal Corporation, 44 West Street Northampton, 77 West Street Northampton, 62 Mary Street Northampton and 30 Gwalla Street Northampton; and

2. **From 2025/26 rescind the annual 20% ex-gratia payment on the same properties as resolved 17 September 2017 minute 9.10.8.**

MOTION CARRIED 7/0

FOR

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

AGAINST

**ATTACHMENT
APPENDIX**

9.4.1 Proposed Outbuilding and Temporary Accommodation During Dwelling Construction - Lot 39 (135) Hampton Road, Northampton

PROPONENT OWNER	Mr David Simshauser
LOCATION / ADDRESS:	Mr David Simshauser Lot 39 (135) Hampton Road, Northampton
ZONE:	Residential (R5)
BUSINESS AREA:	Community, Development and Regulation
FILE REFERENCE:	A1428
LEGISLATION:	<i>Planning & Development Act 2005; and Caravan Parks and Camping Grounds Act 1995</i>
AUTHOR:	Andrew Campbell; Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	28 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

On 23 April 2025, the Shire President and Chief Executive Officer (CEO) met with David and Jill Simshauser to listen to grievances relating to “red tape” surrounding the development of a residence and outbuilding at Lot 39 Hampton Road, Northampton to replace a previously demolished dwelling following TC Seroja (under previous ownership). The proponent had preliminary discussions with Shire staff who correctly identified restrictions identified within the Local Planning Scheme and in Council Policy that prevented/limited them proceeding with their development as an “Owner Builder”. Lot 39 Hampton Road, Northampton is 4426m² of residential land shown in the following diagram:

Location Plan



The proponent has requested variation of the provisions of Local Planning Scheme No 10 (the Scheme) and associated Local Planning Policies in order to allow the owners to construct the outbuilding prior to the dwelling and to allow them to reside on-site within a self-contained Caravan during construction of their home. A copy of the applicant's request is shown attached.

ATTACHMENT: 9.4.1 (1)

The proponent has made application for a Building Permit which has already been assessed by Planning who have deemed it compliant with the Residential Design Codes (R-Codes) meaning no further Development Approval is required, and it is now pending assessment and approval by the Shire's Building Surveyor. The dwelling is proposed to be 144m² and the shed is proposed to be 63m². A site plan is attached for Council's reference.

Council is requested to determine the applicants request given that approval to the request will require variation of the provisions of the Scheme and relevant Local Planning Policies. Copies of the relevant policies are appended, whilst their content and the implications are outlined within the comment section below.

APPENDIX: 9.4.1 (A)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Given the provisions of Local Planning Scheme No 10, the Shire's prior Development Approval is required for the construction of an outbuilding and temporary accommodation. Whilst a formal application is yet to be lodged, it is considered appropriate at this stage for Council to consider the request, determining in principle whether Council will be prepared to vary the Scheme and policy requirements.

To assist Council in determining the applicants request, the following comments and advice are provided.

Proponent Justification

In the correspondence provided by the proponent to support the request, the following reasons are provided:

1. Security of building materials and equipment whilst building the residence and shed;
2. Convenience of living onsite whilst construction is taking place; and
3. Financial factor of not paying for a caravan park site whilst the project proceeds.

It is considered that all three reasons stated by the proponent are valid, particularly as theft from building sites is becoming more and more prevalent which is a matter that must be addressed given the site itself is located next to a high trafficable area which potentially exposes it to more prying eyes.

Zoning

The provisions of the Scheme include the land within the Residential Zone, with an applicable R-Code density of R5, allowing a minimum lot size of 2,000m².

Variation of Standards

Clause 34 of the Scheme identifies that *“The local government may approve an application for a development approval that does not comply with an additional site and development requirements except for development in respect of the which the R-Codes apply or variations to land use permissibility contained in the zoning table.”*

As outlined in clause 34(4), if the local government is of the opinion that the non-compliance with an additional site and development requirement is likely to adversely affect any owners or occupiers in the general locality or in an area, then a consultation process should be undertaken.

In this case, provided appropriate conditions of approval are imposed, it is considered that adverse impacts can be avoided.

Temporary Accommodation

As prescribed within clause 32(8) of the Scheme, approval may be granted to *“the temporary occupation of a caravan, or other vehicle, or structure on a lot, only if it has approved an application for the development of a habitable building on the lot, in accordance with the Building Regulations.”*

Clause 8 further prescribes that:

- “(b) The time permitted for such temporary accommodation shall not exceed 12 months, unless otherwise approved by the local government.*
- (c) In determining an application for the extension of a temporary approval, the local government must be satisfied that there has been a genuine effort to complete the approved habitable building on the lot, pursuant to the original temporary occupation approval.”*

As detailed elsewhere in this agenda item, the landowner has submitted an application for a building permit. It is anticipated that the Building Permit will have been issued prior to the Council meeting. A copy of the proposed site plan is shown attached.

ATTACHMENT: 9.4.1 (2)

In order to provide further guidance on the circumstances where temporary accommodation may be approved, Council has adopted Local Planning Policy – Caravans for Temporary Accommodation. The provisions of the policy are detailed and discussed below.

Outbuildings

Clause 32(9) of the Scheme prescribes that *“No outbuilding shall be erected on any land zoned Residential where there is no dwelling on the lot.”* It further identifies that outbuildings appurtenant to any dwelling shall be of single storey construction and shall be located behind the setback to the street or streets of any existing or proposed dwelling on the lot.

Local Planning Policy – Outbuildings was adopted by Council in 2018 on the establishment of Residential Outbuildings. The provisions of the policy are detailed overleaf.

Local Planning Policy – Caravans for Temporary Accommodation

As detailed in the Background Section of the Policy, historically within regional Western Australia there has been a general practice to allow residential habitation of outbuildings, whilst the construction of a dwelling is being completed. This approach has been used by many regional local governments, particularly to assist in the construction and security of the site.

However, in accordance with the National Construction Code, outbuildings are classified as a non-habitable structure (Class 10). On this basis, residential occupation of an outbuilding is legally prohibited.

The legal alternative is the occupation of a caravan on a temporary basis, which can be permitted under the *Caravan Parks and Camping Grounds Act 1995*. Further information on the provisions of this Act is provided overleaf.

Notwithstanding this, clause 3.3.2 of the Policy outlines that the *“use of caravans for temporary accommodation (even located within an outbuilding) could have a detrimental impact on the amenity of the area and would be contrary to resident’s expectations for development in the locality.”*

The above provision is somewhat problematic in that the potential for impact on adjacent landowners is dependent on a number of factors including the size of the property. The current policy provisions do not take these factors into account, instead providing a simplistic broad-brush application of a restriction based on land zoning.

Introduced in 2013 with amendments in 2014 and 2018, the original intent of the Policy is not fully understood however it is presumed the intent was to ensure caravans could not be used for temporary accommodation on small Residential lots that potentially would be close to, and impact neighbours. In this circumstance the land is significantly larger than a standard residential lot, having an area of 4426m² which permits a greater level of separation from neighbouring properties.

In determining any application for temporary accommodation, Council must have regard to the provisions of the Policy. Policies are however not legally binding and may be varied where justified.

Local Planning Policy - Outbuildings

Local Planning Policy *Outbuildings* prohibits the construction of a shed on vacant Residential land until a residence has been completed up to, and including, the pouring of a concrete house slab (although variation to this is permitted where the slabs for the residence and outbuilding are poured concurrently). Interestingly the Policy only refers to “concrete house slabs” especially given there are alternate floor methods for dwellings that have been used for many years in building construction.

An assumption can be made as to the intent of this Policy as being to control the use of sheds for purposes other than the Building Code classification, such as the non-permitted uses of habitation or commercial enterprise for example. The Policy as it stands appears to take a presumptive approach of people doing the wrong thing when in reality it penalises the vast majority of people with valid intent. There are multiple statutes that can address the inappropriate use of sheds either in planning, building and environmental health.

Similar to the Local Planning Policy – Caravans for Temporary Accommodation, the policy applies a broad brush approach based on zoning and does not take into account lot size. The visual impact of constructing an outbuilding on a lot having an area of 600m² has potential for significantly greater impact than on a larger lot such as the subject land. Given the size of the subject land, any outbuilding would be setback substantially greater distances from neighbouring properties, reducing the potential for the visual impact.

It is also noted that the landowner has in this case commenced a tree planting program around the perimeter of the lot.

On the above basis, it is recommended that Council vary Clause 3.8.1(a) of Local Planning Policy *Outbuildings*.

Statutory Declaration and Bond

Local Planning Policy – Outbuildings also stipulates that in the case of an owner builder, the applicant shall provide a statutory declaration and a bond of \$10,000 must be paid. Clause 3.8.1 of the Policy identifies that the bond will be repaid on completion of the residence.

It is important to note that the requirement for a Statutory Declaration is substantially flawed in that such a declaration is not legally binding in terms of a landowner's future intent. By way of summary, Statutory Declarations are a legal document that is used to set out facts that a person declares to be true and accurate. Whilst it can be used as evidence, it is not appropriate to use a Statutory Declaration for a landowner to detail a future intent given that circumstances may change for a variety of reasons.

Alternatively, contemporary planning practice is to impose appropriate conditions of approval. Where the conditions are not met, legal action may be taken. Similarly, conditions of approval are a more appropriate mechanism to ensure compliance when compared to the taking of a bond.

Strictly speaking, Bonds should only be used in circumstances where the local authority intends to use those funds to complete works to ensure compliance. The current policy provisions are akin to using the potential forfeiture of a bond as a form of penalty, weaponizing the planning framework. Alternatively, the *Planning and Development Act 2005* sets out penalties that may be imposed on a landowner through either modified penalties or court proceedings. Penalties outside of the Act provisions are considered to be ultra-vires.

It is also considered that a \$10,000 bond held for a shed on vacant land until a dwelling is completed is a significant cost impost on an Owner Builder and is likely to act as a disincentive. To make the situation more confusing under the Policy, if construction on the dwelling had commenced with the pouring of a slab, the construction of the shed would not be considered to be occurring on vacant land and therefore a bond for an Owner Builder would not be required.

A \$10,000 bond in this situation is considered a significant cost impost on the Owner Builder and it is recommended for Council deem Clause 3.8.1(c) Local Planning Policy *Outbuildings* be varied.

Fencing

Local Planning Policy *Outbuildings* also requires that sheds that are built on vacant land are to be screened from rear and side boundaries using fencing to lessen the visual impact of the shed from neighbouring properties and the road.

The landowner has recently installed a new/sufficient post and wire fence that is common for landholdings around this size in town sites. The proposed shed also complies with the Residential Design Codes and is relatively small at 63m². As per the discussion with the bond above, under the Policy, if a dwelling had commenced with the pouring of a slab, this requirement would not apply as it would not be deemed vacant land.

It should further be noted the landowner has commenced a substantial tree planting program around the perimeter of the lot, to assist in screening of the property from adjacent land and roads.

For the reason above it is recommended for Council deem Clause 3.8.3 Local Planning Policy *Outbuildings* not to apply.

Caravan Parks and Camping Grounds Regulations 1997

In accordance with clause 11A Caravan Parks and Camping Grounds Act 1997, a person may apply in writing for approval to camp on land they own or have a legal right to occupy for a period of not more than 24 months.

As it's Ordinary meeting held on 17 October 2024, Council considered implications of the Caravan Parks and Camping Grounds Regulations 1997, which were modified by the State of Western Australia on 1 September 2024. Amongst other things, Council Resolved (Resolution 10/24-122) to:

2. *Determine that the use of private land for non-commercial camping is an incidental use to the residential use of a property where that property contains an existing dwelling and use of the caravan is related to occupants of that dwelling. As such no further approval is required for camping a maximum of 5 nights in any 28 day period is required.*
3. *Determine that the land use of camping on vacant private land does not reasonably fit within the current land use definitions contained within Local Planning Scheme No 10 – Northampton District and Local Planning Scheme No 11 – Kalbarri Townsite.*

4. *Resolve to adopt the following definition for camping under the Shire's Local Planning Schemes:*

Camping – Private: means the use of private vacant land for non-commercial camping in accordance with the Caravan Parks and Camping Grounds Regulations 1997, with specific reference to Sections 11, 11(A), 11B and 12.

5. *Determine that the use of Camping - Private is not consistent with the objectives of the following Zones:*
- *Residential Zone (LPS 10 & 11);*
 - *Special Residential Zone (LPS No 11);*
 - *Centre Zone (LPS No 11);*
 - *Commercial Zone (LPS No 10 & 11);*
 - *General Industry Zone (LPS No 10 & 11); and*
 - *Mixed Use Zone (LPS No 11).*

The above resolution was essentially based a continuation of the current Policy approach to use a broad brush approach based on zoning, irrespective of lot size. In order to allow future applications to be considered on their merit, it is now considered that Council should proceed with an amendment to the current Scheme provisions.

Suggested future review considerations for Local Planning Policies

Based on the above discussion it is apparent that the Local Planning Policies applicable to this matter require review. In particular, the following matters should be considered as part of a general policy review.

Local Planning Policy *Caravans for Temporary Accommodation*

- The use of land zoning as a policy principle and instead consideration of the use of lot size and relevant impacts as alternative methodology.

Local Planning Policy *Outbuildings*

- Reconsideration of the approach to outbuildings on vacant land given there are sufficient enforcement mechanisms available to deal with land use/outbuilding issues that can arise;
- Discrimination against Owner Builders through the use of bonds; and
- The use of land zoning as a policy principle and instead consideration of the use of lot size and relevant impacts as alternative methodology for determining whether fence screening is required.

The CEO considers the construction of both Local Planning Policies to be overly simplistic when applied to this scenario and clearly act as a discouragement for proponents to develop properties for residences. Whilst both policies could have a degree of merit on small residential lots of around 600-1000m², the proponents' lot in this circumstance is 4426m² being substantially larger than a standard residential lot. In addition to this, the construction of a shed tied to pouring a slab for a residence, and the Owner Builder provisions relating to

bonds for outbuildings under the Local Planning Policy are non-sensical especially given there are several statutory mechanisms available to the Shire to ensure non-habitable structures such as sheds are not used inappropriately. Finally, the use of fencing to screen outbuildings on vacant residential land where there may not be fencing provisions for screening if a dwelling was also constructed on the same land is also confusing.

It is recommended that Council support the request of the proponent and vary the additional restrictions highlighted by the CEO.

STATUTORY ENVIRONMENT:

The Local Planning Policies are formulated using the Shire of Northampton Local Planning Scheme No:10 Northampton District and the head of power provided by the *Planning and Development Act 2005*.

Temporary accommodation in caravans can be approved under the head of power provided by the *Caravan Parks and Camping Grounds Act 1995*.

POLICY / STRATEGIC IMPLICATIONS:

The request provided by the proponent is a variation of the Scheme provisions and two of Council's Local Planning Policies. If there are sound rationale behind requests such as this, Council should not be concerned about consideration of variations however it would be considered appropriate to ensure consistency in the application of future decisions like this as to not set undesirable precedent that can be used in appeal settings. Irrespective of the last comment, a review of the Local Planning Policies will assist to align decision making if Council supports the officer recommendation for this matter.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Minor mostly related to reputational impacts.

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

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

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: The officer recommendation will make the proponents' project more financially viable.

Social: Additional dwellings assist with extra population to build community.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council, in relation to Lot 39, Hampton Road, Northampton:

1. Approve a variation of clause 32(8) of Local Planning Scheme No 10, pursuant to clause 34 of the Scheme, without a requirement for prior advertising of the variation given that the activity will be regulated by the conditions of approval and as a result the proposed variation will not result in detrimental impacts.;
2. Approve variation of Clause 3.3.2 of Local Planning Policy *Caravans for Temporary Accommodation* so as not to apply to the development proposal on the basis of significant lot size in the Residential land zone;
3. Approve variation the following requirements of Local Planning Policy *Outbuildings*:
 - a) Clause 3.8.1(a) on the basis of requiring the shed for security for building materials in the Residential land zone;
 - b) Clause 3.8.1(c) of Local Planning Policy *Outbuildings* not to apply to the development proposal on the basis that bonds for Owner Builders are discriminatory and are a disincentive;
 - c) Clause 3.8.3 of Local Planning Policy *Outbuildings* not to apply to the development proposal on the basis of significant lot size in the Residential land zone;
4. Under the *Caravan Parks and Camping Grounds Regulations 1997* r.11A, grant permission for David and Jill Simshauser to camp in a fully self-contained caravan subject to the following conditions:
 - i) Obtaining a building permit for a dwelling on the lot prior to commencing to camp;

- ii) The commence construction of a residence within six months from the issue of a Building Permit;
 - iii) For a period of 12 months from the approval decision, with a further extension of 12 months subject to the additional consideration of Council taking into account progress on the residence and any complaints or issues arising from the activity;
 - iv) That the caravan in which is being used to camp on the land is maintained in such condition that it is not a hazard to safety or health;
 - v) That the land is maintained in such condition that is suitable for camping, particularly in relation to:
 - i. Safety and Health; and
 - ii. Access to services;
 - vi) The Shire of Northampton reserves the right to revoke this approval subject to following the statutory process contained within the legal provision;
 - vii) Nobody other than the persons nominated in this approval have the right to camp on this property at any time this specific approval to camp applies; and
 - viii) This approval to camp should be utilised in such a way as to minimise disturbance on neighbours such as noise, dust, odour, visual impacts and any other inappropriate disturbance.
5. Having to points 1 – 3 contained in this recommendation, grant the Chief Executive Officer delegated authority to approve a development application subject to conditions consistent with those identified in point 4;
 6. Request the Chief Executive Officer to undertake a review Local Planning Policy *Caravans for Temporary Accommodation* and Local Planning Policy *Outbuildings* to address matters arising from this report;
 7. Request the Chief Executive Officer to undertake a review of the current Scheme provisions relating to Temporary Accommodation having regard to those matters raised within this report; and
 8. Await further Officer reports relating to points 6 & 7 to be presented to Council at the Ordinary Meeting to be held on 19 June 2025.

COUNCIL RESOLUTION:**MOVED: Gibb, T****SECONDED: Suckling, R****05/25-73****That Council, in relation to Lot 39, Hampton Road, Northampton:**

- 1. Approve a variation of clause 32(8) of Local Planning Scheme No 10, pursuant to clause 34 of the Scheme, without a requirement for prior advertising of the variation given that the activity will be regulated by the conditions of approval and as a result the proposed variation will not result in detrimental impacts.;**
- 2. Approve variation of Clause 3.3.2 of Local Planning Policy *Caravans for Temporary Accommodation* so as not to apply to the development proposal on the basis of significant lot size in the Residential land zone;**
- 3. Approve variation the following requirements of Local Planning Policy *Outbuildings*:**
 - a) Clause 3.8.1(a) on the basis of requiring the shed for security for building materials in the Residential land zone;**
 - b) Clause 3.8.1(c) of Local Planning Policy *Outbuildings* not to apply to the development proposal on the basis that bonds for Owner Builders are discriminatory and are a disincentive;**
 - c) Clause 3.8.3 of Local Planning Policy *Outbuildings* not to apply to the development proposal on the basis of significant lot size in the Residential land zone;**
- 4. Under the *Caravan Parks and Camping Grounds Regulations 1997 r.11A*, grant permission for David and Jill Simshauser to camp in a fully self-contained caravan subject to the following conditions:**
 - i) Obtaining a building permit for a dwelling on the lot prior to commencing to camp;**
 - ii) The commence construction of a residence within six months from the issue of a Building Permit;**
 - iii) For a period of 12 months from the approval decision, with a further extension of 12 months subject to the additional consideration of Council taking into account progress on the residence and any complaints or issues arising from the activity;**
 - iv) That the caravan in which is being used to camp on the land is maintained in such condition that it is not a hazard to safety or health;**
 - v) That the land is maintained in such condition that is suitable for camping, particularly in relation to:**
 - i. Safety and Health; and**

- ii. Access to services;
- vi) The Shire of Northampton reserves the right to revoke this approval subject to following the statutory process contained within the legal provision;
- vii) Nobody other than the persons nominated in this approval have the right to camp on this property at any time this specific approval to camp applies; and
- viii) This approval to camp should be utilised in such a way as to minimise disturbance on neighbours such as noise, dust, odour, visual impacts and any other inappropriate disturbance.
5. Having to points 1 – 3 contained in this recommendation, grant the Chief Executive Officer delegated authority to approve a development application subject to conditions consistent with those identified in point 4;
6. Request the Chief Executive Officer to undertake a review Local Planning Policy *Caravans for Temporary Accommodation* and Local Planning Policy *Outbuildings* to address matters arising from this report;
7. Request the Chief Executive Officer to undertake a review of the current Scheme provisions relating to Temporary Accommodation having regard to those matters raised within this report; and
8. Await further Officer reports relating to points 6 & 7 to be presented to Council at the Ordinary Meeting to be held on 19 June 2025.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.4.2 Proposed Temporary Workforce Accommodation - Lot 5068 (3810) Balla-Whelarra Road, Binnu

PROPONENT	Outback Carbon
OWNER	Outback Carbon
LOCATION / ADDRESS:	Lot 5068 (3810) Balla-Whelarra Road, Binnu
ZONE:	Rural
BUSINESS AREA:	Community, Development & Regulation
FILE REFERENCE:	10.9.1 & A2259
LEGISLATION:	<i>Planning & Development Act 2005</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 May 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

An application has been received seeking approval to the placement of 6 donga style traileered accommodation units in the southwest corner of Lot 5068 Balla-Whelarra Road for use as temporary workers accommodation over an 8-12 week period. A location plan is shown below.

Location Plan



Lot 5068 is a 403.9ha property located on the northern side of an unsealed road reserve being an extension of Wickens Road. Currently the property contains a single dwelling, a donga and several substantial outbuildings. The property forms one of six properties that are amalgamated for rating purposes, being operated as a single landholding known as "Bankina Farm" having an area of

approximately 2,366ha within the Shire. The balance of the farm being located within the Shire of Chapman Valley.

At its Ordinary Meeting held on 17 February 2023, Council granted conditional approval to an Agroforestry (Hardwood Eucalyptus) Tree Farm over lots 5005, 5059, 5067 and the subject land being Lot 5068. By way of summary, the approval allowed for 2-25% of the landholding to be planted with Eucalypt trees in rows, allowing 20m between rows to ensure congoing agricultural activities.

By planting trees in the manner approved, agricultural practices on the property are able to continue. Lessee's, who undertake the agricultural activity have taken up the occupation of the existing home.

In order to facilitate this years agroforestry planting, the landowners are now seeking approval to the placement of the 6 donga style accommodation trailers, including ablutions and laundry amenities. If approved the units will be setback in excess of the road reserve and more than 150m from the western side boundary. Copies of the submitted application details are shown attached.

ATTACHMENT: 9.4.2 (1)

Council is being requested to consider the application to ensure that the temporary accommodation may be established in early June.

PUBLIC CONSULTATION UNDERTAKEN:

The application has been advertised for comment over a 14 day period, closing on 14 May 2025. At the time of preparing this agenda item no submissions had been received.

Whilst an agenda item would normally be prepared following the close of an advertising period, in this case the applicants are seeking to establish the accommodation on-site prior to the June 2025 Council meeting.

COMMENT (Includes Options):

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

Matters to be Considered

In determining an application for Development Approval, clause 67 (2) of the *Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed to Apply provisions* requires that Council 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) The requirements of orderly and property planning;
- 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; and
- iii) The amenity of the locality including the character of the locality.
- e) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety; and
- f) Any submissions received on the application.

Zoning

The provisions of the Shire's Local Planning Scheme No 10 (the Scheme) include the subject land within the Rural Zone. The objectives of the Rural Zone are as follows:

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

The proposed temporary workers accommodation is consistent with the intent of the rural zone and will support the ongoing planting of trees in accordance with Council's February 2023 approval.

Land Use Definition & Permissibility

The proposed temporary accommodation is consistent with the definition of workforce accommodation, which the Scheme defines as follows:

- “means premises, which may include modular or relocatable buildings used-*
- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
 - (b) for any associated catering, sporting and recreation facilities for the occupant and authorised visitors.”*

Workforce Accommodation is an “A” use within the Rural Zone. That is a use that is not permitted unless approved at the discretion of Council following advertising of the proposal.

Potential Impact on Amenity

Given the location of the proposed accommodation being well setback from public roads and being in close proximity to existing development on the site, no detrimental impacts are anticipated.

Traffic Management

By approving accommodation on-site, the number of vehicles trips by workers associated with the project will be minimised. In the event the application is not approved, works associated with this seasons planting will be required to be accommodated elsewhere and travel to the site daily, increasing the number of vehicle trips.

In any event an assessment of the road access confirms that the existing roads are adequate to cater for the resultant traffic. This said, it is recommended that an advice note be included on any approval to advise the applicant that the roads are provided in an 'as is' condition.

Compliance with Other Legislation

In addition to obtaining the Shire's planning approval, establishment of the accommodation will be required to comply with the Health (Miscellaneous Provisions) Act 1911 with respect to required potable water supplies, effluent and wastewater disposal.

It is recommended that an appropriate advice note be included on any approval.

Conclusion

Although agenda items are not normally prepared for Council consideration until after the close of the advertising period, in this case:

- a) It is not anticipated that any objections will be received to the proposal; and
- b) The applicants are seeking approval to ensure that the accommodation can be established as soon as possible to facilitate this years planting season in early June.

Provided no submissions are received objecting to the development prior to the Council meeting, it is recommended that Council grant conditional approval to the application.

STATUTORY ENVIRONMENT:

The *Planning and Development Act 2015* and *Health (Miscellaneous Provisions) Act 1911* are relevant to the application as submitted.

POLICY / STRATEGIC IMPLICATIONS:

Approval to the application as submitted will permit the landowners to accommodate employees on-site to facilitate development of the Tree Farm as previously approved by Council.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered to be insignificant given the development will be wholly contained within the property and consistent with the establishment of a Tree Farm in accordance with Council's February 2023 approval.

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 adopted Schedule of Fees and Charges. The applicant will also be responsible for costs associated with advertising of the proposal.

SUSTAINABILITY:

Environmental: Revegetation of the property in accordance with Council's February 2023 decision will result in environmental benefits. The accommodation as proposed will not detrimentally impact on the environment provided that wastewater, including effluent is disposed of in an appropriate manner.

Economic: Approval to the application will result in the landowner being able to proceed with development of the property in a timely manner.

Social: No social impacts are anticipated.

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

That Council, in accordance with Local Planning Scheme No 10 – Northampton, grant approval to the proposed location of transportable workforce accommodation on Lot 5068 (3810) Balla-Whellara Road, Binnu subject to compliance with the following conditions:

1. The use hereby permitted shall operate in accordance with the submitted plans and supporting documents as listed below:

Reference	Document Title	Dated
1	Application Form	17 April 2025
2	Location Plan	22 April 2025
2	Bankina Main House Traffic Management Plan	22 April 2025
3	Supporting photograph of the accommodation units and associated amenities.	22 April 2025

2. Unless otherwise approved, this approval shall be valid for a period of three (3) months from the date of the approval.
3. Any change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
4. The use hereby approved shall be managed so as not to detrimentally impact on the amenity of the private properties to the west through noise, light or other means to the satisfaction of the Shire of Northampton.
5. Unless otherwise approved, all stormwater and drainage runoff is to be retained on the subject property to the satisfaction of the Shire of Northampton;
6. Arrangements are to be made to provide an adequate water supply of potable water. Potable water is defined as water in which levels of physical, chemical and microbiological constituents does not exceed the guideline values set out in the National Health and Medical Research Council and Australian Water Resources Council publication “Guidelines for Drinking Water quality in Australia 1987”, which has been approved by the local government subject to any conditions which may be laid down by the Commissioner for Health.
7. Wastewater generated by the use hereby approved shall be disposed on-site to the satisfaction of the Shire of Northampton.

8. Unless otherwise approved by Council, the transportable accommodation units and associated facilities are to be removed from site prior to expiration of this approval.

Advice to Applicant:

- a) Further to condition 6 above, the potable water supply shall be of a capacity to provide a minimum of 80 litres per person per day and all tanks and vessels used for the storage of drinking water shall be so constructed and covered as to prevent water stored therein from becoming polluted or contaminated.
- b) All ablution facilities shall be connected to an appropriate effluent disposal system in accordance with the requirements of the Department of Environment and Conservation and Health Department of Western Australia.

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Pike, D

05/25-74

That Council, in accordance with Local Planning Scheme No 10 – Northampton, grant approval to the proposed location of transportable workforce accommodation on Lot 5068 (3810) Balla-Whellara Road, Binu subject to compliance with the following conditions:

1. The use hereby permitted shall operate in accordance with the submitted plans and supporting documents as listed below:

Reference	Document Title	Dated
1	Application Form	17 April 2025
2	Location Plan	22 April 2025
2	Bankina Main House Traffic Management Plan	22 April 2025
3	Supporting photograph of the accommodation units and associated amenities.	22 April 2025

2. Unless otherwise approved, this approval shall be valid for a period of three (3) months from the date of the approval.
3. Any change of use of any part of the building or land (not the subject of this consent/approval) requires further application and development approval for that use/addition;
9. The use hereby approved shall be managed so as not to detrimentally impact on the amenity of the private properties to the

west through noise, light or other means to the satisfaction of the Shire of Northampton.

10. Unless otherwise approved, all stormwater and drainage runoff is to be retained on the subject property to the satisfaction of the Shire of Northampton;
11. Arrangements are to be made to provide an adequate water supply of potable water. Potable water is defined as water in which levels of physical, chemical and microbiological constituents does not exceed the guideline values set out in the National Health and Medical Research Council and Australian Water Resources Council publication "Guidelines for Drinking Water quality in Australia 1987", which has been approved by the local government subject to any conditions which may be laid down by the Commissioner for Health.
12. Wastewater generated by the use hereby approved shall be disposed on-site to the satisfaction of the Shire of Northampton.
13. Unless otherwise approved by Council, the transportable accommodation units and associated facilities are to be removed from site prior to expiration of this approval.

Advice to Applicant:

- c) Further to condition 6 above, the potable water supply shall be of a capacity to provide a minimum of 80 litres per person per day and all tanks and vessels used for the storage of drinking water shall be so constructed and covered as to prevent water stored therein from becoming polluted or contaminated.
- d) All ablution facilities shall be connected to an appropriate effluent disposal system in accordance with the requirements of the Department of Environment and Conservation and Health Department of Western Australia.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.4.3 Delegated Planning Decisions for April 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:	6 May 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 report 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 April 2025.

ATTACHMENT: 9.4.3 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

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

COMMENT (Includes Options):

During April 2025, a total of eight (8) applications were determined under delegated authority. **Table 1** shows the number and value of development applications determined under both delegated authority and by Council for April 2025 compared to April 2024.

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

	April 2024	April 2025
Delegated Decisions	1 - \$50,000	5 - \$459,349.09 **3
Council Decisions	3 - \$20,700 **-1	1 Refusal (\$20,000)
Total	4 - \$70,700	8 - \$459,349.09

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	14 - \$1,442,936 **2	21 - \$1,572,270.09 **6
Council Decisions	13 - \$2,338,348 **3	\$401,412 **6 1 Refusal
Total	27 - \$3,831,284	27 - \$1,973,682.09

**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.

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 April 2025 as detailed in ATTACHMENT: 9.4.3 (1).

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Suckling, K

05/25-75

That Council receive the report on Delegated Development Approvals for April 2025 as detailed in ATTACHMENT: 9.4.3 (1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.5.1 Building Approval Report for April 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:	5 May 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 April 2025 to 30 April 2025

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil

COMMENT (Includes Options):

During April 2025, seventeen (17) 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 April 2025 in accordance with Attachment: 9.5.1 (1).

COUNCIL RESOLUTION:

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

05/25-76

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

MOTION CARRIED 7/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr T Gibb
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 May 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The following works, in addition to routine maintenance works, has been undertaken since the last report and is presented for Council information.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):Specific Road Works

- Maintenance grading undertaken on Sandy Gully, Hatch, Rose, Blank, Carson, Elliot, Isseka, Percy, Frost Gully, Normans Well, James, Rob, Johnson, Harvey, Olivier, North, Teakle, Ogilvie West, Swamps, Magee, Binu West, Chilimony, Trevenson, and Bowes Spring Road/s.
- Gravel Patching - Unsealed Roads Gravel Sheeting / Verge works undertaken on-, Blue Wells, Johnson, Teakle, Magee, and West Road/s.
- Culvert clean outs prior to winter undertaken on Bevan's Crossing, Hatch, Frosty Gully and Norman's Well floodways.
- Shoulder clean- up undertaken on Swamps Road.

Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and edges in 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 Counts placed on Horrocks and White Cliffs Road/s, with counters scheduled to be in place for 28 days capturing the Easter holiday traffic with counters to be removed 15th May 2025.
- Clean up of Hatch Road with the removal of Northampton Tourist Association sign due to damage, together with tyres, rolls of carpet from Elephant Rock lookout carpark.
- Clean up surrounds of RSL Hall in preparation for the ANZAC Day ceremony.

Other Items (Budget)

- Kalbarri Road widening – Main Roads WA 10 kilometres of widening immediately to the east of Kalbarri extending as far as the Skywalk lookout turnoff. Practical completion has been granted. Significant defects requiring contractor rectification.
- Kalbarri – Tropical Cyclone Seroja rebuild works at Red Bluff, Jacques Point, Blue Holes and Chinaman’s Beach plus Anchorage Lane temporary overflow workers accommodation facility are continuing.
- Disabled fishing platform and ramp construction commenced
- Binnu East Road, 2x floodway replacements commenced, and detours lanes constructed.
- Port Gregory carpark construction-renovations continue with the seal being laid.

Plant Items

- Disposal of Hitachi by auction which closes on 6th May 2025.

Staff Items

Vacant positions to be advertised.

- Water Custodian (Port Gregory).

Appointments

- Kalbarri Plant Operator / Labourer appointed.

A copy of the Executive Manager for Works and Technical Services – Program and Progress Report, May 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 the report is information in nature

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 are conducted 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 May 2025. In accordance with ATTACHMENT 9.8.1 (1).

COUNCIL RESOLUTION:

MOVED: Gibb, T

SECONDED: Burges, R

05/25-77

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

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.9.1 Consideration of the Unconfirmed Minutes of the Community Grants Advisory Committee Meeting Held 17 April 2025**

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.14
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	23 April 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A meeting of the Community Grants Advisory Committee was held on 17 April 2025 in the Council Chambers, Northampton.

The purpose of this report is for Council to receive the minutes of the meeting and consider the awarding of Round 2 (2024/25) Community Grants recommended by the Committee. The minutes of the meeting are attached.

ATTACHMENT: 9.9.1 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

The primary purpose of the Community Grants Advisory Committee meeting held of 17 April 2025 was for the Committee to recommend the award of Round 2 - 2024/25 Community Grants.

Round 2 Community Grants were heavily oversubscribed and the Shire's Community Development Officers will write to unsuccessful applicants to encourage resubmission to the 2025/26 grant rounds or to work with Shire staff where items have been included as part of the 2025/26 Shire budget.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

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

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 - Insignificant.

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

FINANCIAL IMPLICATIONS:

The Shire of Northampton has budgeted sufficient funds for this matter in the 2024/25 budget.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the unconfirmed minutes of the Community Grants Advisory Committee held on 17 April 2025 including the adoption of the

award recommendations for Round 2 (2024/25) Community Grants in accordance with ATTACHMENT: 9.9.1 (1).

COUNCIL RESOLUTION:

MOVED: Gibb, T

SECONDED: Pike, D

05/25-78

That Council receive the unconfirmed minutes of the Community Grants Advisory Committee held on 17 April 2025 including the adoption of the award recommendations for Round 2 (2024/25) Community Grants in accordance with ATTACHMENT: 9.9.1 (1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.9.2 Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 23 April 2025**

PROPONENT OWNER	Shire of Northampton
LOCATION / ADDRESS:	Shire of Northampton
ZONE:	Whole of Shire
BUSINESS AREA:	All
FILE REFERENCE:	Office of CEO
LEGISLATION:	4.1.14
AUTHOR:	<i>Local Government Act 1995</i>
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	Andrew Campbell
DECLARATION OF INTEREST:	24 April 2025
	Nil

BACKGROUND:

A meeting of the Road Infrastructure and Plant Advisory Committee meeting was held on 23 April 2025 in the Council Chambers, Northampton.

The purpose of this report is for Council to receive the unconfirmed minutes of the meeting and determine any matters arising.

ATTACHMENT: 9.9.2 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

Being the inaugural meeting of the Road Infrastructure and Plant Advisory Committee discussion centred around increasing understanding of the Shire's infrastructure program, discussing the purpose and role of the Committee and requesting further information for the next meeting.

The two vacant Community Representative positions were also discussed by the Committee, and it was agreed for the process of recommending candidates to Council for endorsement would occur before the Council meeting of 15 May 2025. Council will be asked to consider the Committee's recommendation at this Council meeting.

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

The Road Infrastructure and Plant Advisory Committee will enable Council to strategically plan and improve road infrastructure and plant via the Annual Budget process.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 - Insignificant.

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 23 April 2025 in accordance with ATTACHMENT: 9.9.2 (1);
2. Appoint _____ and _____ as the Community Representatives to the Road Infrastructure and Plant Advisory Committee until 18 October 2025; and
3. Amend the Terms of Reference of the Road Infrastructure and Plant Advisory Committee to include the appointed Community Representatives.

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Burges, R

05/25-79

That Council:

1. Receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 23 April 2025 in accordance with ATTACHMENT: 9.9.2 (1);
2. Appoint Nolan Harris and Joseph Wood as the Community Representatives to the Road Infrastructure and Plant Advisory Committee until 18 October 2025; and
3. Amend the Terms of Reference of the Road Infrastructure and Plant Advisory Committee to include the appointed Community Representatives.

MOTION CARRIED 7/0

FOR

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

AGAINST

9.9.3 Presiding Member Appointments to Committees

PROPONENT OWNER	Shire of Northampton
LOCATION / ADDRESS:	N/A
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.14
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	2 May 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Local government reform provisions amending s.5.12 and 5.13 of the *Local Government Act 1995* require all Presiding Members of Council Committees to be appointed by and Absolute Majority decision of Council by 1 July 2025.

The purpose of this report is for Council to determine the Presiding Members of Council's Committees in accordance with the reform provision.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Council has the following established Committees that fall into this new reform provision:

COMMITTEE	PRESIDING MEMBER
Access and Inclusion Advisory Committee	Yet to meet members are Cr Roslyn Suckling, Cr Trevor Gibb, Mr Brian Robinson
Audit and Risk Management Advisory Committee	Cr Roslyn Suckling
Bush Fire Advisory Committee	Cr Karl Suckling
Chief Executive Officer Review Committee	Shire President Liz Sudlow
Community Grants Advisory Committee	Shire President Liz Sudlow
Road Infrastructure and Plant Advisory Committee	Cr Karl Suckling

Other than the Access and Inclusion Advisory Committee who has not met but will shortly, the Presiding Members (Chairpersons) have been appointed from within the Committees. It is recommended that Council resolve to continue with these arrangements. Given Cr Roslyn Sucklings' experience as Chairperson on

the Audit and Risk Management Advisory Committee, it is also recommended that Council appoint Cr Suckling as Presiding Member of the Access and Inclusion Advisory Committee at least for the interim.

STATUTORY ENVIRONMENT:

The local government reform provision arises from amendment to s.5.12 and 5.13 of the *Local Government Act 1995*.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Moderate relating to non-compliance.

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

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

1. That Council determine Presiding Members for Council Committees as per the following:

COMMITTEE	PRESIDING MEMBER
Access and Inclusion Advisory Committee	Cr Roslyn Suckling
Audit and Risk Management Advisory Committee	Cr Roslyn Suckling
Bush Fire Advisory Committee	Cr Karl Suckling
Chief Executive Officer Review Committee	Shire President Liz Sudlow
Community Grants Advisory Committee	Shire President Liz Sudlow
Road Infrastructure and Plant Advisory Committee	Cr Karl Suckling

COUNCIL RESOLUTION:

MOVED: Pike, D SECONDED: Suckling, K

05/25-80

1. That Council determine Presiding Members for Council Committees as per the following:

COMMITTEE	PRESIDING MEMBER
Access and Inclusion Advisory Committee	Cr Roslyn Suckling
Audit and Risk Management Advisory Committee	Cr Roslyn Suckling
Bush Fire Advisory Committee	Cr Karl Suckling
Chief Executive Officer Review Committee	Shire President Liz Sudlow
Community Grants Advisory Committee	Shire President Liz Sudlow
Road Infrastructure and Plant Advisory Committee	Cr Karl Suckling
Kalbarri Foreshore Revitalisation Advisory Committee	Cr Richard Burges

2. Appoint Cr Des Pike as a member of the Kalbarri Foreshore Revitalisation Advisory Committee as a replacement for ex Councillor Rob Horstman; and

- 3. Amend the Terms of Reference for all Committees changes as per changes above.**

MOTION CARRIED 7/0

FOR

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

MOTION:

MOVED: Hay, T

SECONDED: Burges, R

05/25-81

Grant Cr Trevor Gibb a leave of absence for the Ordinary Meeting of Council to be held on Thursday 19th June 2025.

MOTION CARRIED 7/0

FOR

Cr L Sudlow

Cr T Hay

Cr R Burges

Cr T Gibb

Cr D Pike

Cr K Suckling

Cr R Suckling

AGAINST

15. CLOSURE:

There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.32pm.

SIGNED:



**Cr Liz Sudlow
Shire President**

DATE: 19 June 2025