



Shire of Northam
Heritage, Commerce and Lifestyle

SHIRE OF NORTHAM

**NOTICE OF AN
ORDINARY COUNCIL MEETING
COMMENCING AT
5:30 PM
WEDNESDAY
20 APRIL 2016**

Councillors:

Please be advised that the next Ordinary Council Meeting will be held 20 April 2016. There will be a Forum meeting held in the Council Chambers on 13 April 2016 at 5:30 pm to discuss the contents of this agenda.

**JASON WHITEAKER
CHIEF EXECUTIVE OFFICER
15 April 2016**

SHIRE OF NORTHAM
AGENDA
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Notice and Agenda of the Ordinary Meeting of Council to be held in the Council Chambers on WEDNESDAY, 20 April 2016 at 5:30 pm.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Northam disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

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AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

1. OPENING AND WELCOME

2. DECLARATION OF INTEREST

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Request for Minor Amendment to Temporary Development Approval P1907 Recreation Private Land Use (Rally Car School) - 724 Leaver Road, Bakers Hill	13.3.5	Cr S B Pollard	Impartiality	His son in law works occasionally for the applicant/owner.
Request to Purchase a Portion of Spencers Brook Road Reserve Adjacent to Lot 102 Spencers Brook Road, Warranine	13.3.7	Cr U Rumjantsev	Impartiality	Marilyn Piper is known to him as a friend also via Riding for Disabled & Carriage Driving Group.

3. ATTENDANCE

COUNCIL

Councillors

S B Pollard
T M Little
J E Williams
J Proud
R W Tinetti
C L Davidson
U Rumjantsev
C R Antonio
D A Hughes

Chief Executive Officer
Executive Manager Engineering Services
Executive Manager Development Services
Executive Manager Community Services
Executive Manager Corporate Services
Executive Assistant – CEO

J B Whiteaker
C D Kleynhans
C B Hunt
R Rayson
C Young
A C Maxwell

GALLERY

4. APOLOGIES

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

5. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr D G Beresford has been granted leave of absence from 15 April 2016 to 1 May 2016 inclusive.

6. APPLICATIONS FOR LEAVE OF ABSENCE

RECOMMENDATION

That Council grant Cr D A Hughes leave of absence from Friday, 1 July 2016 to Sunday, 31 July 2016 inclusive.

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8. PUBLIC QUESTION TIME

Nil.

9. PUBLIC STATEMENT TIME

Rhonda Jones

Basis of Statement of PUBLIC HEALTH

On 20th November 2015 this building was declared unfit for human habitation by the Shire's Environmental Health Department.

Notwithstanding the fact that an application has been presented and is being considered for a build on this block, these people should not be permitted to stay on the block without running water, electricity, toilet/sewage facilities or rubbish bins.

The landowner formally submitted the current Development Application on 14th January 2016.

We urge the council to have them evicted from the block until such time as these facilities be made available for use in accordance to the building conditions.

There is a winter creek at the bottom of the block and one has to wonder where their rubbish, toilet waste etc has been going for the past 12 months and where it will be going for the next 6 to 12 months.

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I notice from their letter that they agree to the conditions of build however state that weather conditions need to be taken into account.

We are of the belief that they may breach or delay the build and further time will be spent on this block without the correct amenities.

We also wish to know what the white round pipe on the right hand side of the house is used for? Is it toilet or some sort of water waste? If they have water going into the house via the large plastic water containers that are in fact deemed as unauthorised water supply, it must be coming out somewhere? This would be considered to be grey water?



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10. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

11. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

11.1 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

RECOMMENDATION

That the minutes of the meeting held Wednesday, 16 March 2016 be confirmed as a true and correct record of that meeting

11.2 RECEIPT OF NOTES OF THE COUNCIL FORUM MEETING

RECOMMENDATION

That the notes of the Council Forum meeting held 13 April 2016 be received.

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Shire of Northam
Heritage, Commerce and Lifestyle

SHIRE OF NORTHAM

NOTES
COUNCIL FORUM MEETING
HELD
WEDNESDAY
13 APRIL 2016

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Preface

When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

At the next Ordinary Meeting of Council the Notes will be received, subject to any amendments made by the Council. The "Received" Notes are then signed off by the Presiding Person.

Please refer to the Ordinary Council meeting agenda and minutes for further information and details in relation to the matters and items discussed at the Forum meeting.

Unconfirmed Notes

These notes were approved for distribution on 15 April 2016.



JASON WHITEAKER
CHIEF EXECUTIVE OFFICER

Received Notes

These notes were received at an Ordinary Meeting of Council held on 13 April 2016.

Signed:

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

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**Notes of the Forum Meeting of Council held in the Council Chambers on
WEDNESDAY, 13 April 2016 at 5:30 pm.**

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Northam disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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1. OPENING AND WELCOME

The Shire President, Cr S B Pollard declared the meeting open at 5.31pm.

2. DECLARATION OF INTEREST

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Request for Minor Amendment to Temporary Development Approval P1907 Recreation Private Land Use (Rally Car School) - 724 Leaver Road, Bakers Hill	13.3.5	Cr S B Pollard	Impartiality	His son in law works occasionally for the applicant/owner.
Request to Purchase a Portion of Spencers Brook Road Reserve Adjacent to Lot 102 Spencers Brook Road, Warranine	13.3.7	Cr U Rumjantsev	Impartiality	Marilyn Piper is known to him as a friend also via Riding for Disabled & Carriage Driving Group.
Adoption of Management Agreement Between the Shire of Northam and Northam Aero Club	13.4.5	Cr D G Beresford	Impartiality	He is a member of the Northam Aero Club.

3. ATTENDANCE

COUNCIL

Councillors

S B Pollard
T M Little
D G Beresford
J E Williams
J Proud
R W Tinetti
C L Davidson
U Rumjantsev
D A Hughes

Chief Executive Officer
Executive Manager Engineering Services
Executive Manager Development Services
Executive Manager Community Services
Executive Manager Corporate Services
Executive Assistant – CEO
Coordinator Governance / Administration

J B Whiteaker
C D Kleynhans
C B Hunt
R Rayson
C Young
A C Maxwell
C Greenough

GALLERY

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Timothy Williams – Avon Valley Advocate
Six (6) members of the public.

4. APOLOGIES

Councillor

C R Antonio

5. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr D G Beresford has been granted leave of absence from 15 April 2016 to 1 May 2016 inclusive.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8. PUBLIC QUESTION TIME

Council Forum meeting – 13 April 2016

Jenny Gillon – Gairdner Street, Northam

Question 1: If the Shire of Northam can post out rate notices to individual landowners, why can't they do the same to advise landowners when their properties have been rezoned?

Response: The CEO advised the meeting that the question was in relation to changes to zonings which occurred as part of the local planning scheme review approximately 3 years ago. It is understood that at the time advertising of the scheme was undertaken in accordance with the statutory requirements.

In saying this council has a policy before it currently relating to advertising of planning matters which is relevant to this question.

Question 2: If the Local Planning Scheme No.6 was formally gazetted and came into effect from August 2013, why would the Shire send out rate notices to no change to zoning on 18 September 2013?

Response: The CEO advised that his assumption is that the adjustments were not made to the rate notices at the time as the timing did not allow it.

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Question 3: I believe only listed agenda items can be addressed in public statement time. Who can put forward items to go onto the agenda? Can a member of the public, if so how would one go about it?

Response: There are a number of ways in which an item can be placed on agenda. The two most common are reports generated by an officer and notice of motion moved by an elected member. Members of the Northam community have access to their elected members and can request that they raise a notice of motion on a matter. It is then up to the Elected Member to determine the appropriateness of the request.

Ms A Maxwell departed the Council Chambers at 5.46pm and returned at 5.50pm.

9. PUBLIC STATEMENT TIME

Jenny Gillon – Gairdner Street, Northam

Basis of Statement My name is Jenny Gillon C/- of 73 Gairdner Street, Northam. The details I am about to share with you are for your information and deliberation.

My husband and I have been rate payers for over 40 years. We are the owners of Lot 351 or 20 Gairdner Street, Northam, which is a 750 metre vacant block, surrounded on three sides with residential homes and over the road from the Old Northam Hospital. It is the only vacant block in that section. We have owned this block for 26 years.

On deciding not to build a house for ourselves on the block in April of 2014 we put the block up for sale after purchasing another house in Northam. The last Shire Rate Notice dated 188 September 2013 zoned the block as Residential R15/30.

To our total surprise when potential buyers seeking zoning clarification from Council we discovered the block had been rezoned to Mixed Use. We had never been personally advised of the rezoning.

You will see from Table 1 of the Shire's Zoning Table that what can be built on the block is very limited, plus due to the small size of the block. 750 square metres, plus requiring 7 ½ metres front and back and four metres each side from any potential building to neighbouring boundaries, has made selling the block almost impossible since been rezoned by Council.

The last buyers have not extended their offer and acceptance for the third time, after three months of trying to get planning approval from the Shire. To optimise the small size of the block the buyers needed to extend closer than the 7 ½ metres to neighbouring fence lines and build two story. In

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doing so neighbours approval was required. All three neighbours objected due to privacy, overshadowing, impact upon residential amenity and traffic noise.

The buyers have been asked by the Shire to respond to the points raised in each objection.

These enterprising young business buyers have tried to meet the rezoning requirements but they have had decided after three months not to pursue any further. They feel they are hitting their heads against a brick wall.

The sale of the block as subject to Council approval for them to build. This means the sale has fallen through.

We are left with the block in a Mixed Use Zoning area with residential homes on three sides who do not want these kind of developments next door.

It is now two years that 20 Gairdner Street has been on the market. In that time we have had four interested potential buyers, all have backed out after discovering the zoning restrictions, whether it be informal or formal enquiries to the Shire. In that time vacant land values have dropped dramatically.

Due to my and my husband's health issues and trying to maintain an older weatherboard house plus gardens as we age, we purchased another low maintenance house in Northam on the understanding we could sell 20 Gairdner Street and the house next door No.16 to finance our new home.

We did so on the information we had at the time from our Rate Notice dated September 2013, Zoned R15/30, but have since received a letter dated July 2015 from the Shire stating the new zoning was Gazetted and came into effect from August 2013.

As you can see through no fault of our own the rezoning of 16 and 20 Gairdner Street has greatly impacted on us financially no to mention in other ways. The only saving grace is my faith in my Lord and Saviour Jesus Christ.

Coming before you all this evening is something we would rather not do – We are private people and like to keep our lives that way. But if this is the only way to inform Councillors and Staff in the one venue, of the impact this Rezoning has caused then we felt it necessary.

As Council obviously have clear ideas as to what they see being developed on this section of land and after taking Council from Slater and

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Gordon, lawyers, we put it to Council that they purchase 20 Gairdner Street and do with it as they see fit, and the block be exempt from rates to it is sold.

We thank you for your time and consideration.

Robert Hitchcock – Southern Brook

Basis of Statement:

1. Shire's spraying program is not efficient or effective.
2. General appearance and quality of work in the Northam Shire is of a poor quality (e.g. limestone works on Fitzgerald Street, information bay).
3. Verge of Southern Brook Road. Excessive rocks and rubbish has been placed onto his verge. He has put a lot off time and money into making this presentable and it is now in an untidy and unacceptable manner. Clarification was sought in relation to who provides the instruction to the Shire employees.

Response:

1. The CEO advised that there is a spraying program in place which in the view of staff is providing positive outcomes. The CEO advised that as had been previously expressed to council in 2014 the spraying program in the second half of the year possibly occurred too early which did cause concerns at the time however the view was that these matters had been rectified..
2. The CEO disagreed with this statement.

In relation to the example used regarding the work on Fitzgerald Street, the CEO advised that this was due to a contractual issue which had arisen and was being dealt with by staff.

3. In relation to the question of who is responsible for the staff/work, the CEO advised that he is responsible for the staff and the quality and quantity of their work.

In terms of the work completed on Southern Brook road, the CEO advised the meeting that he attended a site meeting with the Executive Manager Engineering Services and Mr Hitchcock to inspect this portion of the road/verge in the context of concerns raised. The CEO advised that he believed that this meeting was positive and the outcome / agreement was that prior to judgements being made on the quality of the work being undertaken time would be allowed for the work to be actually completed, given it is unfair to judge the quality of a job when the job is only partially completed. The CEO further

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advised that it was unfortunate that there were issues associated with this work and other programmed works that resulted in the job being left incomplete. Further to this the CEO advised the meeting that he had given an undertaking to Mr Hitchcock that he, along with the Executive Manager Engineering Services, would do a walkthrough with him once the project was complete, the CEO advised that this offer remained.

Three (3) members of the Gallery departed the Council Chambers at 6.07pm.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

The Shire President advised that the order of business would be altered due to the interest in item 13.3.2. As a result this item was brought forward.

Two (2) members of the Gallery departed the Council Chambers at 6.14pm.

13.3.2 RETROSPECTIVE DEVELOPMENT APPLICATION FOR THE PLACEMENT OF A SECOND HAND RELOCATED DWELLING, RELOCATION OF THE BUILDING ENVELOPE AND SECOND HAND OUTBUILDING - LOT 2 FERNIE ROAD, BAKERS HILL

- Clarification was sought around why the process for applying for planning approval was not followed. The applicants confirmed that this was due to the applicants receiving an opportunity to purchase this dwelling and were faced with time restrictions to relocate this. Once this had occurred the applicants were absent for approximately four (4) months due to being on holiday. At this time they agreed that they would work through the planning approval process upon return. At the time the applicants did not fully understand the process involved however are committed to meeting all conditions of the Shire.
- Clarification was sought around the comments relating to prosecution. It was advised that Council can still prosecute the landowner should approval be given and the conditions not complied with. In essence this potential legal action can be used as another enforcement mechanism. Alternately, if Council so wishes they could instigate prosecution procedures now. Infringement notices are usually utilised for less serious offences and that there is 6 month timeframe as listed in Section 228. The modified penalties are generally \$500 and are significantly less than prosecution, this is the reason why staff have not recommended infringements in this instance.

Two (2) members of the Gallery departed the Council Chambers at 6.24pm.

11. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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11.1 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

No questions or queries were raised.

11.2 RECEIPT OF NOTES OF THE COUNCIL FORUM MEETING

No questions or queries were raised.

11.3 RECEIPT OF MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

No questions or queries were raised.

11.4 ADOPTION OF THE RECOMMENDATIONS OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

- It was requested whether the wording to item one (1) of the Recommendation can be altered to read as follows;
 1. *Accept the Northam District Welfare Plan for the Northam District for inclusion in the Local Emergency Management Plan as provided by The Department for Child Protection and Family Support; and*
- Clarification was sought around the intent of this plan. The Executive Manager Development Services advised that this is referred to in an emergency.

12. ANNOUNCEMENTS BY THE PRESIDING OFFICER WITHOUT DISCUSSION

12.1 PRESIDENTS REPORT – ORDINARY COUNCIL MEETING - WEDNESDAY 20 APRIL 2016

No questions or queries were raised.

13. REPORTS OF OFFICERS

13.1 ADMINISTRATION

Nil.

13.2. ENGINEERING SERVICES

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13.2.1 REVIEW OF POLICIES – ENGINEERING SERVICES

- Clarification was sought around deleting policy W5.1, in the context of the reason for deletion provided it that is considered operational. The CEO advised that Policies are adopted to guide the staff when making decisions or recommendations for Council, which in some instances will involve guiding operational matters. With reference to this policy, there are current Australian Standards in place which provide this guidance and therefore it was deemed that this policy was not required. The CEO confirmed that Council can implement a policy which details specification that are above and beyond the requirements of the Australian Standards (e.g. must use a particular material) however it was further advised that by detailing the content of a pre-existing standard into policy can be problematic as standards change and new types of material are regularly becoming available which could restrict the Council operationally and also require Council to constantly ensure that it's policies are in line with these Standards.
- It was raised that the wording in the 'Purpose' of the report was to be amended to remove the reference for adopting an additional two new policies, being Asset Management Policy and Vehicle Usage Policy.
- It was requested whether there can be further clarification under the 'Number of Crossovers' section of Policy ES 5.1. This is to provide guidance in terms of what may impact the decision when approving additional crossovers (e.g. safety).

13.2.2 TENDER 1 OF 2016 – BERNARD PARK DRAINAGE BASIN IMPROVEMENTS

- Clarification was sought around what these works included. The CEO advised that this has previously been presented to Council and to the public through a consultation period however staff are happy to circulate the drawings for information.

Mr R Rayson departed the Council Chambers at 7.01pm and returned at 7.02pm.

The Shire President advised that there will be a 5 minute intermission at 7.08pm.

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13.3. DEVELOPMENT SERVICES

13.3.1 APPLICATION TO KEEP 3-6 DOGS (NOT A KENNEL)

- Clarification was sought around the application for more than two (2) dogs. The CEO advised that the Dog Act 1976 allowed for the restriction of the number of dogs on a property through the development and application of a local law established by Council, the Shire of Northam has established such a Local Law which has guided the staff in preparing this report recommendation.
- It was confirmed that this approval is only for the dogs listed and these cannot be replaced without applying to the Shire.
- It was questioned whether Council should give consideration to the other animals/wildlife on the property. The Executive Manager Development Services advised that staff have inspected the property and are confident that there is adequate fencing to secure the dogs from other animals which may be located at this property.

13.3.3 REQUEST TO ADOPT FOR FINAL APPROVAL LOCAL PLANNING POLICY NO.20 – ADVERTISING OF PLANNING PROPOSALS

- It was questioned whether this policy applies to amendments to existing planning approvals (e.g. agenda item 13.3.5). The CEO advised that this policy is only applicable to new planning applications.

13.3.4 REQUEST TO INITIATE PROPOSED OMNIBUS AMENDMENT NO. 6 TO SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO.6

- Clarification was sought around definition of Symbol 'I'. The Executive Manager Development Services advised that this is provided in the Scheme.

Additional Comment

- The Executive Manager Development Services confirmed that the amendment has been developed in response to a number of issues that have been identified since the scheme was gazetted and altered by new state government legislation. The amendment also “tidies up” a number of anomalies that have been identified by staff following a period of time in working with the scheme.

13.3.5 REQUEST FOR MINOR AMENDMENT TO TEMPORARY DEVELOPMENT APPROVAL P1907 RECREATION PRIVATE LAND USE (RALLY CAR SCHOOL) - 724 LEAVER ROAD, BAKERS HILL

- It was questioned whether item 'a' of the recommendation was required to be altered in order to reflect the times requested by the applicant. This has been amended within the agenda as follows;

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a) *Hours of operation shall be limited to an average of 2 weekends per month from 1st March to 30th November between the hours of 0830 to 1700 hours Saturday and 0900 to 1700 Sunday and excluding public holidays;*

- Clarification was sought around the reasoning for not readvertising. The CEO advised that staff believe Council is aware of all issues and concerns and should this be readvertised, no new/additional issues or concerns would be raised, in addition by altering these hours it does not change the intent of the original approval.
- The CEO further advised however that Council is not obligated to endorse the Officer's recommendation and can request that this be readvertised or can refuse this request if deemed appropriate.

13.3.6 NORTHAM RECREATION CENTRE AIR-CONDITIONING FEASIBILITY

No questions or queries were raised.

13.3.7 REQUEST TO PURCHASE A PORTION OF SPENCERS BROOK ROAD RESERVE ADJACENT TO LOT 102 SPENCERS BROOK ROAD, WARRANINE

- Clarification was sought as to whether Council will receive funds in respect to this purchase. The Executive Manager Development Services advised that this reserve is Crown Land and part of the road reserve. As a result the money for this purchase will go to the State Government.

13.3. CORPORATE SERVICES

13.4.1 ACCOUNTS AND STATEMENTS OF ACCOUNTS – MARCH 2016

Clarification was sought in relation to the following payments;

- EFT22495 – Staff clarified this purchase and its use on the plant.
- EFT22505 – Confirmed that this business is based in Toodyay.
- EFT22408 – This payment is relating to a Rates matter (Local Government Act Sale) 276 Duke Street, Northam.
- EFT22467 – Clarified that this audit was for a range of Shire plant.
- EFT22508 – Confirmed that this is for assorted electrical work around the Shire. This has been adjusted in the agenda.
- EFT22519 – This payment is for the presentation of an Enforcement Seminar at the Shire Admin Centre and also legal costs relating to a planning matter (sea container) for 55 Goomalling Road, Northam.
- EFT22609 – Staff advised that Council do rehome dogs however some are not suitable (e.g. dangerous)
- EFT22621 & 4923 – This was an error. '4923' has been removed from the agenda.
- EFT22420 – This was an error and has been corrected in the agenda.

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- EFT22474 & EFT 22641 – Advised that this is for Stage 1 and 2 works.

13.4.2 FINANCIAL STATEMENTS TO 29 FEBRUARY 2016

- The Shire President requested a meeting with the CEO to go through a number of the projects disclosed in the financial report which had no expense allocated against them. This meeting date and time will be circulated to all Elected Members to provide them with the opportunity to discuss this item.

Additional Comment

Community Services is under budget due to the following factors;

- As above reallocation internal transaction \$43,000.
- Rubbish Collection Contract – timing of contractors payment \$63,000.
- Rubbish Site Maintenance – due predominantly to the timing of contractor payments \$115,000.
- Septage Pond Maintenance – budgeted works for pond drainage \$10,000 and the Desludge of the pond \$25,000 are yet to be carried out.

Recreation is under budget due to the following factors;

- Public Parks and Reserves – under budget \$116,796 due to less than budgeted plant costs allocated.
- Aboriginal Environmental Study – under budget YTD of \$122,363, timing, works currently being carried out.

Economic Services

- Building services salaries under budget \$23,714 due to a period of vacancy when employing a new building services officer.
- \$19,683 below budget on several Council properties, timing.
- Maintenance costs associated with Councils reticulation system under budget \$19,683.
- Depreciation Expense under budget \$18,265 (non-cash internal allocation).
- Festivals and events expenditure is under budget \$16,874, timing of expenditure.

Financial Ratios;

- The ratio relates to the liquidity of Council at a certain point in time, the current 2016 ratio is as of 29 February and the 2015, 2014, 2013 ratios are as of 30th June, as such the current ratio is stronger due to the availability of additional cash, (rates raised September and expended throughout the year), in essence as surplus funds are expended for the remainder of the financial year this ratio is expected to weaken.

13.4.3 ADOPTION OF THE SHIRE OF NORTHAM CUSTOMER SERVICE CHARTER

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No questions or queries were raised.

13.4.4 LEASE FOR NORTHAM SWIMMING CLUB

- The Shire President asked if there were more leases which had not been renewed that would be coming to Council for a determination as he had the view that all the outstanding leases had been resolved previously. The Governance Officer advised she was currently working through all the leases to ensure they were up to date and at this stage it is believed that there will be another approximately five leases which have previously expired. The CEO advised that some of the expired leases go back a considerable time and that over the past two years it had been a focus to try and bring them all up to date and further that processes had been implemented to ensure leases were managed more effectively into the future.

13.4.5 ADOPTION OF MANAGEMENT AGREEMENT BETWEEN THE SHIRE OF NORTHAM AND NORTHAM AERO CLUB

- It was confirmed that this is a management agreement (not a lease) and will expire in accordance with the hangars at the Airport.

13.4. COMMUNITY SERVICES

Nil.

14. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.1 AGE FRIENDLY COMMUNITY GRANT

No questions or queries were raised.

15. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

15.1. Elected Members

Nil.

15.2. Officers

Nil.

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16. CONFIDENTIAL ITEMS

Nil.

17. DECLARATION OF CLOSURE

The Shire President declared the meeting closed at 8.07pm.

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ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

11.3 RECEIPT OF MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

RECOMMENDATION

That Council receives the minutes of the Local Emergency Management Committee Meeting held 31 March 2016.

11.4 ADOPTION OF THE RECOMMENDATIONS OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

RECOMMENDATION

That Council;

1. **Accept the Northam District Welfare Plan for the Northam District for inclusion in the Local Emergency Management Plan as provided by The Department for Child Protection and Family Support;** and
2. Acknowledges that this committee has noted the attached Terms of Reference for the Local Emergency Management Committee.

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SHIRE OF NORTHAM

**MINUTES OF THE
LOCAL EMERGENCY MANAGEMENT COMMITTEE
MEETING
HELD
THURSDAY
31 MARCH 2016**

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SHIRE OF NORTHAM
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SHIRE OF NORTHAM
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**Minutes of the Local Emergency Management Committee held in the Chambers on
THURSDAY, 31 March 2016 at 3:30pm.**

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Northam disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

1. OPENING AND WELCOME

Cr Ulo Rumjantsev declared the meeting open at 3:33pm.

2. DECLARATION OF INTEREST

Parts of Division 6 Subdivision 1 of the Local Government Act 1995 requires Council members and employees to disclose any direct or indirect financial interest or general interest in any matter listed in this agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter being discussed.

NB A committee member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the disclosed matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

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3. ATTENDANCE

Councillor (Chair)	Ulo Rumjantsev
Community Emergency Services Manager	Daniel Hendriksen
Executive Manager Development Services	Chadd Hunt
Chief Executive Officer	Jason Whiteaker
State Emergency Service	Sarge Bottacin
Child Protection & Family Services	Jo Spadaccini
Northam Police	Geoff Dickson
Wundowie Police	Cameron Willis
Northam Hospital	Jenny Lee
DFES	Sven Anderson
Department of Agriculture and Food	Josh Smith
Housing Authority	Graeme Brandis
Australian Border Force	Ian Munro
Australian Border Force	Geoff Lewis
SEMC Secretariat	Yvette Grigg
Northam CBFCO	Garry Shepherdson
Northam DBFCO	Robert Herzer
Airport Security	Claude Meunier
Shire President (observer)	Steven Pollard
Juniper Aged Care	Leanne Thomas

4. APOLOGIES

Wheatbelt Public Health	Ann Foyer
Councillor	Chris Antonio
DFES	Colin Brown
Airport Manager	Errol Croft
Water Corporation	Derek Host
Water Corporation	Larry Bayley
Dept. Parks and Wildlife	Michael Pasotti
Brookfield Rail	Clinton Lobb

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE DECISION

Minutes No: LEMC.28
Moved: Jenny Lee
Seconded: Sarge Bottacin

That the minutes from the Local Emergency Management Committee meeting held on 21 April 2015 be confirmed as a true and correct record of that meeting.

CARRIED 18/0

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6. AGENDA ITEMS

6.1 BUSINESS ARISING FROM MINUTES

Nil.

6.2 LEMC TERMS OF REFERENCE

Name of Applicant:	Local Emergency Management Committee
Name of Owner:	N/A
File Ref:	5.1.2.2
Officer:	Daniel Hendriksen
Officer Interest:	Nil.
Policy:	SEMP Policy No 2.5
Voting:	N/A
Date:	31 March 2016

PURPOSE

The Local Emergency Management Committee establishes arrangements and create strategies at a local level for preparedness and prevention of emergencies.

BACKGROUND

The LEMC role is to provide advice to Local Government in relation to emergency management.

Also attached is a copy of the Terms of Reference as adopted by Council for this Committee.

STATUTORY REQUIREMENTS

Local Emergency Management Committee Terms of Reference.
Emergency Management Act 2005.
SEMP Policy No 2.5

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN

OBJECTIVE: Provide services and processes to enhance public safety.

STRATEGY C2.1: Provide community services to uphold public safety standards.

STRATEGY C2.2: Support provision of emergency services.

STRATEGY C2.3: Provide, monitor and improve adequate Bush Fire Protection provisions.

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BUDGET IMPLICATIONS

Nil.

STAFF COMMENT

The purpose of the LEMC as indicated within the terms of reference is to provide a comprehensive approach to developing plans and arrangements for the Shire of Northam to embrace the aspects of (PPRR) prevention, preparedness, response, and recovery to reduce or eliminate the possible effects of an emergency. Although the committee may include many operational agencies, the role of the committee is only to plan for emergencies, it is not operational nor a response agency.

RECOMMENDATION

That this Committee notes the attached Terms of Reference for the Local Emergency Management Committee.

COMMITTEE DECISION

Minutes No: LEMC.29

Moved: Geoff Dixon

Seconded: Jenny Lee

That Council acknowledges that this Committee has noted the attached Terms of Reference for the Local Emergency Management Committee.

CARRIED 18/0

OUTCOME

- Noted that the LEMC meetings will be held quarterly. In addition, workshops will be held until the LEMA is endorsed as per the dates listed on the meeting schedule provided.
- All members of the LEMC will be invited to attend the workshops

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NORTHAM
LEMC

Local Emergency Management Committee

LEMC MEETING SCHEDULE 2016

31st	March	LEMC & LRCC
28th	April	LEMA Workshop
26th	May	LEMA Workshop
16th	June	LEMC & LRCC
15th	August	LEMC & LRCC
15th	December	LEMC & LRCC

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6.3 AGENCY REPORTS AND ISG ACTIVATIONS

Fire and emergency service (dfes) Report.

SA (DFES) It has been a quiet fire season compared to previous years with less major incidents in our area. We did however send numerous strike teams to help at Esperance, Waroona and Harvey fires.

SB (SES) The State Emergency Service has been quiet active with summer storms bringing high winds and rain.

We have had 25 activations since the previous meeting most of these could have been eliminated by the property owner or resident conducting general household maintenance. The heavy rain caused some localised flooding of properties as far away as Chittering We attended addresses to assist some of the issues were caused by roadway drainage unable to cope with the deluge of rain.

We has also assisted police with a few land searches and scene lighting. So from a SES prospective we have been very active.

BUSHFIRE REPORTS

GS (CBFCO) We have had approximately 60 fires for the season which is fairly quiet compared to previous seasons. We sent crews to Esperance and Yarloop to assist with the fires down there. We are very thankful to have a break.

WA COUNTRY HEALTH SERVICE

JL (WACHS) We are gearing up for the revamp of the Hospital. We are working though plans as the ED will have to move from where it currently is to a temporary location. We are expecting that this will start around August toward the later part of the year.

6.4 NORTHAM DISTRICT WELFARE PLAN

JS (CPFS) The Northam Districts Welfare Plan outlines procedures and contacts for the welfare of displaced people in an emergency. This document is to be read in conjunction with the Northam LEMA.

This document has been provided as a separate confidential attachment due containing personal contact information which is to be used during an emergency only.

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COMMITTEE RECOMMENDATION

Minute No: LEMC.30

Moved: Jo Spadaccini

Seconded: Jenny Lee

That Council Accept the Northam District Welfare Plan for the Northam District for inclusion in the Local Emergency Management Plan as provided by The Department for Child Protection and Family Support.

CARRIED 18/0

6.5 ITEMS FOR DISCUSSION

LEMA AND RECOVERY PLAN REVIEW

DH (CESM) The Shire of Northam LEMA is up for review to be completed by December 2016 I am hoping to have a Draft LEMA up for review at the next LEMC Meeting on the 16th June 2016. I will set up one or two workshops to assist in the creation of the draft. At this stage the dates are set for the 28th April and the 26th May 2016.

RESOURCE REGISTER

DH (CESM) The Resource Register is one of the appendices of the LEMA. I would like to ask agencies to send through a broad list of resources for you individual departments. For example:

The Shire of Northam

- 100 Staff
- Lighting tower
- Loader
- Bobcat
- 2 tip trucks
- 12000lt Water cart
- 1000 Person Recreation Centre
- Council Chambers (no backup power)

Anything you believe may be useful in an emergency.
If LEMC Members can send though this info it would be appreciated.
I will also email this example out to members.

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6.6 CORRESPONDENCE

IN:

1. Wheatbelt DEMC Communique
2. Wheatbelt DEMC EM Districts
3. Pre-Emergency Evacuation Planning and Remote Medical Retrievals

OUT:

1. Minutes of the April 2015 LEMC/LRCC meeting
2. Local Emergency Management Plan for Welfare Support Northam District.

6.7 GENERAL BUSINESS

- CM (Airport) No mention in the plans of the Northam Airport, the Airport Manager or Northam Air Service on the contacts list. Advised that they were added after previous conversation. There is a specific plan to cover the Airport.
- SA (DFES) After numerous incidents near the border of Shire of Mundaring this year. I have noted that in the Welfare Plan there is no contact details for services on or just over the border with Northam shire. When constructing the Resource Register for the LEMA I think it is Important to include surrounding shires resources.

- GD (Police) We have been approached by a large dangerous goods company who transport goods through Northam. They would like to run an exercise to test their capability in responding to an incident involving one of their vehicles. I have a meet with the company to discuss the exercise which they are hoping to have mid to late April. I would like to put it up to the LEMC that we do a desktop exercise as an extension of this exercise on the recovery of this same event to test the LEMA. LEMC are happy to support the exercise run by the company.
- UR (Chair) Are the LEMC happy with the time of 3:30pm or would you prefer an earlier meeting at 11am? LEMC Committee voted to continue to have the meeting at 3:30pm as per the scheduled dates.

7. DATE AND TIME OF NEXT MEETING

The next meeting will be held in the Shire of Northam Council Chambers on Thursday, 16 June 2016.

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8. DECLARATION OF CLOSURE

There being no further business the Chairman declared the meeting closed at 4.33pm.

"I certify that the Minutes of the Local Emergency Management Meeting held on 31 March 2016 have been confirmed as a true and correct record."

_____ President

_____ Date

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12. ANNOUNCEMENTS BY THE PRESIDING OFFICER WITHOUT DISCUSSION

12.1 PRESIDENTS REPORT – ORDINARY COUNCIL MEETING - WEDNESDAY 20 APRIL 2016

<u>Visitations and Consultations:</u>	
19-20/3/16	Relay for Life event
20/3/16	Black Dog motorcycle ride event
23/3/16	Hospital renovation - project manager trades information session
30/3/16	Aged Friendly Communities proposed footpath project inspection
31/3/16	Local Emergency Management Committee meeting - as observer
1/4/16	CY O'Connor Institute graduation dinner
1/4/16	AVAS Fred Killick Memorial art award launch
2/4/16	Northam Motorsport Festival day 1
2/4/16	Women's AFL game at Henry Street oval
3/4/16	Northam Motorsport Festival day 2 including Flying 50
4/4/16	AROC meeting in Toodyay
5/4/16	Northam Volunteer Hub meeting re: services offered
6/4/16	Radiowest fortnightly interview
6/4/16	Grass Valley community visit proposed
7/4/16	Wheatbelt conference in Narrogin day 1
7/4/16	Wheatbelt conference day 2
8/4/16 – 17/4/16	National Youth Week activities
12/4/16	Standby CPR suicide report presentation
14/4/16	Proposed Avonlink supporters group meeting
<u>Upcoming Events:</u>	
22/4/16	WALGA Zone meeting in York
25/4/16	ANZAC Day services
15/5/16	Wundowie Iron Festival
26/5/16	National Sorry Day

Strategic matters

AROC

One of the major projects that AROC is undertaking involves the proposed construction of 22 aged housing units. AROC is applying for funding through Royalties for Regions with the Shires of Toodyay (10 units), Goomalling, Victoria Plains and Dowerin (4 units each) being the physical locations for these units should the project proceed.

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It was pleasing to note the acceptance of our invitation to the Shires of York and Beverley to attend the meeting, as it would be a good sign of cooperation between our respective Shires should these Shires choose to become additional members of AROC at some point in the future.

Community meetings at Bakers Hill and Grass Valley

I think it would be fair to say that a number of residents are not convinced that the level of services they receive from the Shire is up to their expectations. Common themes around poor drainage outcomes in the West of the Shire and poor road network maintenance quality in the East. The feedback has been received by us and we are committed to working towards achieving great outcomes with our communities.

GrainsWest

One of the economic opportunities that has been developing since 2014 is a proposed grains research enterprise known as GrainsWest which has been suggested to be located in Northam alongside the current DAFWA site. Recent media coverage has suggested that industry stakeholders do not support this decentralisation move so we will see how this unfolds in 2016.

Northam's Avon Descent

It was pleasing to note that the Descent committee have committed to running the event annually, despite variable water levels which have generally been decreasing in recent years. With the "come hell or high water" declaration, this means the event has an assured future as competitors now know that there is certainty around running the event. In more recent years, a decision has had to be made as to whether the event would be on or not and this has led to entry levels being somewhat contingent on that last minute decision.

Northam Volunteer Hub

I attended a meeting with Volunteering WA representatives, who have set up a service hub at the previous crèche at the Northam Recreation Centre, to discuss volunteers and the difficulty in attracting and retaining volunteers. It is hoped that by working with this group that our shortages in emergency and recreation sector volunteers can be addressed.

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13 REPORTS OF OFFICERS

13.1 ADMINISTRATION

Nil.

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13.2. ENGINEERING SERVICES

13.2.1 REVIEW OF POLICIES – ENGINEERING SERVICES

Name of Applicant:	Internal Report
Name of Owner:	N/A
File Ref:	8.2.9.1
Officer:	Clinton Kleynhans
Officer Interest:	Nil
Policy:	Review
Voting:	Absolute Majority

PURPOSE

For Council to review its existing **engineering** policies.

BACKGROUND

A policy can be defined or described as a deliberate plan of action to guide decisions and achieve a rational outcome(s) (Local Government Amalgamation Guide, 2013)

The Shire of Northam Corporate Plan identifies a need to review the policies on a regular basis. The last review of the policies appears to have been undertaken between 2010 and 2012.

The following existing policies have been reviewed:

- W5.1 Engineering – Technical Specifications – For Construction of Subdivisions, Roads & Stormwater Drains
- W5.2 Property Access and Crossovers
- W5.3 Road Building Materials – Gravel
- W5.4 Notice of Entry for Public Services & Utilities
- W5.6 Verges Policy

STATUTORY REQUIREMENTS

Section 2.7(2) (b) of the Act provides that it is the role of Council to determine the local government's policies.

In some instances individual policies have their own statutory implications, where this is the case the relevant legislation has been referenced in the policy summary.

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CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

STRATEGY G1.1: Continue to develop Council’s policy framework to guide decision making

ACTION: Review Works (engineering) policies

In line with the Shire of Northam Corporate Plan the Engineering Services Policy Documents are due for review in 2016 with a new Asset Management Plan policy being developed in the same year.

FINANCIAL IMPLICATIONS

Nil.

OFFICER’S COMMENT

The 8 policies have been reviewed with a range of adjustments and alterations being recommended to Council. In some instances there is a recommendation to remove the policy in its entirety, these reasons, along with the reasons for any substantial change are summarised in the following table.

In addition Appendix A provides a tracked changes copy of the policy manual as it exists currently.

Current Policy Number	Policy Name	Proposed alteration
Engineering Services Policies		
W5.1	Engineering – Technical Specifications – For Construction of Subdivisions, Roads & Stormwater Drains	DELETE – This is considered an operational function which is governed by relevant Australian Standards and industry guidelines.
W5.2	Property Access and Crossovers	Amended to clearly define: <ul style="list-style-type: none"> • The Council subsidy of 50% is to a maximum value of \$600; • Number of allowable crossovers; • Maintenance Requirements; • Requirements for interface with council owned assets; • Changes in design requirements; • Removal of design drawings to be included in information package as operational function. • Re numbered to “ES 5.1 • Re title to Crossover Policy

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W5.3	Road Building Materials - Gravel	DELETE – This is considered an operational function
W5.4	Notice of Entry for Public Services & Utilities	DELETE – This is considered an operational function
W5.6	Verges Policy	<ul style="list-style-type: none"> • Amended to clearly define acceptable development standards and compliance criteria. • Renumbered to ES 5.3 • Retitled to Verge Management Policy

While there are currently only two recommended policies put forward for engineering it is proposed that a range of new policies will be presented in upcoming months for the consideration of Council.

RECOMMENDATION

1. That Council deletes the following policies:

- **W5.1 Engineering – Technical Specifications – For Construction of Roads & Stormwater Drains,**
- **Policy W5.3 Road Building Materials and Policy**
- **W5.4 Notice of Entry for Public Services and Utilities**

2. That Council adopts the amendments to following policies as presented:

- **ES5.1 Crossover Policy (formally W5.2)**
- **ES5.3 Verge Management Policy (formally W5.6)**

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~~W-5.1 Engineering Technical Specifications For Construction of Subdivisions, Roads & Stormwater Drains~~

POLICY	That all subdivisions, roads and stormwater drains within the Shire of Northam are to be constructed in accordance with Technical specifications for such works as prepared by the Shire's Consulting Engineer.
OBJECTIVES	To ensure properly constructed roads and stormwater drains
GUIDELINES	Shire of Northam Works Specifications /G: /Procedures/Works Specifications
HISTORY	Adopted: 03/10/2007 Last Review: 15/09/2010
REVIEW	Executive Manager, Engineering Services and Consulting Engineer

REASON FOR DELETION RECOMMENDATION

Considered an operational function managed by internal Staff. Construction standards and guidelines are addressed in Shire of Northam Specifications, Local Government Guidelines for Subdivisional Development & Australian Standards.

Maintenance strategies with associated accepted criteria will be addressed in Shire of Northam Asset Management Plans.

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ES 5.12 ~~Property Access and Crossover~~ Policy

<i>Responsible Department</i>	Engineering Services
<i>Resolution Number</i>	
<i>Resolution Date</i>	
<i>Next Scheduled Review</i>	<u>2017</u>
<i>Related Shire Documents</i>	<u>Street Tree Policy</u> <u>Verge Management Policy</u>
<i>Related Legislation</i>	<u>Local Government Act 1995</u> <u>Local Government Regulations 1996 –</u> <u>(Uniform Local Provisions)</u>

OBJECTIVE

To provide ~~uniform design criteria that is uniform and practical. specifications and assist with drainage and visual amenity;~~

- ~~To provide safe access for vehicle and pedestrian traffic with minimal impact to road infrastructure assets and streetscape streetscape aesthetics;~~
- ~~To ensure best practice stormwater storm water management;~~
- ~~To outline compliance requirements for subsidy eligibility.~~

SCOPE

~~This Policy applies to the construction of all new crossovers, and the modification to an existing crossover for the purpose of accessing a property within the Shire of Northam.~~

INTRODUCTION

~~Approval in writing must be sought from land owners and obtained from the Shire of Northam for crossovers prior to the commencement of any construction. Only once approval in writing has been given can the works commence.~~

CROSSOVER SUBSIDY

~~The property owner shall be eligible for a 50% subsidy (to a maximum value of ~~600~~\$600) for the construction cost of a ~~single crossover~~single crossover provided the following compliance criteria has been met:~~

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- The crossover has been constructed in accordance with Shire of Northam requirements;
- Relevant Planning approval has been obtained; and
- It is not a retrospect application.

No crossover subsidy will be provided for any additional crossovers.

That each property be required to have installed at the owners cost, less a 50% subsidy to a maximum of \$500, an Access and/or Crossover in accordance with specifications detailed in Attachments 5.4A, 5.4B, 5.4C, 5.4D & 5.4E to this policy

Developers of residential subdivision shall pay \$600 to Council which is to be held in trust, and will be reimbursed to the land owner for the purpose of the crossover construction subsidy.

Developers of rural sub-divisions shall pay for the full cost of crossovers which shall be constructed to the satisfaction of the Shire of Northam at time of subdivision.

Number of Crossovers

One crossover per property is permitted with the following exceptions subject to Shire approval;

1. Properties located on street corners;
2. Rural properties, such as farms, and;
3. Group dwellings and non -residential areas where additional crossovers have been approved part of a planning application.

Additional crossovers may be approved subject to written approval by the Shire of Northam. These will be assessed on a case by case basis, with consideration of the following acceptance criteria:

1. Safe sight distances are maintained for exiting / entering vehicles of the second crossover, as well as through traffic on the road.;
2. Safe sight distance and access is maintained for footpath users;
3. Access to service utilities or infrastructure is not obstructed.

Footpaths

All crossovers proposed to be built on a verge which is identified to have a footpath constructed by Council in either the current or following financial year must be constructed in a material that is approved by Shire of Northam.

When the Shire constructs new footpaths that intersect existing crossovers the footpath will not be constructed through the crossover unless:

1. The crossover is not built to The Shire's specification; or
2. The crossover is damaged or failing which presents a safety issue; or
3. The crossover will inhibit the footpath being constructed to relevant standards and guidelines.
4. The crossover has been constructed with non-compliant material.

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Street Trees

Crossovers should not be constructed closer than one meter from the base of the tree when fully mature.

Any damage caused to crossovers by street trees shall be rectified by The Shire of Northam at their own cost unless:

1. The crossover has been built closer than one meter to the tree;
2. The tree has been planted without permission from the Shire of Northam;
3. The damage caused by the tree is not considered by The Shire of Northam to be a safety hazard, or affect the structural integrity of the crossover (where applicable).

In these cases the cost to rectify will be borne by the property owner.

Crossover Construction & Maintenance

At the discretion of the Shire of Northam the landowner may be directed to construct a crossover in accordance with the Local Government Regulations 1996 –(Uniform Local Provisions).

It is the responsibility of the landowner to maintain the crossover to an acceptable standard.

Failure to comply with these requirements may result in penalties to the landowner in accordance with the regulations and at the discretion of the Shire of Northam.

The property owner is responsible for the maintenance of crossovers. Any footpath that intersects the crossover will be maintained by the Shire of Northam.

Conflict with Asset Infrastructure

Any relocation or amendment cost to Shire owned assets and underground services resulting from the construction of the proposed crossover will be borne by the property owner.

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ATTACHMENT W 5.2 (A)
PROPERTY ACCESS AND CROSSOVER

SPECIFICATIONS Specifications

Subject to variation at the discretion of Council, the policy of Council in regarding access and crossovers shall be:

1. ACCESS

Construction of 150mm compacted gravel carriageway from the property boundary to the roadside, including the installation of culverts where necessary.

Council will pay for the cost of the following standard dimensions:

a) Rural

Rural Access

Acceptable Material: Compacted Gravel - 150mm

Two coat bituminous seal – 14/7mm or 10/5mm

Width: 8 meters (standard)

12 meters (maximum including taper)

Drainage: 450dia (min) Concrete reinforced pipe with

Precast concrete headwalls, or as approved in writing by Shire of Northam

Taper: 2m at 45 degrees both sides from road edge

Standard width over full length = 10.0m

Standard widening at roadside junction = 45 degrees for 2 metres on both sides or from culvert to roadside.

General Conditions

1) All crossovers are to be approved in writing by Shire of Northam prior to construction.

1)2) Approved Multiple access crossovers to be separated by a minimum of 203.9 metres at the roadside

2)3) No access to be located within 6.020 metres of a side road boundary or 3.010 metres of a R.O.W.

3)4) Council subsidy of rural access is limited to one (1) per farm property

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4)5) All variations to these requirements must be approved in writing by the Shire of Northam. Associated costs to be paid in full by owner/applicant. (** See attached diagrams)

2) CROSSOVERS

~~Construction of surface to access.~~

~~Council shall pay 50% of standard dimensions to following specifications:~~

~~* Residential (in town sites)~~

~~Installation of concrete headwalls where a culvert is installed~~

~~Water binding and two (2) 7mm bitumen seals where footpath is not paved or otherwise sealed.~~

~~100mm reinforced concrete on 100mm compacted sand where footpath is paved.~~

Urban Access

Acceptable Material: Concrete - 100mm reinforced (Residential)

Concrete - 150mm reinforced (Industrial & Commercial)

Brick Paved - Trafficable 50mm (Residential)

Asphalt – 50mm

Two coat bituminous seal – 14/7mm or 10/5mm

Width: 4.5 meter minimums (standard), 9 meter maximum (residential)

6.42 meters minimum 10 meter maximum (maximum) (Industrial & Commercial) only

Drainage: 300dia (min) Concrete reinforced pipe with

(if applicable) Precast concrete headwalls

Kerbing: Mountable kerb type

(if applicable)

Taper: 1m at 45deg both sides from road edge (Residential)

2m at 45deg both sides from road edge (Industrial / Commercial)

~~* Industrial & Commercial~~

~~As above~~

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Rural

Installation of concrete headwalls where culvert is installed

To bitumen road: Water binding and two (2) 7mm bitumen seals to standard measurements of 10 metre width and 10 metre length.

To gravel road: Installation of concrete headwalls to culvert only

General Conditions

- All crossovers are to be approved in writing by Shire of Northam prior to construction;
- All variations to these requirements must be approved in writing by the Shire of Northam. Associated costs to be paid in full by owner/applicant.

Specifications & Guidelines

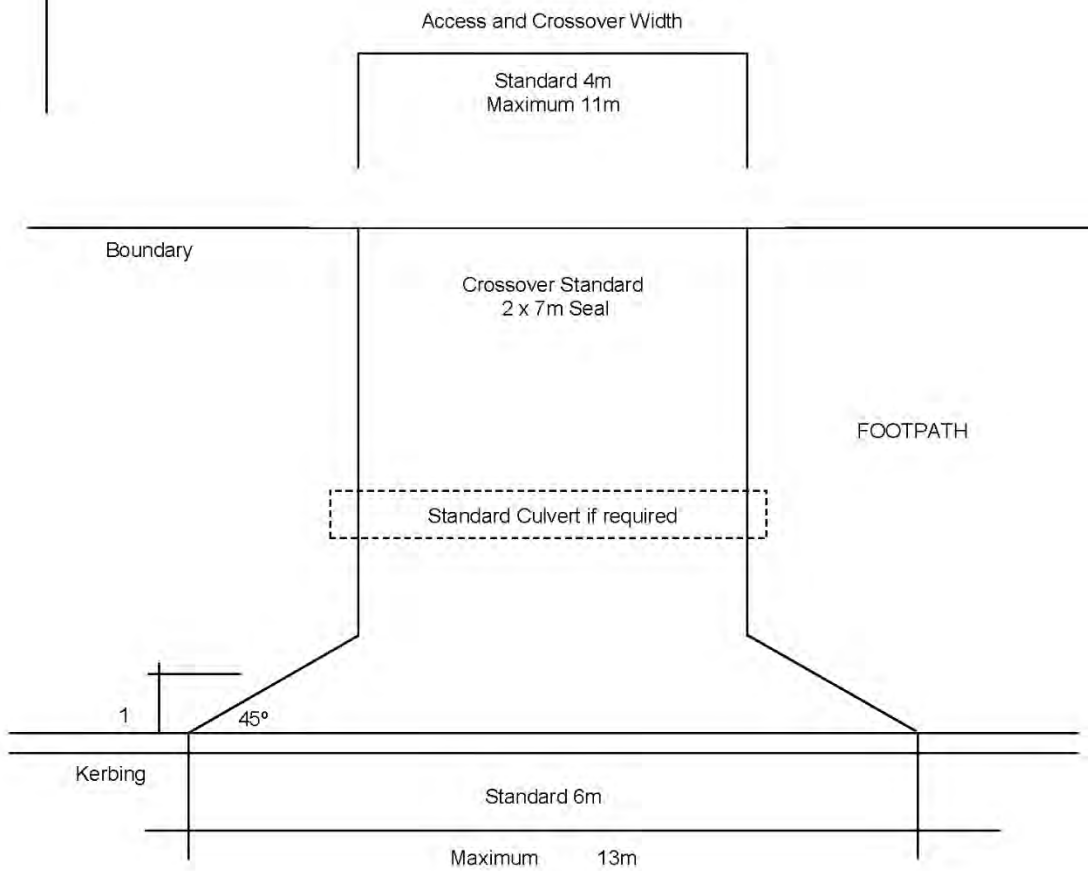
The Shire of Northam will have developed information packages and guidance criteria which outline allowable design and construction standards for crossovers, as well as information on how to apply for the crossover subsidy.

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ATTACHMENT W 5.2 (B)
DIAGRAM INDUSTRIAL AND COMMERCIAL CROSSOVER



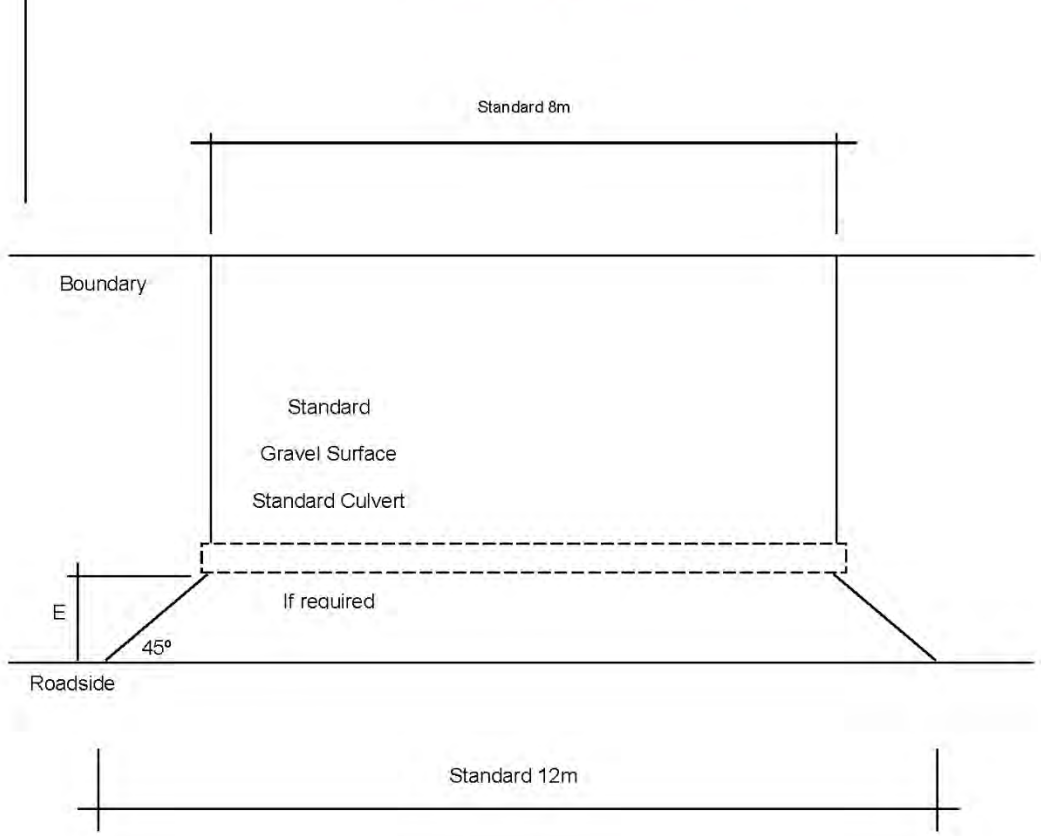
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ATTACHMENT W-5.2 (C)
DIAGRAM RURAL CROSSOVER

ACCESS AND CROSSOVER

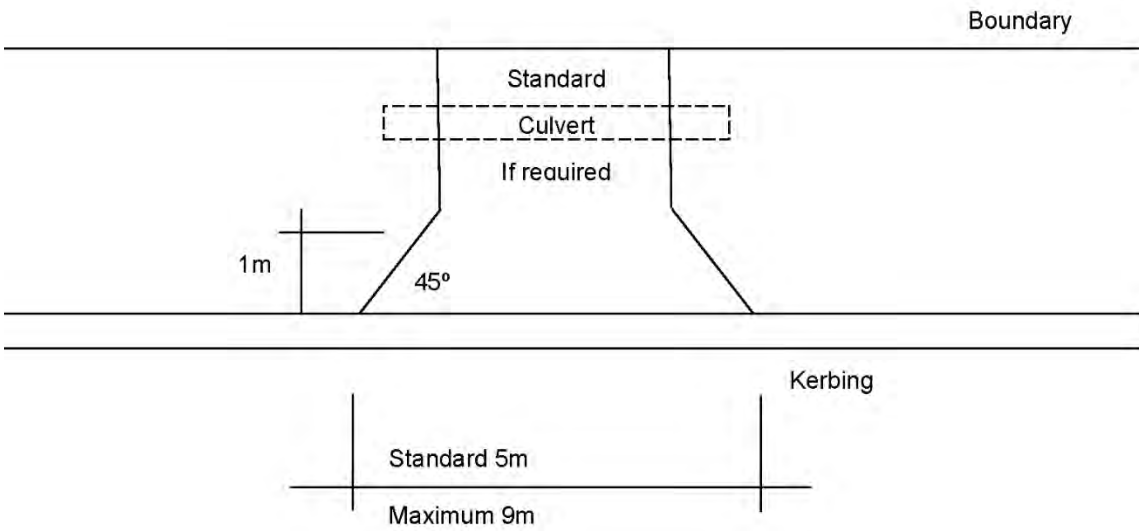


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ATTACHMENT W-5.2 (D)
DIAGRAM RESIDENTIAL CROSSOVER

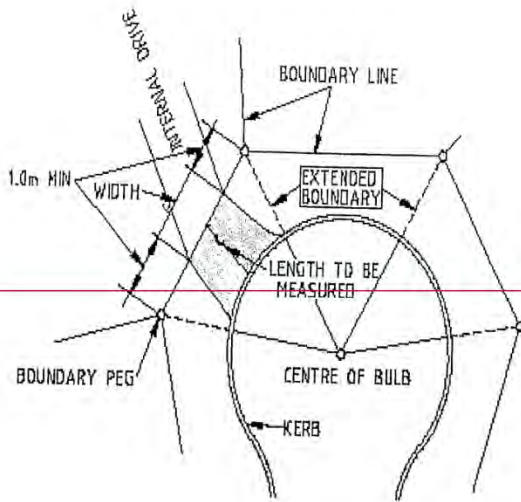


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ATTACHMENT W 5.2 (E)
DIAGRAM RESIDENTIAL CROSSOVER AT THE HEAD OF A CUL-DE-SAC



NOTE:
CROSSOVERS TO BE LOCATED WITHIN
THE AREA CREATED BY JOINING THE
BOUNDARY PEGS TO THE CENTRE OF
THE CUL-DE-SAC BULB.
ANY DIFFICULTIES IN LOCATING THE
CROSSOVER OR OTHER QUERIES,
PLEASE CONTACT THE ENGINEERING
DEPARTMENT

TYPICAL CASE

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W 5.3 Road Building Materials – Gravel

POLICY

That wherever appropriate the Council obtain gravel and other road building materials for road making purposes from private property by consultation with the landowner, in accordance with Schedule 3.2 of the Local Government Act 1995, with the Council responsible for:

1. Satisfactory rehabilitation of the pit area, including drainage, upon completion of extraction.
2. Construction where necessary and satisfactory repair of affected haul roads, gates, fences or other structures.
3. Negotiated compensation to the landowner for materials extracted and associated justifiable imposts.

OBJECTIVES

To provide clear guidelines to staff and landowners regarding the acquisition of gravel for road making and maintenance purposes.

GUIDELINES

HISTORY

Adopted: 16/09/2009
Last Review: 15/09/2010

REVIEW

Executive Manager, Engineering Services

REASON FOR DELETION RECOMMENDATION

Considered an operational function managed by internal Staff.

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W 5.4 Notice of Entry for Public Services & Utilities

POLICY	As per attachment 5.4
OBJECTIVES	To provide clear guidelines to the Council, its officers, public utility companies and their contractors and private property owners regarding undertaking of public service and utility work within the Shire of Northam.
GUIDELINES	Utility Providers Code of Practice for WA 01/11/2002; Restoration & Reinstatement Specification for Local Governments in Western Australia, October 2002
HISTORY	Adopted: 20/01/2010 Last Review: 15/09/2010
REVIEW	Executive Manager, Engineering Services

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ATTACHMENT W 5.4
NOTICE OF ENTRY FOR PUBLIC SERVICES & UTILITIES

- ~~1. The Shire will provide a letter of approval for public services and utilities works to occur within the Shire of Northam provided that the Executive Manager, Works and Services is satisfied with the proposed works and provided that the following conditions are adhered to by the utility company:
 - ~~(a) Should it be necessary to install cabling across any thoroughfare, the cabling shall be under bored to minimize destruction of the road pavement and connecting infrastructure. Open trenching across bitumen sealed road infrastructure is not permitted except where rock is found and can not be under bored. Permission shall be sought from the Executive Manager, Works and Services where an open trench is required.~~
 - ~~(b) All trenches located within the footway (verge) shall be backfilled with quality material and suitably compacted following installation of the plant/cables. The finished surface level of the compacted backfill material shall generally match the existing surface profile of the footway.~~
 - ~~(c) All disturbed areas shall be reinstated to pre-existing conditions following completion of the works or in the event of an extended period of works, at the completion of each section as agreed with the Executive Manager, Works and Services. As a minimum, turfed areas denuded by installation of the plant/cables shall be top-soiled, returfed and regularly watered following completion of the works.~~
 - ~~(d) All manholes, inspection points and/or other permanent above ground features, which are to be located within the road reserve, shall be flush with the adjacent surface to avoid potential trip hazards.~~
 - ~~(e) Fixed plant (pits, manholes, inspection points etc) or cabling shall be constructed within two metres of the out Road Reserve boundary. This will ensure that, should the Shire ever widen the road formation, the fixed plant/cable is sufficiently clear of the works.~~
 - ~~(f) All cabling shall be laid to the following depths:
 - ~~(a) Under roads — minimum 1.0 metre;~~
 - ~~(b) Within verges — minimum 0.75 metre~~
 - ~~(c) Within public open space — minimum 0.75 metre~~~~
 - ~~(g) The Contractor shall regularly remove rubbish and/or surplus materials as the work proceeds and keep the site clean and tidy. The Contractor shall leave tidy the whole of the works upon completion of the Contract, and make good any damage caused during the works to the satisfaction of the Shire.~~~~

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- ~~(h) — Where work is likely to affect vehicular access to private properties, every attempt shall be made to accommodate the needs of landowners/residents regarding entry and/or exit from the property.~~
- ~~(i) — A minimum of one (1) trafficable lane shall remain open to the public at all times and traffic control shall be employed during the course of the works. A copy of the Traffic Control Plan shall be forwarded to the Shire's Works Supervisor for consideration.~~
- ~~(j) — The finished condition of the road and/or verge shall be to the satisfaction of the Shire's Works Supervisor.~~
- ~~(k) — Where work is to be carried out within privately or publicly owned land, the affected property owners shall be provided fourteen (14) days notice in writing of the utilities intent to undertake works. All areas denuded or affected by the works within privately owned land or public open space shall be made good upon completion of the works. In addition, vegetation within public open space shall not be removed without prior consent from the Shire.~~
- ~~(l) — All works are to comply with the Utility Providers Code of Practice for Western Australia, January 1, 2007, as Amended 2 July 2008, being the Restoration and Reinstatement for Local Governments in Western Australia, October 2002.~~

REASON FOR DELETION RECOMMENDATION

Considered an operational function managed by internal Staff.

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ESS 5.31 Verge Management Policy

<u>Responsible Department</u>	Engineering Services
<u>Resolution Number</u>	
<u>Resolution Date</u>	
<u>Next Scheduled Review</u>	2017
<u>Related Shire Documents</u>	Street Tree Policy Crossover Policy
<u>Related Legislation</u>	Local Government Act 1995

W 5.6 Verges Policy

OBJECTIVE

The objective of this Policy is to ensure road verges are maintained and landscaped to an acceptable standard through implementation of the following principles:

- Support and promote esthetically pleasing streetscapes which reflects the Shire's local character and community pride;-
- Encourage onsite infiltration and the use of drought tolerant plant species by means of water wise garden design;
- Ensure service corridors are provided for utility providers;
- Ensure verges provide open view sight distance for pedestrians, cyclists and road users which minimizes risk or potential harm to the community;
- Provide guidance and incentive for residents to take ownership of their verges.

OBJECTIVES

~~To support and assist residents and the community generally to achieve aesthetically pleasing outcomes and environmental benefits, but in a way that the Shire is not exposed to increased risk of liability claims.~~

~~To ensure a balance between legitimate off street parking requirements, streetscape enhancement by landscaping and on site filtration of storm water.~~

~~To manage and resolve hazards and safety issues~~

~~To ensure an equitable balance in the level of verge management carried out across the Shire towns.~~

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~~To support and protect biodiversity.~~

SCOPE

~~This Policy applies to all landowners and residents which intend to modify the road verge adjoining their property.~~

POLICY

POLICY

~~As per attachment W5.6.
The Shire supports the efforts of residents and property owners within the Shire designated townsites to develop and maintain verges that contribute to the aesthetic presentation of streetscapes and a sustainable quality environment for the community.~~

~~(To be read in conjunction with The Shire's Activities on Thoroughfares and Public Places and Trading Local Law and Policy 5.5 Street Trees)~~

GUIDELINES

~~As attached to Policy W5.6~~

HISTORY

~~Adopted: 19/09/2012~~

REVIEW

~~Executive Manager, Engineering Services~~

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ATTACHMENT W-6.6 VERGES POLICY

1. BACKGROUND

Introduction

The street verge has been traditionally described as the area between the road and boundary of an abutting property. The verge provides a safe pedestrian space and vehicular access to properties. The verge generally accommodates public service and local government utilities above and below ground such as street lighting, power, water, stormwater pipes, sewerage, gas and telecommunication cables. The service providers need to access their asset in the verge to install, maintain and/or repairs.

2. PURPOSE

- To value the verge as an important component of the streetscape
- To promote the principles of environmental sustainability and biodiversity
- To provide direction and guidance to residents on appropriate verge treatments
- To encourage ownership by owners to improve and maintain verge presentation
- To provide advice, regulatory control and incentives to property owners to improve verges to an appropriate and consistent stand

3. POLICY APPLICATION

The Shire recognises that the appearance of street verges is important to owners / occupiers, due to the aesthetics impact on their dwellings and properties.

The following guidelines are provided to maintain safety to the community whilst enabling owners / occupiers to improve the aesthetics and amenity of street verges abutting to their properties.

3.1 Community Value

~~Street verges facilitate an important role in the townscape streetscape environment. They provide aesthetic and environmental values, act as a buffer to street noise, provide shade and shelter, provide habitat for fauna and act as linkages, or vegetation corridors, between larger habitat nodes.~~

3.2 Pride and Ownership

~~Development, improvement and enhancement of verges promotes pride within the community and fosters a sense of verge ownership as an important and valuable component of streetscapes and open space within the townscape.~~

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3.3 Amenity

~~Suitable and appropriate verge treatments contribute a significant value to the streetscape. The Shire and the community appreciate the visual amenity provided by verges that are maintained and improved by residents.~~

3.4 Natural Verge Treatments not requiring approval

~~3.4.1~~

Grasses:

~~verges are permitted; however, selection of a g~~Grass species that is water-wise, hardy and sustainable in verge conditions, including shade under trees is suggested. Lawns which are regularly top dressed should not be allowed to increase in height and must be maintained to the same height as kerbing, footpaths and driveways where applicable.

~~3.4.2~~

Plantings:

~~of s~~Species indigenous to the local area and minimising the use of impervious surfaces are recommended. Plants must be maintained to a height below 750mm. Trees are excluded which are solely maintained by the Shire.

~~3.4.3~~

Mulch:

Organic mulch is permitted to be installed on verges. However, the mulch is required to be replenished as required and maintained in a safe manner.

3.5 Vegetable Gardens:

While the Shire encourages the planting of native species indigenous to the local area on verges, installation of vegetable gardens on the verge is permissible. Vegetable gardens on the verge should not stockpile waste, mulch or manure and all spent vegetation should be removed. Stakes, lattice and/or other supporting structures are not considered appropriate due to duty of care and safety reasons.

Verge Treatments requiring approval

3.6 Hardstand Treatments

Concrete, segmented and permeable paving materials, ~~artificial turf and other approved hardstand treatments~~ are permitted to be used on the entire verge area.

~~Installation of compacted i~~norganic compacted materials:

Materials (such as gravel, crushed brick, limestone or similar) ~~on verges~~ are permitted to be used, subject to the size of the granular materials not causing hazards or inconvenience to pedestrians, cyclists and motorists.

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Synthetic Turf

Synthetic turf is permissible provided it is maintained neat, level and weed free. It shall not be used as a means of informal or formal verge parking.

3.7 ~~Stormwater Water infiltration~~

~~On site infiltration of stormwater is desirable as a means of contributing to the replenishment of groundwater. Stormwater runoff from large sections of hard surfacing must be contained within the property, as the runoff can cause localised flooding on roads and adversely impact on the Shire's storm water disposal system and its maintenance.~~

3.8 Reticulation

~~3.8.1~~ Where the property owner wishes to install a permanent irrigation system on the verge the following criteria will apply:

- ~~•~~ water supply is to be from within the ~~adjacent~~ private property boundary.
- ~~•~~ All pipework is to be installed 150mm to 300mm below ground and under footpaths.
- ~~•~~ Sub-surface drip irrigation is preferred where possible to assist conservation of water.
~~— Alternatively, the sprinklers should be the pop-up variety which do not protrude from the verge when not in use and or a type approved by the Shire, are directed away from the road and footpath.~~
- ~~•~~ Control boxes are to be installed within the private property boundary.
- ~~•~~ Irrigation shall be used on allocated days and at times which do not cause unreasonable inconvenience to pedestrians or the public.

~~3.8.2~~ Reticulation may only be required to establish plants or water wise verge treatments and this may be possible without the installation of a reticulation system.

~~3.8.3~~ Residents are encouraged to supply sufficient water to the base of the plant or to the plants drip line to avoid wastage and unnecessary evaporation.

~~3.8.4~~ It is preferable to avoid reticulation of the verge altogether.

3.9 ~~Non permissible Treatments/Use~~

~~3.9.1~~ The owner / occupier shall not install structures on the street verge. For example, tree house, play structures/equipment, fences, barriers, steps, walls, fountains, ornaments, basketball hoops, ornamental lighting or similar.

~~3.9.2~~ The owner / occupier shall not install extrinsic objects on the street verge. For example, bricks, rocks, logs, bollards, garden stakes, bunting, signs or similar.

~~3.9.3~~ The owner / occupier shall not install hard landscaping elements such as borders and or planter boxes around mature street trees.

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Treatments which do not comply with precinct specific planning policies.

~~3.9.4~~—The tethering of boats, trailers and other such items to street trees, street lights and/or road signs is not permitted due to safety issues and the potential to compromise the health of the tree and/or damage infrastructure.

3.10—Access by Utility Providers

Service providers, including the Shire, retain the right to access the verge for service maintenance works that may disrupt or damage any verge treatment.

4.—VERGE COMPLIANCE CRITERIA

~~In order for applications to install landscape treatments on the verge to be approved, the following criteria will need to be met:~~

- ~~4.1~~—Verge treatments are limited to low growing plants and ground covers and be non hazardous to pedestrians, motorists, and/or cyclists. No plants taller than 75cm in height are to be planted within 10m of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.
- ~~4.2~~—The proposed landscaping provides a positive contribution to the aesthetic presentation of the streetscape.
- ~~4.3~~—Landscaping does not create barriers within the verge.
- ~~4.4~~—Dense planting or other low maintenance forms of landscaping is acceptable.
- ~~4.5~~—The plants are to be kept clear of the roadway and any footpath. If there is no footpath, a clear distance of 2 metres from the back of the kerb or edge of a carriageway is to be maintained to allow for the unrestricted passage of pedestrians.
- ~~4.6~~—Where a bus stop exists within a verge, the proposed development must provide a minimum 1.5m clearance around the bus stop and between the bus stop and the foot path.
- ~~4.7~~—The mature height of vegetation will be maintained below 750 mm. However, midstorey plants, particularly those that are indigenous to the area such as grass trees (Xanthorrhoea species) and banksias (Banksia species) are permissible so long as they are not planted within 10m of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.
- ~~4.8~~—Hedges or similar borders of plants are acceptable if planted to maintain, a minimum clearance of 500 mm from any existing and/or proposed footpath, and/or crossover and a minimum clearance of 2,000 mm from the back of kerb or edge of a carriageway.
- ~~4.9~~—Reticulation sprinklers shall not be directed onto the footpath or road, and watering is to be restricted to times where any inconvenience to pedestrians, cyclists and motorists is minimised.

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- ~~4.10 Appropriate measures are undertaken and maintained to minimise erosion and dust.~~
- ~~4.11 The use of loose inorganic materials (ie; gravels / stones / rocks / bricks) shall not be permitted, as these may cause potential hazard to pedestrians, cyclists and motorists.~~
- ~~4.12 The use of any hard landscaping elements to create garden edging or retain soil adjacent to any proposed or existing footpaths, crossovers, and or kerbs shall not be permitted.~~
- ~~4.13 Temporary barricades for the purpose of establishing verge landscaping are acceptable provided that the materials used do not create a hazard and are identified with an abundance of markers to ensure the safety of pedestrians. Barriers must not be erected across pedestrian access ways, or in a manner which creates a sight line barrier / hazard.~~
- ~~4.14 The general level and grade of the verges is to remain unaltered.~~
- ~~4.15 The treatment is not to create any undue hazard to road users or pedestrians.~~
- ~~4.16 The applicant accepts responsibility for the removal or relocation of planting or reticulation if required by the Shire or any public authority.~~
- ~~4.17 The ratepayer shall maintain the treatment so as not to cause a hazard.~~
- ~~4.18 Should the verge treatment become hazardous, the ratepayer shall agree to remove the treatment at his/her expense.~~
- ~~4.19 The ratepayer agrees to indemnify the Shire against any claims that may arise as a result of the treatment.~~
- ~~4.20 The verge shall not be used as a car park for any vehicle including cars, trucks, boats, caravans and so on.~~
- ~~4.21 The ratepayer shall not remove or plant any tree on street verge. Requests for street trees shall be made to the Shire according to Policy 5.5 Street Trees.~~
- ~~4.22 Verge treatment shall not be over more than one third of the area of the verge (excluding any vehicle crossing).~~

Verge Parking

Parking on verges is only permitted if:

- Permission has been given by the land owner of the adjoining private property;
- Sight distance is not obstructed at footpaths road intersections, driveways and pedestrian crossings, and;
- Footpaths are not obstructed or sight distance inhibited;
- Parking is of a temporary nature.

Parking of caravans, trucks, non-roadworthy or unlicensed vehicles is strictly prohibited.

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Verge Maintenance

The Shire relies on its residents to maintain their verges by performing mowing and minor maintenance.

~~5. VERGE DEVELOPMENT APPROVAL PROCESS~~ Verge Development Approval Process

All proposals for landscape treatment of the verge require approval from the Shire of Northam, and must be constructed in accordance with The Shire's Verge Treatment Guidelines.

In order for applications to install landscape treatments on the verge to be assessed, property owners are required to submit in writing an outline of the landscape proposal which includes a diagram to illustrate the proposed work including plant species and the layout of any proposed reticulation system(s).

The Shire will then:

- Inspect the location;
- Notify the owner in writing whether the Shire supports or does not support the proposed landscape development;
- On completion of any approved works the Shire will inspect the works;
- Works not carried out in accordance with the relevant approvals will require any noncompliance issues to be rectified; and
- ~~Maintain a register of the site and the approved verge treatment.~~

~~6. VERGE DEVELOPMENT ASSISTANCE SCHEME~~

The objective of providing verge development assistance is to encourage and support property owners to develop and maintain verges that contribute to the aesthetic presentation of streetscapes and a sustainable quality environment for the community:

~~6.1~~ Verge Restoration:

The objective of providing verge restoration is to provide a better growing medium for low water demand plantings of low growing shrubs or ground cover plants other than turf. Existing soil/vegetation is removed from the verge to a depth of 50 mm below kerb/footpath levels and then replaced with fresh topsoil and levelled. Where a vehicular crossover is no longer used to gain access to the property, a verge restoration will include the removal of the redundant crossover. This scheme is available once only in every 10 years for individual properties.

~~6.2~~ Plant Subsidy:

Residential property owners can apply to purchase subsidised low water demand native plants for landscaping the street verge abutting to their properties. The objective of providing subsidised plants is to encourage residents to support biodiversity, water conservation, and the establishment of green corridors to link

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habitat areas within the townsites. The Shire will subsidise up to a maximum of 40 plants per property each year on a dollar for dollar basis. Plants are available through the native plant subsidy scheme run on an annual basis within the month of May.

6.3 Landscape Design Advice:

Plant selection advice and landscape design expertise is available to residential property owners requiring or seeking assistance in regard to verge landscaping. The Shire will subsidise assistance to a value of \$100. This scheme will be available once in every 5 years for individual properties.

Verge Development Assistance Scheme applications will be considered using the following criteria:

- Application must be from the property owner;
- An application for verge restoration will not be considered, where building work or activities within the property have damaged the street verge;
- The proposed verge treatment will improve and sustain the streetscape;
- Preference will be given to native ground covers/shrubs with reduced water demands.
- Applications to participate in one of the above three Verge Assistance Schemes shall be submitted in writing to the Shire of Northam.

The availability of the verge development assistance scheme will be delivered within the limits of the available budget. Residents are therefore recommended to register their interest early in the financial year to avoid disappointment.

It is recommended property owners kill any existing turf prior to verge restoration to avoid resprouting. This may be done when the turf is actively growing (spring or autumn) by using weed control mats or biodegradable herbicides.

7. VERGE PAVING

Where there is a legitimate requirement for verge paving and there is no reasonable alternative property owners can apply to pave a portion of the verge directly adjacent to their property.

Proposals for verge paving require approval from the Shire of Northam.

Where the installation of paving to the verge is likely to compromise the safety of pedestrians, cyclists or motorists or the longevity of an existing street tree, the application will not be approved.

Where paving is proposed to provide a footpath between the property boundary and the kerb line, the path is to be 2.0 metres wide.

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In order for verge paving proposals to be assessed the property owner is required to submit in writing an outline of their proposed paving plan with a diagram that illustrates the proposed location, alignment, and the materials to be used.

The Shire will then:

- Inspect the location.
- Notify the owner in writing of whether the Shire approves the application or not.
- On completion of the approved works, the Shire will inspect the works. Works not undertaken in accordance with the relevant approvals will require any noncompliance issues to be rectified.
- Maintain a register of the site and the approved verge treatment.
- The use of soil reinforcing cells will entitle the property owner to pave up to 70% of the adjacent verge.
- Where the road reserve is narrow and the verge contains a large and mature street tree with a wide spreading canopy, which overshadows the whole verge and which prohibits the establishment of ground covers the adjacent residential property owner may apply to pave up to 70% of the verge consistent with the requirements of this policy.
- Where there is approval to install conventional clay or concrete paving to 70% of the verge the adjacent property owners must make provision for the on-site drainage of storm water within the verge. The adjacent property owner is required to provide detailed plans of the proposed method of storm water infiltration to the Shire for its consideration and approval. The use of soil reinforcing cells (which provide for storm water infiltration) will not require additional drainage provisions.
- A minimum two (2) metre paving clearance from any street tree is to be maintained.
- The property owner is to acknowledge in writing that any approved verge paving installed within the verge will be maintained by the property owner at grade consistent with the surrounding soil level at all times to ensure safe pedestrian access.
- The property owner is to acknowledge in writing that there is no responsibility on the part of the Council or utility service provider to reinstate verge paving removed to provide for routine maintenance of services or projects approved by Council.
- Commercial areas are treated separately from residential verges as paving is permitted to 100% of the verge in commercial areas.

PROPERTY DEVELOPMENT

To minimise the risk of tree damage/death a minimum construction clearance of two (2) metres is required from the base of an existing street tree. Where excavation to a

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depth greater than 100mm is proposed the clearance should be greater than three (3) metres from the base of an existing street tree.

9. EXISTING VERGE TREATMENTS

Where verge treatments are not consistent with the policy and are identified as safety hazards, the Shire will request the property owner to carry out remedial works.

Where the owner of the property is unable or unwilling to complete remedial works, the Shire will complete works. The property owner will be liable for the cost thus incurs.

Existing verge treatments, which are not consistent with this policy, are required to be rectified, on the following basis:

- Identified hazards or safety issues ie; tree houses, play equipment or any structure that has not been approved etc, boats and/or trailers tethered to street trees etc, landscaping that has thorns, spear like leaves or plants that are known to be toxic etc, landscaping that impedes sightlines/pedestrian access etc,
- Rectification within 14 days of notification. Where an existing verge treatment is identified to present an immediate hazard, the Shire will rectify within 24 hours. The ratepayer abutting to the verge will be liable for the cost thus incurs.
- Paving (not approved by the Shire of Northam) in excess of areas defined in this policy is to be rectified within 60 days of notification.
- Planter boxes/borders not constructed to meet Australian Standards or industry standards; or constructed to a height greater than 150mm and/or within 500 mm of an existing footpath/crossover and/or within 2,000 mm of the kerb line, require rectification within 60 days.

Residents and commercial property owners are encouraged to maintain the verge adjacent to their property, for their own benefit, the benefit of their neighbours and the benefit of the wider Northam community.

10. PUBLIC AWARENESS

The Shire will acknowledge residents' efforts to develop a sustainable verge landscape via a 'Sustainable Verge Award' each year in spring. The award will target verge landscapes which contribute to the Shire's green objectives. The award is available for two categories' residential and commercial/schools.

The award is judged on the following criteria: biodiversity; water wise strategies; design; maintenance and any unique aspects. Nomination forms are available at the Administration Centre, and can be submitted from August to mid-September annually.

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Public awareness programs to highlight the responsibilities of residents and the Shire on the issues of planting and maintenance of verge treatment will be undertaken, including articles placed from time to time (quarterly) in the Post newspaper and Talk about Northam newsletter. The articles should include all aspects of verge planting and maintenance, including responsibility and relevant Local Laws.

GLOSSARY OF TERMS

- Street Verge:** Portion of road reserve between the property boundary and edge of carriageway (kerb line).
- Street Tree:** A tree planted and maintained by the Shire and is typically situated at the 2.7 metre alignment off the property boundary.
- Verge Treatment:** Landscaping of the portion of street verge not occupied by a footpath or crossover. Typically involves the planting of grass, ground covers or low shrubs and may include reticulation or paving.
- Verge Restoration:** The removal of any existing treatment and excavation of soil up to 100mm below existing paved levels. Topsoil is placed and levelled so that the new soil is flush with any existing paving (footpath, crossover, kerbing, etc).
- Soft landscaping:** Refers to grass, ground cover and shrubs
- Hard Landscaping:** Refers to retaining structures or edging / borders.
- Paving:** Refers to clay or concrete paving materials for footways or hardstand for parking of vehicles.
- Structures:** Refers to built structure

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13.2.2 TENDER 1 OF 2016 - BERNARD PARK DRAINAGE BASIN IMPROVEMENTS

Name of Applicant:	Internal Report
Name of Owner:	N/A
File Ref:	8.2.9.1
Officer:	Clinton Kleynhans / Tracey Pearce
Officer Interest:	Nil
Policy:	F3.2 Purchasing and Tendering
Voting:	Absolute Majority

PURPOSE

For Council to approve the award of RFT 1 of 2016 for the Bernard Park Drainage Basin Improvements.

BACKGROUND

Request for tenders were called on the 30 January 2016 in the West Australian. The tender closed on 22 February 2016.

Tenderers were invited to provide lump sum price to deliver works under contract for the Bernard Park Drainage Basin Improvements.

Provision in the contract also made allowance for the 3 submission options

- Option 1 - A permeable bund using rock pitching and geofabric to filter the larger sediment prior to seeping into the second basin;
- Option 2 - A gabion block and geofabric permeable filter of heavy materials prior to seeping through into the second basin;
- Option 3 - A stone pitched weir with the laterite bund to retain sediment allowing easier ongoing maintenance, also aiming to maintain a constant water body for wildlife.

Employee's present at the tender opening were the Asset Manager and Project / Contract Administration Officer.

Tenders were independently assessed by the Executive Manager Engineering Services, Operations Manager and Chief Executive Officer, with an average score determined for assessment.

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STATUTORY REQUIREMENTS

Section 3.57 of the Local Government Act 1995;

Local Government (Functions & General) Regulations 1996 prescribe the manner in which Tenders are to be assessed.

In addition to the above, Council has an adopted Policy with respect to Regional Price Preference as set out below:

“F 3.4 Regional Price Preference

Policy: *Council’s Regional Price Preference for locally produced goods and services will apply to all goods and services for which tenders are let, unless the Shire of Northam determines otherwise, and is to be:*

Up to 10% with the contract is for goods and services, up to a maximum priced reduction of \$50,000.”

This policy has been applied within the tender assessment process.

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

OBJECTIVE C3: Provide active and passive recreation facilities and services.

STRATEGY C3.1: Develop, maintain and support appropriate recreation facilities throughout the Shire.

FINANCIAL IMPLICATIONS

The Shire has available in the 2015/16 budget a funding amount of \$ 569,000 through Royalties for Regions for the delivery this project.

The tender expenditure, if accepted by Council, will be allocated across the following jobs;

Drainage Budget remaining		
10282024	Drainage 2012/13 CLGF	\$193,244
10282014	Southern Investment Fund	\$607,162
4311	Bernard Park (Supertowns)	\$333,784
		\$1,134,190

Once the project subject of this report is completed, there is one outstanding project to be completed with the aforementioned funds. This is the work around the King Creek Drainage system located adjacent to Purslow Park. This work is currently being tendered.

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OFFICER'S COMMENT

There were **two** (2) tender submissions received for the advertised Tender, these included:

1. Australian Civil
2. Vento Contracting Services.

These submissions were assessed against the following pre-determined criteria's:

Compliance Criteria

- Compliance with the conditions in the request;
- Compliance with Specification;
- Financial capacity to perform the works;
- Intent to Sub-Contract;
- Declare any conflict of interest;
- Quality assurance;
- Occupational Health and Safety requirements;
- Insurance coverage;
- Public Consultation.

Qualitative Criteria (Scored)

- | | |
|------------------------------|-----|
| • Pricing | 50% |
| • Relevant Experience | 25% |
| • Timeliness of Delivery | 15% |
| • Safety and Risk Management | 10% |

The assessment determined ranking of tenders to be as follows (in order of preference) for the three options:

- | | |
|-----------------|-----------------------------|
| 1 st | Australian Civil |
| 2 nd | Viento Contracting Services |

Due to the varying nature of material quantities required to construct the weir, Tenderers submitted rates only for this portion of the contract with estimated quantities applied for the purpose of assessment.

As both tenderers had several omissions in their submission, pricing was levelled through the application of identical material quantities and selection of preferred options in order to evaluate tenders on an even bases.

The following items were also determined to be unquantifiable until such time works could commence.

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- Dewatering;
- Reinstatement of grass caused by damage during the works;
- Cleaning and removal of sediment.

A contingency of \$50,000 ex gst should be allowed for as a provisional sum to account for these works.

During the tender clarification stage a design improvement was identified to include a second course of limestone blocks to the basin perimeter. The estimated value of the variation is \$34,454 ex GST

The Evaluation Panel recommends the remainder of the major civil construction works (Option 3 design) be awarded to Australian Civil as the preferred supplier for the estimated sum of \$466,090 ex GST.

RECOMMENDATION

That Council;

- 1. Award Tender No.1 of 2016 to Australian Civil for the estimated sum of \$516,090 exc. GST. Inclusive of a \$50,000 provisional sum;**
- 2. Approve Variation 1 amount of \$34,454; and**
- 3. Delegate authority to the Chief Executive Officer to approve contract variations within the budget parameters for the completion of Bernard Park Basin Improvement Project.**

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13.3. DEVELOPMENT SERVICES

13.3.1 APPLICATION TO KEEP 3-6 DOGS (NOT A KENNEL)

Name of Applicant:	John and Susan Turner
Name of Owner:	John and Susan Turner
File Ref:	5.2.1.6
Officer:	Chadd Hunter/Kellee Walters
Officer Interest:	Nil
Policy:	Shire of Northam Dogs Local Law 2008 Part 3
Voting:	Simple Majority

PURPOSE

For the Council to make a determination on an application for a permit to keep 3-6 dogs (not a kennel) for which an objection has been received from a neighbouring property.

BACKGROUND

On 26th November 2015 the Shire of Northam received a 3-6 Dog application from the owners of 207 Bodeguero Way, Wundowie. The applicant was seeking to keep a total of four (4) dogs on a 2.3661 hectare property zoned as Rural Residential R1. Councils Local Laws require the immediate adjoining neighbours to be advised of the application to establish if they have any objections.

The 4 dogs in the application comprised of:

- Dachshund (M)
- Chihuahua (F)
- Kelpie Chihuahua (F)
- Chihuahua (F)

A total of 4 notification letters were sent with one response received. The response had objections refer to attached Schedule of Submissions.

On the 24th December 2015 the respondent forwarded her submission of objection to the Shire of Northam.

STATUTORY REQUIREMENTS

Dog Act 1976 Part V — The keeping of dogs

26. Limitation as to numbers

- (1) A local government may, by a local law under this Act —

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- (a) limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or
- (b) limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.
- (2) A local law mentioned in subsection (1) —
 - (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only
 - (b) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
 - (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
 - (b) cannot authorise the keeping in or at those premises of —
 - (i) more than 6 dogs that have reached 3 months of age;

Shire of Northam – Dogs Local Law 2008

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been –
 - (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act.

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A 8.4 MULTIPLE DOG POLICY

POLICY An exemption under s26(3) of the Dog Act 1976 to keep more than the number of dogs prescribed in the Shire of Northam Dog Local Law 2008 is to be in accordance with the following conditions:

This approval is not transferable and is specific to the person named in the approval letter.

- 1 The approval is valid only for the nominated dogs within the application form and should any of the dogs die, be sold, go missing or be given away, it cannot be replaced prior to further Council approval.
- 2 All dogs approved to be kept on the subject premises, must hold and maintain valid registrations.
- 3 Any proven complaints from neighbours regarding offences against the *Dog Act 1976*, can be result in the permit being revoked and the maximum number of dogs on the premises being reduced to two within 14 days.
- 4 At any time following approval, authorised Council officers can inspect the subject property to check fencing, number of dogs and registration details.
- 5 Compliance with the requirements of the Dog Act 1976, Regulations and any Local Law of the Shire of Northam

OBJECTIVES To ensure due consideration is given to all affected parties and appropriate conditions applied

GUIDELINES Shire of Northam Dog Local Law 2008;
cl 3.2(1)(b)
Dog Act 1976 s26(3)

/G: /Procedures /Admin /Multiple Dog Procedures

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

STRATEGIC INITIATIVE C1.1: Provide quality regulatory services.

ACTION / PROJECT: Ensure compliance with and advocate for responsible animal (dog/cat) ownership/management requirements.

BUDGET IMPLICATIONS

Nil

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OFFICER'S COMMENT

There have been no recorded negative complaints regarding the applicant's dogs.

The applicants have upgraded their fencing to comply with the confinement requirements of the Dog Act (1976) and Shire of Northam Dogs Local Law 2008. The dogs will be confined so as not to affect the amenity of the neighbours.

RECOMMENDATION

The application for a 3-6 Dog permit for John and Susan Turner of 207 Bodeguero Drive, Wundowie be approved to keep the 4 dogs listed on the application subject to the following conditions;

- 1. The approval is valid only for the nominated dogs within the application form and should any of the dogs die, be sold, go missing or be given away, it cannot be replaced prior to further Council approval;**
- 2. Any proven complaints from neighbours regarding the dogs offending against the Dog Act 1976, could see the permit being revoked and the numbers having to be reduced to a maximum of two within 14 days;**
- 3. Once approved, the applicant must hold and maintain valid registrations for each dog kept on the premises, the exemption is only valid for the life of the dogs, should any of the dogs die, be sold, go missing or given away, it cannot be replaced prior to seeking further approval;**
- 4. The permit is not transferable to any other dog or person; and**
- 5. At any time following approval, authorised Council officers can inspect the subject property to check fencing, number of dogs and registration details.**

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Shire of Northam Multiple Dog Policy (Dogs Local Law 2008-Part 3)
207 Bodeguero Way. Wundowie
Multiple Dog Policy A 8.4
Schedule of Submissions

Number	Name	Summary of Submissions	Key Themes Identified in Submission	Officers Comment
			<i>Eg. Traffic, Pedestrian Safety, Noise etc.</i>	
1	Adjoining property owner	<p>Initial objection was on behalf of her deceased husband</p> <p>Kangaroos on property continually damaging fencing</p>	<p>Inadequate fencing</p> <p>Fences being damaged</p>	<p>(1)Interrogation of Synergy there have been two registered requests relevant to this address (ICS54331 & ICS53330) to the Shire of Northam, Ranger Services period. The first being the current multiple dog application and the second is where the respondent's dog attacked the applicant's dog.</p> <p>Rangers Services has been in contact with the applicants since their initial application in November 2015 and on each occasion the applicants had not completed the fencing upgrades that the Shire had requested. In Mid February 2016 the applicants have advised that the fencing upgrades had been completed. Ranger Services have inspected the upgrades and they meet the required standard. Photos available.</p> <p>(2)The respondent has been advised that we do not have authority to deal with the wild life carer issues and to contact the relevant authorities.</p>

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		<p>Respondents opinion is that their current fencing is not adequate for wild life carers</p> <p>Does not think they need four dogs?</p>	<p>No authority</p> <p>Area zoning and legal rights to keep more than two dogs</p>	<p>(3)The fenced area were the dogs are kept is separate to the area were the kangaroos are kept so this will have no impact on the confinement of the dogs.</p> <p>(4) The Dog Act (1976) and the Local Government Act 1996 permits Council to make local laws in relation to the prescribed number of dogs permitted in areas within the Shire. Shire of Northam Dog Local Law 2008 3.2(1)(b) refers to the availability of applying for an exemption subject to section 26(3) The Dog Act (1976) to keep more than two (2) dogs.</p>
2		<p>Angst as the respondents dog attacked the applicants dog and the applicants were insisting the respondents pay the vet bill.</p> <p>Due to the type of objections listed, numerous calls made in an attempt to confirm if the respondent wanted to continue with her objection. Finely email sent late February 2016 which gained a response of " "I do not agree with the residents at 207 Bodeguero Way having more than 2 dogs at their residence."</p>	<p>Property for sale</p> <p>No specific objection listed</p>	<p>(5)The respondents property is currently on the market "For sale"</p> <p>(6) Nil</p>

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13.3.2 RETROSPECTIVE DEVELOPMENT APPLICATION FOR THE PLACEMENT OF A SECOND HAND RELOCATED DWELLING, RELOCATION OF THE BUILDING ENVELOPE AND SECOND HAND OUTBUILDING - LOT 2 FERNIE ROAD, BAKERS HILL

Name of Applicant:	Traci Atkinson
Name of Owner:	Traci Atkinson
File Ref:	A15407/P16003
Officer:	Chadd Hunt / Courtney Wynn
Officer Interest:	Nil
Policy:	<i>Local Planning Scheme No.6 Local Planning Policy 1 - Outbuildings Local Planning Policy 2 - Site Construction, General Development and Subdivision Guidelines Local Planning Policy 3 - New Transportable, Relocated & Second Hand Dwellings Local Planning Policy 8 - Retrospective Development Applications and Fees Local Planning Policy 19 - Residential Design Guidelines for the Rural Residential & Rural Smallholding Zones Planning & Development Act 2005 Planning Regulations 2015</i>
Voting:	Simple Majority

PURPOSE

Council is requested to consider a retrospective application for a second hand relocated dwelling, relocated building envelope and second hand outbuilding (note: this component of the application is not retrospective) at Lot 2 Fernie Road, Bakers Hill.

This application is being referred to Council for consideration as complaints have been received from ratepayers regarding the illegal nature in which the development has occurred and the untidy appearance of the transportable dwelling and materials deposited on the property over the past 10 months.

BACKGROUND

The applicant (landowner) contacted the Shire in March 2015 to find out the requirements for transportable dwellings. The applicant was advised verbally and in writing by Planning Officers that Development Approval, Septic Approval and a Building Permit was required.

In June 2015, the Shire received a complaint from a nearby land owner regarding the unauthorised placement and habitation of the house outside of the designated Building Envelope (Appendix 12). Following the submission of the complaint, the landowner was

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advised in writing that the development was unauthorised and the building was either to be removed or retrospective approval obtained from the Shire of Northam.

On 20th November 2015 this building was declared unfit for human habitation by the Shire's Environmental Health Department.

The landowner formally submitted the current Development Application on 14th January 2016. In addition to seeking approval for the house and building envelope relocation, the land owner is also seeking approval for a second hand outbuilding and the construction of a wraparound verandah on the house. A copy of the plans are included in Appendix 1 - 4.

STATUTORY REQUIREMENTS

Local Planning Scheme No.6

Lot 2 Fernie Road, Bakers Hill is zoned 'Rural Residential' No.7 under the Shire's Local Planning Scheme No. 6 (the Scheme) and has a total land area of 2.04ha. The following special conditions apply to lots zoned 'Rural Residential No.7' under Schedule 11 of the Scheme:

1. *The minimum permitted lot size shall be 2.0 hectares.*
2. *All lots shall be provided with a reticulated potable water supply.*
3. *All Vegetation Management Areas shown on the approved structure plan shall be re-vegetated by the planting of locally native species and protected from fire and excessive grazing. The following management provisions will therefore apply:*
 - (a) *The local government will recommend to the Western Australian Planning Commission that all Vegetation Management Areas shall be re-vegetated by the planting of locally native species as a condition of subdivision approval;*
 - (b) *These areas shall be fenced and maintained by each landowner as a low fuel area as a precaution against their destruction by fire;*
 - (c) *Controlled grazing within these areas to reduce the fire hazard resulting from heavy fuel loads may be permitted at the discretion of the local government providing damage to any revegetation works is minimised;*
 - (d) *Where fuel loads within these areas are not reduced by grazing the landowner is required to reduce the fire hazard by mechanical means; and*

These provisions are to be the subject of a notification under section 70A of the Transfer of Land Act 1893 and endorsed on the Certificate of Title of all new lots created within the approved structure plan area.

Building Envelope

In regard to the proposed relocation of the Building Envelope, Clause 5.30.7 of the Scheme specifies the following:

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5.30.7 The local government may permit a variation to a previously approved building envelope, prior to the construction of any building, if it can be demonstrated to the satisfaction of the local government that the location of the proposed new building envelope will not be detrimental to the residential amenity and landscape and/or environmental qualities of the land and other adjoining properties.

Local Planning Policy 1 - Outbuildings

It should be noted that the proposed outbuilding has demonstrated compliance with all requirements outlined in LPP1. Development approval of the outbuilding is subject to development approval for the house being granted as outbuildings are not permitted on lots without an approved dwelling in accordance with Local Planning Policy 1 - Outbuildings.

Local Planning Policy 2 - Site Construction, General Development and Subdivision Guidelines

The applicant is proposing the following alterations and additions to the building to ensure compliance with Local Planning Policy 2:

- Replacing the roof with a new roof with a pitch of 15 degrees.
- Construction of an outbuilding which can accommodate car parking.

Local Planning Policy 3 - New Transportable, Relocated & Second Hand Dwellings

The applicant is proposing the following alterations to the house to ensure compliance with Local Planning Policy 3:

- Replacing the roof with a new roof with a pitch of 15 degrees.
- Repainting of the dwelling in a light blue colour with trimmings to match the proposed shed as shown on the elevations.
- Addition of a wrap around verandah around the dwelling.
- Replacement of the window with a glass sliding door and addition of a new window in the front elevation facing the road.
- Installation of a fenced screened area and landscaping around the dwelling.

In addition to the above the payment of a \$30,000 bond is required under Local Planning Policy 3. The bond will be released progressively over a 12 month period as the required enhancement works are completed.

Local Planning Policy 8 - Retrospective Development Applications and Fees

The applicant has been charged retrospective planning fees and the application advertised to surrounding land owners in accordance with Local Planning Policy 8 and Draft Local Planning Policy 20 - Advertising of Planning Proposals.

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Local Planning Policy 19 - Residential Design Guidelines for the Rural Residential & Rural Smallholding Zones

The applicant is proposing the following alterations to the house to ensure compliance with Local Planning Policy 19:

- Addition of a wraparound veranda around the dwelling.
- Replacement of the window with a glass sliding door and addition of a new window in the front elevation facing the road.
- Installation of a fenced private open space area and landscaping around the side of the dwelling.
- Construction of an outbuilding which can accommodate car parking.

PUBLIC CONSULTATION

The application for the single house was advertised to the surrounding land owners for comment on 3rd March 2016 with no submissions received.

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

STRATEGY C1.7: Provide an environment that enhances and builds on the liveability of the Shire.

One of the key objectives for staff when enforcing the Local Planning Scheme No.6 and Local Planning Policies is to ensure that there is an appropriate minimum standard of amenity for all new dwellings and to protect the amenity of surrounding land owners.

BUDGET IMPLICATIONS

It should be noted that the Shire would incur legal costs in the case of a prosecution.

OFFICER'S COMMENT

The unauthorised development (placement of the second hand relocated dwelling on the property) cannot be approved in its current state due to non-compliance with Local Planning Scheme No.6 and relevant Local Planning Policies.

However, in order to demonstrate compliance and obtain retrospective development approval the landowner is proposing to implement the following measures to enhance the appearance of the dwelling over a 12 month period should Council resolve to grant retrospective approval:

- Replacing the roof with a new roof with a pitch of 15 degrees.

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- Construction of an outbuilding which can accommodate car parking and storage of materials which are currently detracting from the amenity of the area.
- Repainting of the dwelling in a light blue colour with trimmings to match the proposed shed as shown on the elevations.
- Addition of a wraparound veranda around the dwelling.
- Replacement of the window with a glass sliding door and addition of a new window to provide a 'front door' and enhance the appearance of the front elevation facing the road.
- Installation of a fenced private open space area and landscaping around the the dwelling.

Due to the unlawful actions of the land owner, it is considered that there is an element of risk that the dwelling will not be modified to the specifications of the Shire. However, it should be noted that the land owner has addressed every requirement under the Shire's Local Planning Scheme No.6 in their application to the satisfaction of the Shire's Planning Officers.

It is therefore recommended that the development be granted retrospective approval subject to a number of time limited conditions be imposed including the payment of a \$30,000 performance bond to assist Officers to ensure that the development is carried out in accordance with the submitted plans in a reasonable timeframe.

It should be noted that the granting of retrospective development approval does not affect the power of the local government to take appropriate action for a breach of the Scheme or Act in respect of the commencement or carrying out of development without development approval.

RECOMMENDATION

That Council:

Approves the development application P16003 for retrospective placement of a second hand dwelling, relocation of the building envelope and construction of an outbuilding at Lot 2 Fernie Road, Bakers Hill subject to the following conditions:

GENERAL CONDITIONS

- 1. The development hereby permitted taking place in accordance with the approved plans dated 20/04/2016.**
- 2. The stormwater shall be discharged in a manner so that there is no discharge onto the adjoining properties to the satisfaction of the local government.**
- 3. Use of the outbuilding shall be for domestic purposes only.**

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4. The outbuilding shall not be used for human habitation at any given time.
5. External roof and wall cladding of the outbuilding to be pre-painted steel sheeting.

CONDITIONS TO BE MET WITHIN 1 MONTH OF THE DATE OF APPROVAL

6. Within 1 month of the date of this determination notice, the land owner is to submit a Building Permit application for the relocated dwelling to the local government within 30 days of the day of this approval. Please refer to advice note 4 for further information.
7. Within 1 month of the date of this determination notice, a legal agreement being entered into at the cost of the land owner prior to a Building Permit being issued. The legal agreement is to ensure that there is a bond or bank guarantee of \$30,000 for the dwelling made in favour of the Shire of Northam to ensure that specific stages of the building project are completed. Once each stage is completed in accordance with Local Planning Policy 3, the bond/bank guarantee can be progressively refunded.
8. Within 1 month of the date of this determination notice, detailed drainage plans shall be submitted to the satisfaction of the local government.

CONDITIONS TO BE MET WITHIN 6 MONTHS OF THE DATE OF APPROVAL

9. Within 6 months of the date of this determination notice, a new door and window is to be installed in the front elevation of the house in accordance with the approved plans.

CONDITIONS TO BE MET WITHIN 10 MONTHS OF THE DATE OF APPROVAL

10. Within 8 months of the date of this determination notice, a new roof with a minimum pitch of 15 degrees with non-reflective cladding is to be installed for the dwelling in accordance with the approved plans.
11. Within 8 months of the date of this determination notice, verandas are to be installed in accordance with the approved plans.
12. Within 8 months of the date of this determination notice, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government.
13. Within 8 months of the date of this determination notice, the external wall cladding of the house is to be repainted to the satisfaction of the local government.

CONDITIONS TO BE MET WITHIN 12 MONTHS OF THE DATE OF APPROVAL

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14. Within 12 months of the date of this determination notice, access to the dwelling must be provided via a verge crossover, to the specification and satisfaction of the Shire, and an all-weather road with dimensions adequate to accommodate emergency vehicles.
15. Within 12 months of the date of this determination notice, landscaping is to be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the local government.
16. Within 12 months of the date of this determination notice, a private open space area to be located behind the house and screened from view of the street, directly accessible from a living area of the house and a utilities area to is also to be provided.
17. Within 12 months of the date of this determination notice, a car parking area to be provided close to the house and constructed of a gravel hardstand as a minimum standard.
18. Within 12 months of the date of this determination notice, the relocated dwelling being completed to the satisfaction of the local government. Should the relocated dwelling not be completed to the satisfaction of the local government, the land owner, under the provisions of the legal agreement entered into, shall forfeit the monies paid under the bank guarantee.
19. Within 12 months of the date of this determination notice, and immediately upon completion of the development permitted by this Development Approval, the owner or occupier of the subject land must give written notice to the local government that, in his/her view the development complies with all the requirements of this Approval. The development must not be occupied until the local government has issued a statement in writing confirming that the development complies with this Approval.

CONDITIONS REQUIRING ONGOING COMPLIANCE

20. All landscaped areas are to be maintained on an ongoing basis to the satisfaction of the local government.
21. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government.
22. The owner ensuring that the land is not laid bare of vegetation resulting in loose or erodible conditions.
23. The vegetation management area shown on the endorsed subdivision guide plan is to be fenced and maintained by the land owner as a low fuel area as a precaution against their destruction by fire.

ADVICE NOTES

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NOTE 1: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

NOTE 2: If the outbuilding subject to this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further affect.

NOTE 3: In regard to Advice Note 2, where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

NOTE 4: In regard to Condition 7, this is not an approval to commence or occupy the development. A Building Permit must be obtained from the Local Government prior to the commencement of any works. The following information is required to be submitted with the Building Permit:

- Evidence of original building approval as a Class 1a building suitable for the new location or Certification from a suitably Qualified Engineer that the dwelling, proposed stumps and footings, proposed veranda, door, window and roof renovations is structurally adequate for the soil type, wind classification and earthquake factor of the new site.
- Fully detailed professionally drawn plans of the existing structure and the new additions/renovations.
- Method of Stormwater disposal.
- Evidence that the energy efficiency of the building complies with the relevant standard applicable to the time of construction.
- Evidence that the glazing complies with the applicable Australian Standards (AS2047 & AS1288).
- A Bushfire Attack Level (BAL) Assessment.
- Details of registered builder (or owner builder approval) and evidence of appropriate insurance
- Further information may be required by the Shire once a full assessment is completed
- All Application Fees

NOTE 5: The development is required to comply with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

NOTE 6: The septic trenches are to run parallel with the contours of the land and an Application for Installation of an Effluent Disposal System is required to be submitted and approved by the local government prior to the commencement of any associated works.

NOTE 7: This lot is located within a designated Bushfire Prone Area. A Bushfire Attack Level assessment is to be submitted as part of the Building

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Permit application if submitted on or after 8th April 2016 and the dwelling constructed to AS-3959 standards.

NOTE 8: Approval to construct an outbuilding is dependent upon the house being developed on the property in accordance with this determination notice. Please note that the local government cannot issue a Building Permit for the outbuilding prior to a Building Permit being issued for the house. Also note that if the outbuilding is constructed and the approved house is not completed within 12 months of the date of this determination notice, the outbuilding is to be removed at the direction of the local government.

NOTE 9: The land owner is reminded that the house is not to be occupied until a such time a Notice of Completion is submitted to the local government at the conclusion of the building works.

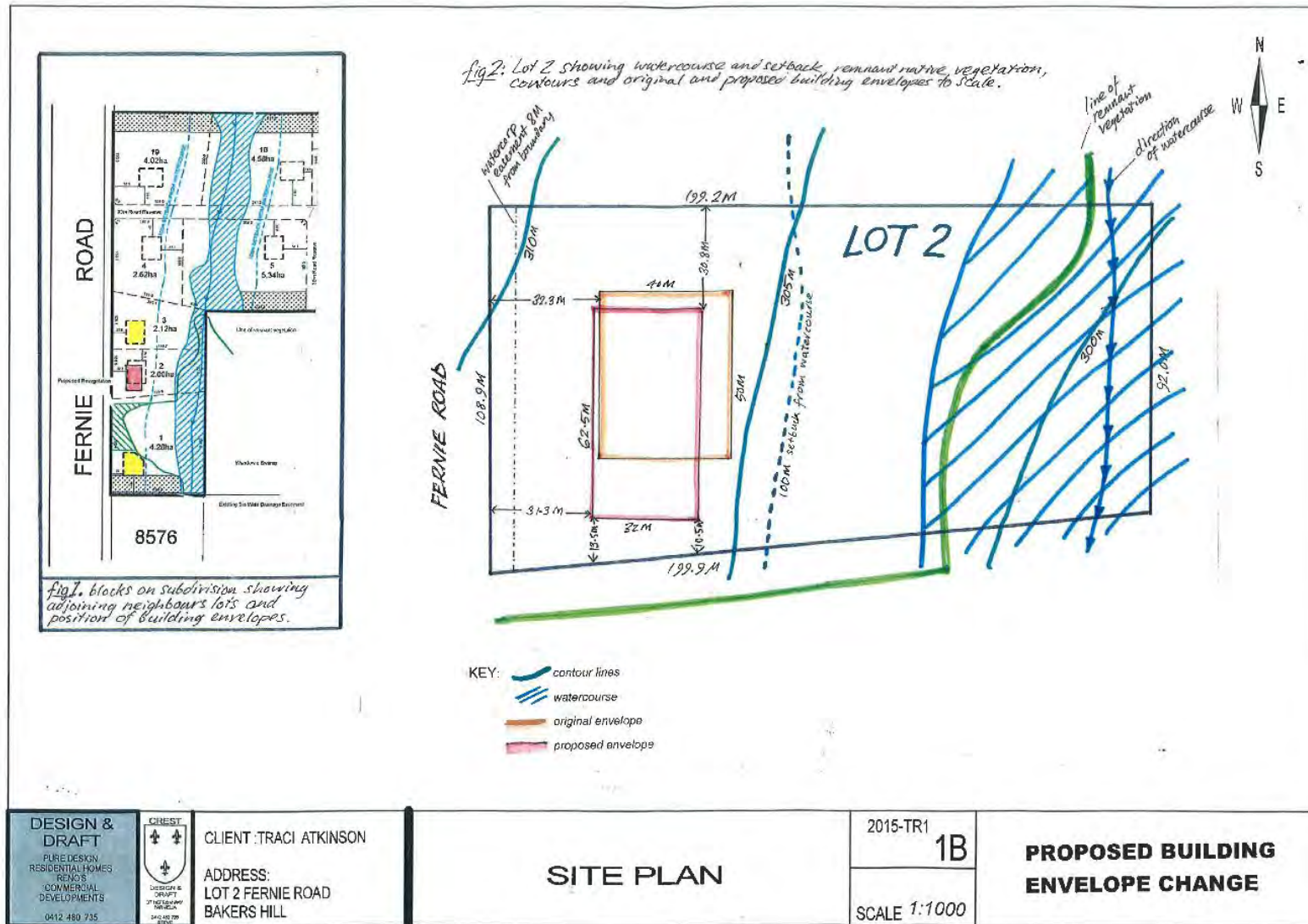
NOTE 10: The approval of the local government of an existing development does not affect the power of the local government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval or development carried out otherwise than in accordance with any conditions imposed upon the grant and issue of any approved required by the Scheme.

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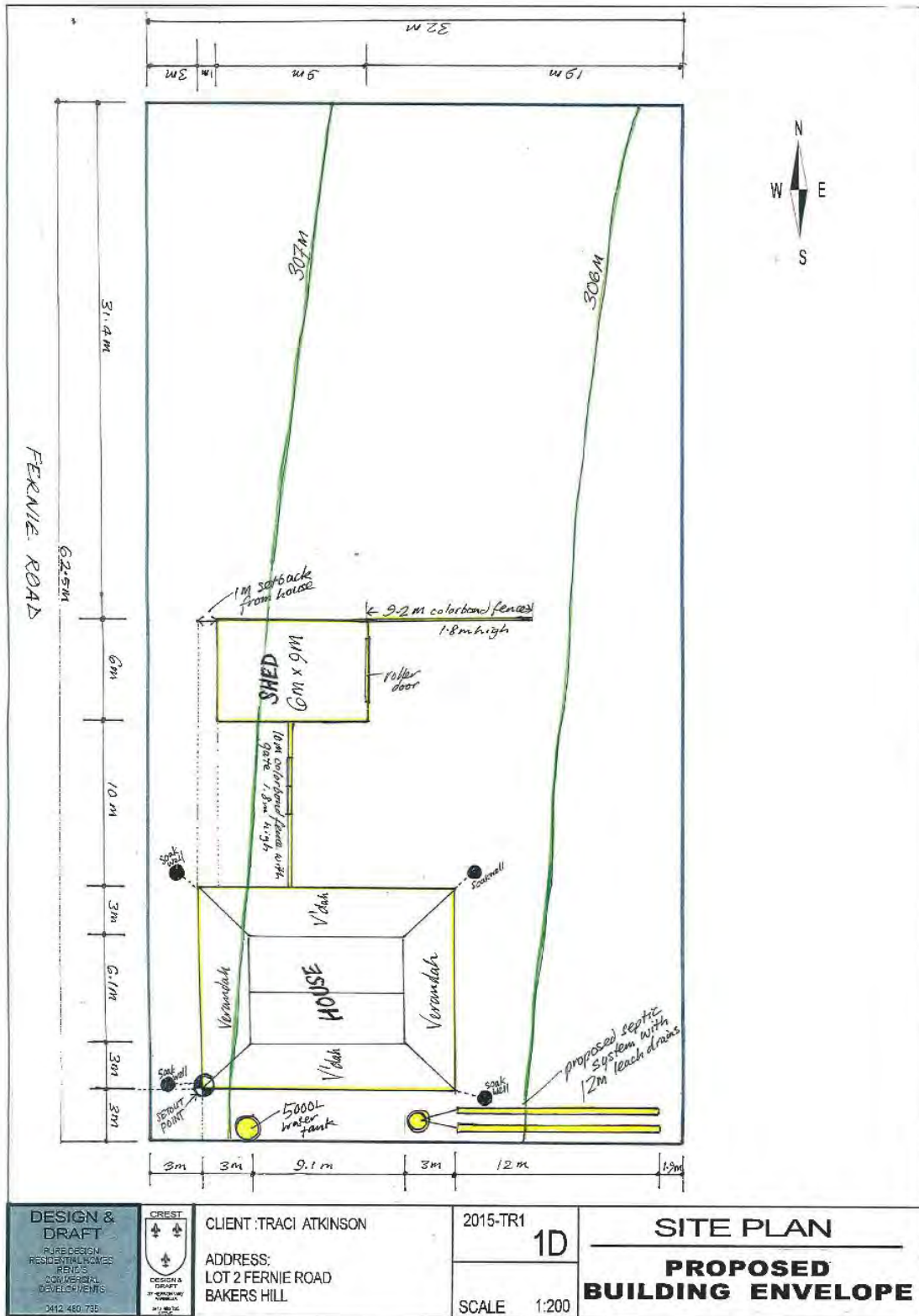
ATTACHMENT 1 - PLANS



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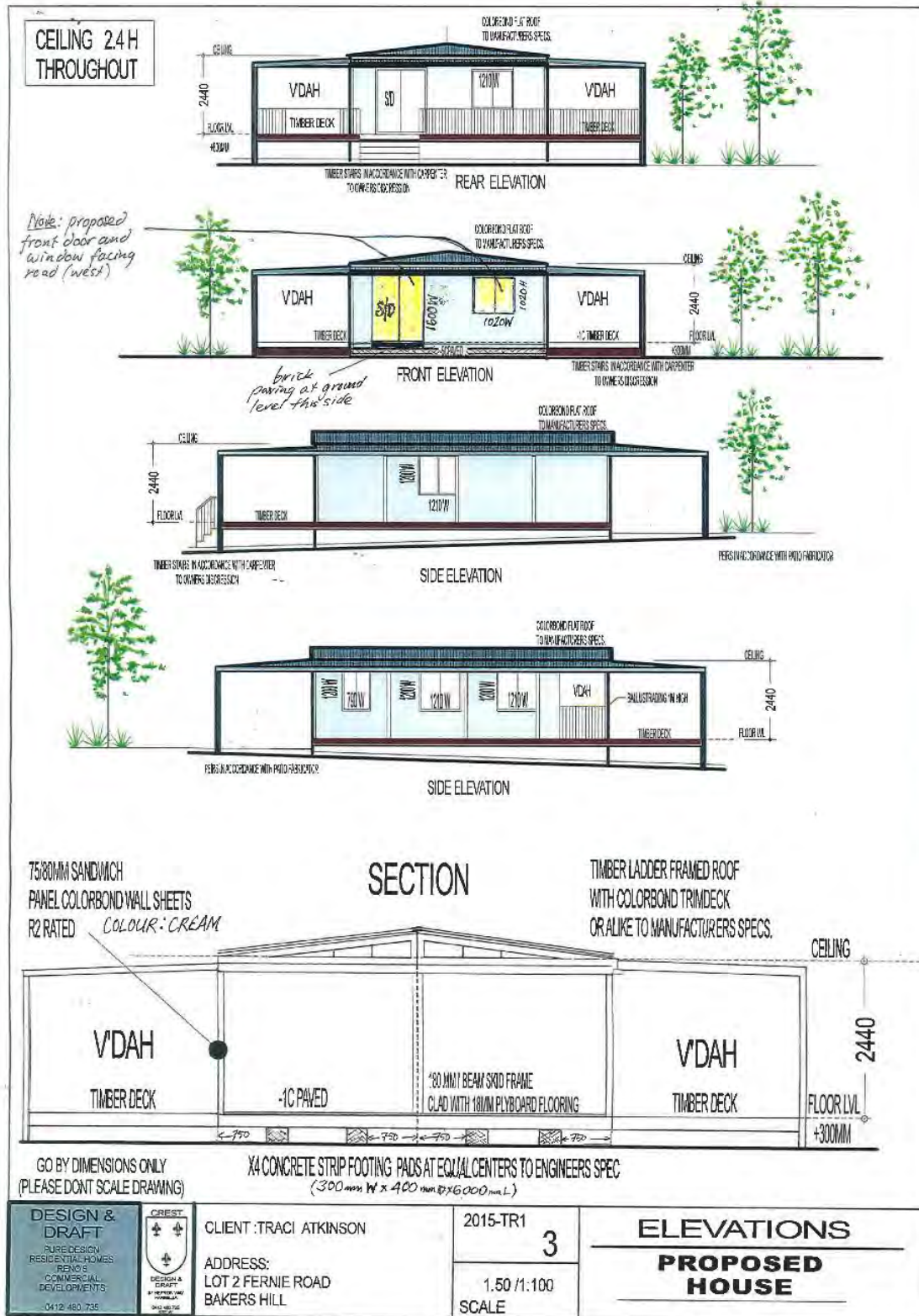
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



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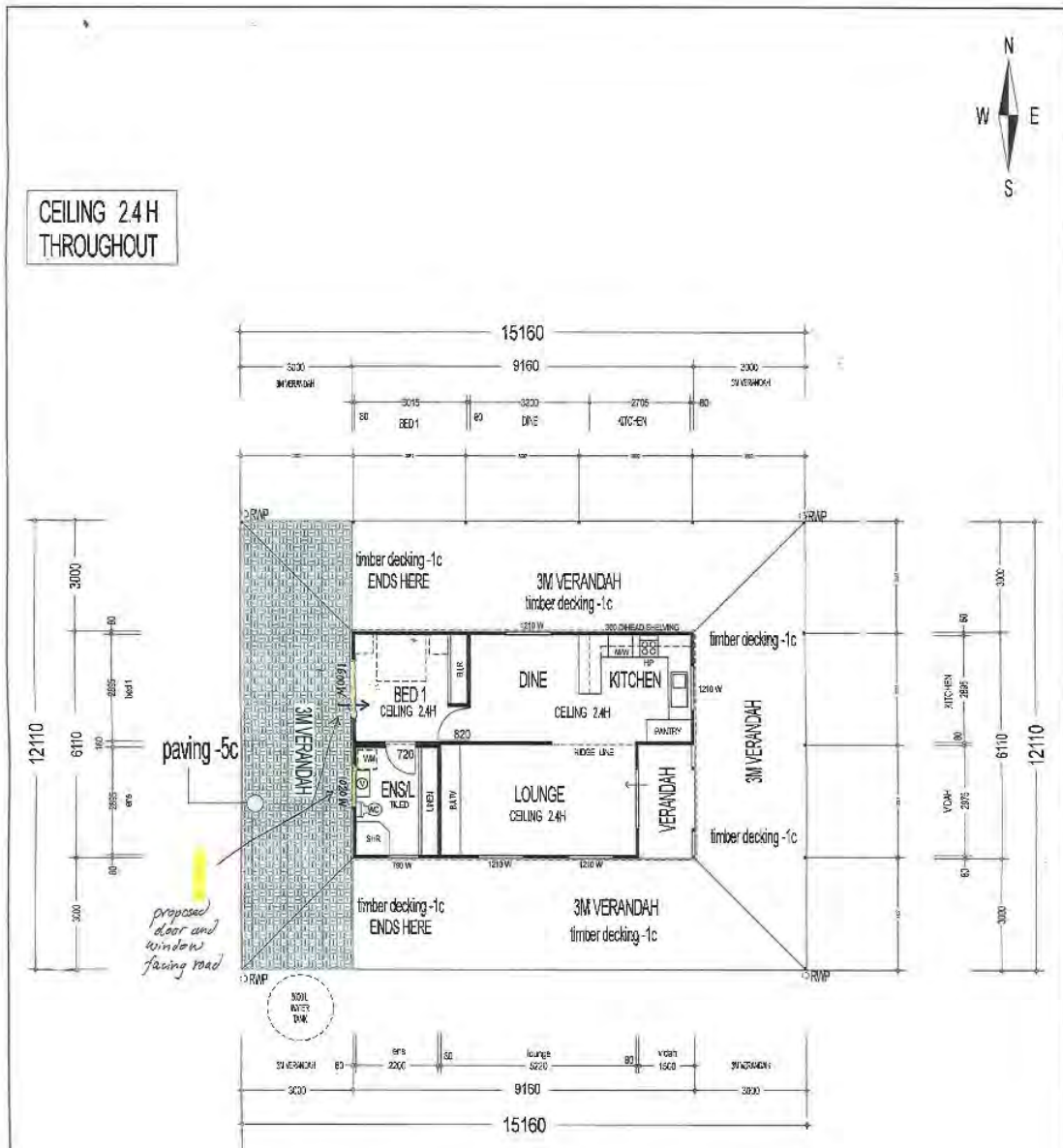
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



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GO BY DIMENSIONS ONLY
(PLEASE DONT SCALE DRAWING)

DESIGN & DRAFT
PURE DESIGN
RESIDENTIAL HOMES
REVIEWS
COMMERCIAL DEVELOPMENTS
0412 480 1735

CREST
CONSTRUCTION
CONTRACTORS
CONSTRUCTION
CONTRACTORS

CLIENT :TRACI ATKINSON
ADDRESS:
LOT 2 FERNIE ROAD
BAKERS HILL

2015-TR1
2
SCALE 1:100

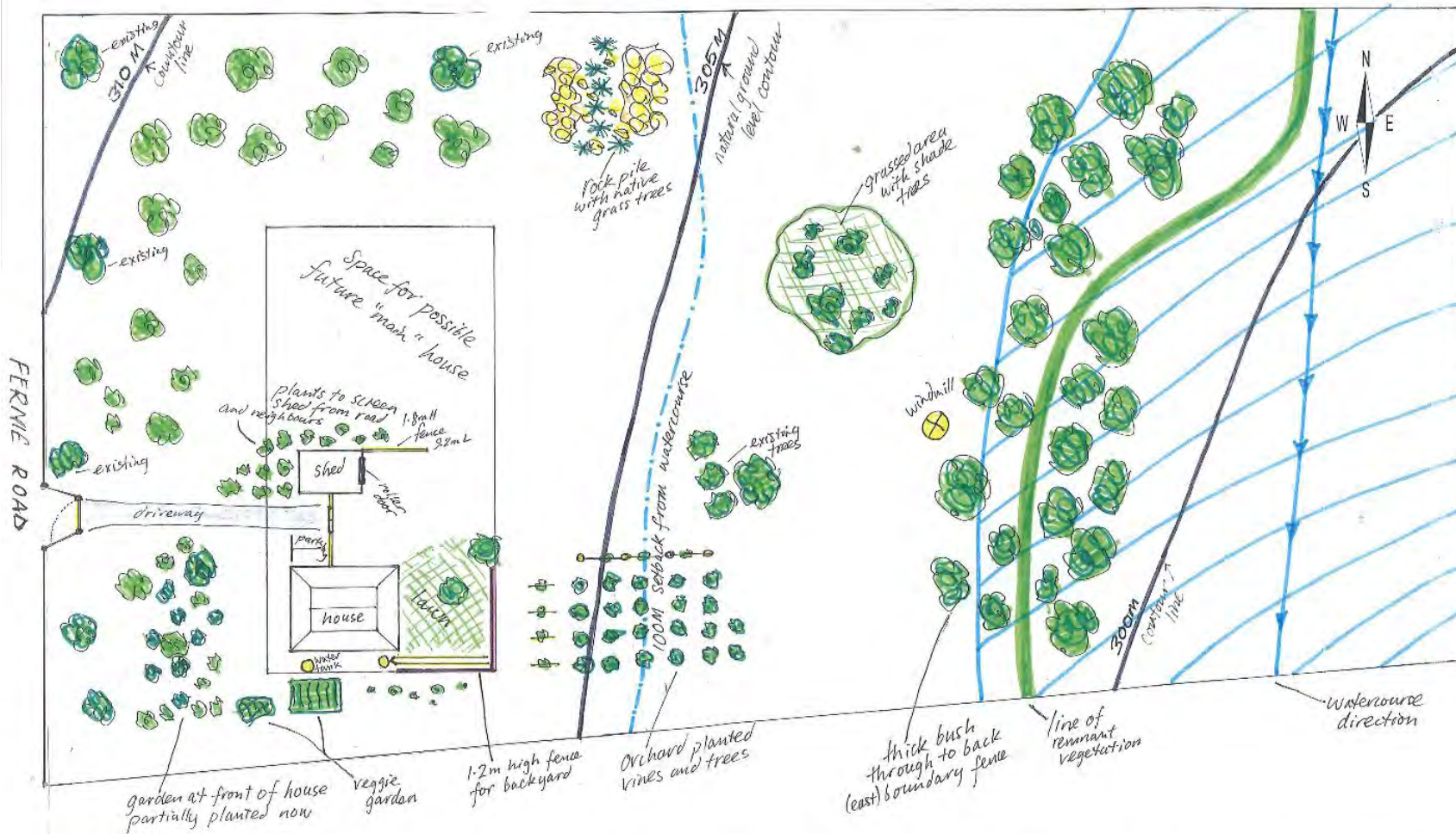
FLOOR PLAN
PROPOSED HOUSE

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ATTACHMENT 2 – LANDSCAPING PLANS



DESIGN & DRAFT
 PURE DESIGN
 RESIDENTIAL HOMES
 RENDS
 COMMERCIAL DEVELOPMENTS
 0412 400 735



CLIENT: TRACI ATKINSON
 ADDRESS:
 LOT 2 FERNIE ROAD
 BAKERS HILL

SITE PLAN

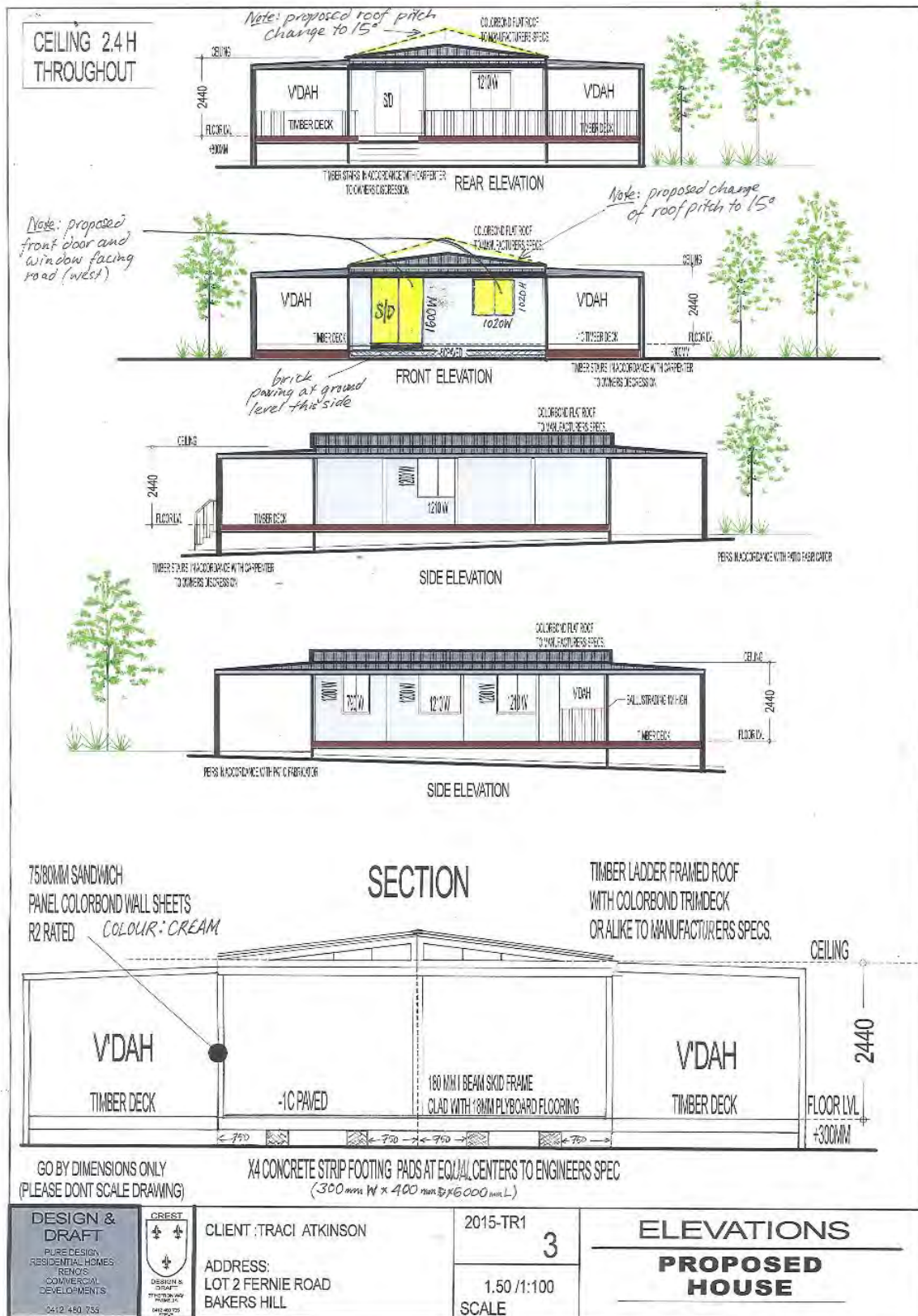
2015-TR1
1C
 SCALE 1:500

OVERALL SITE PLAN PROPOSED LANDSCAPING

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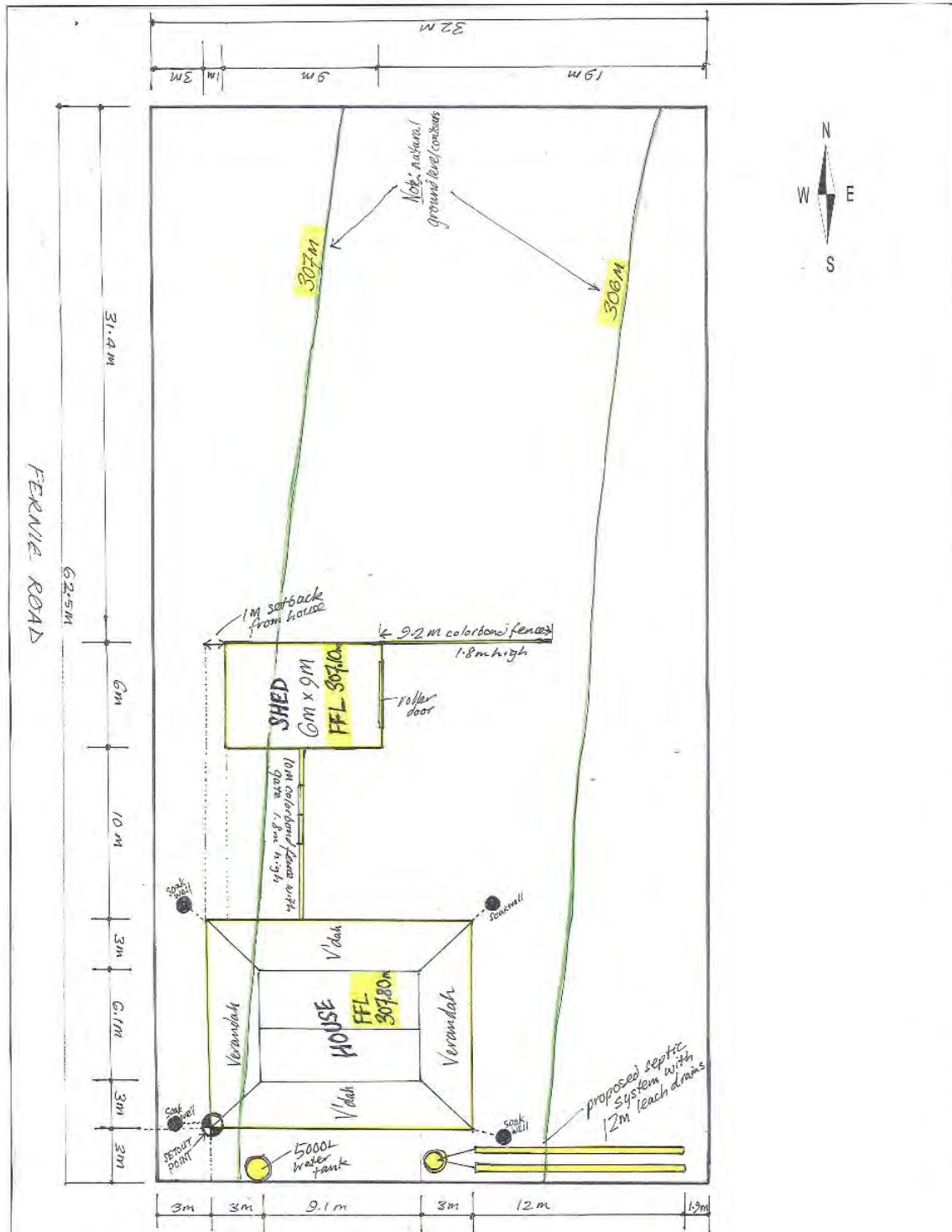
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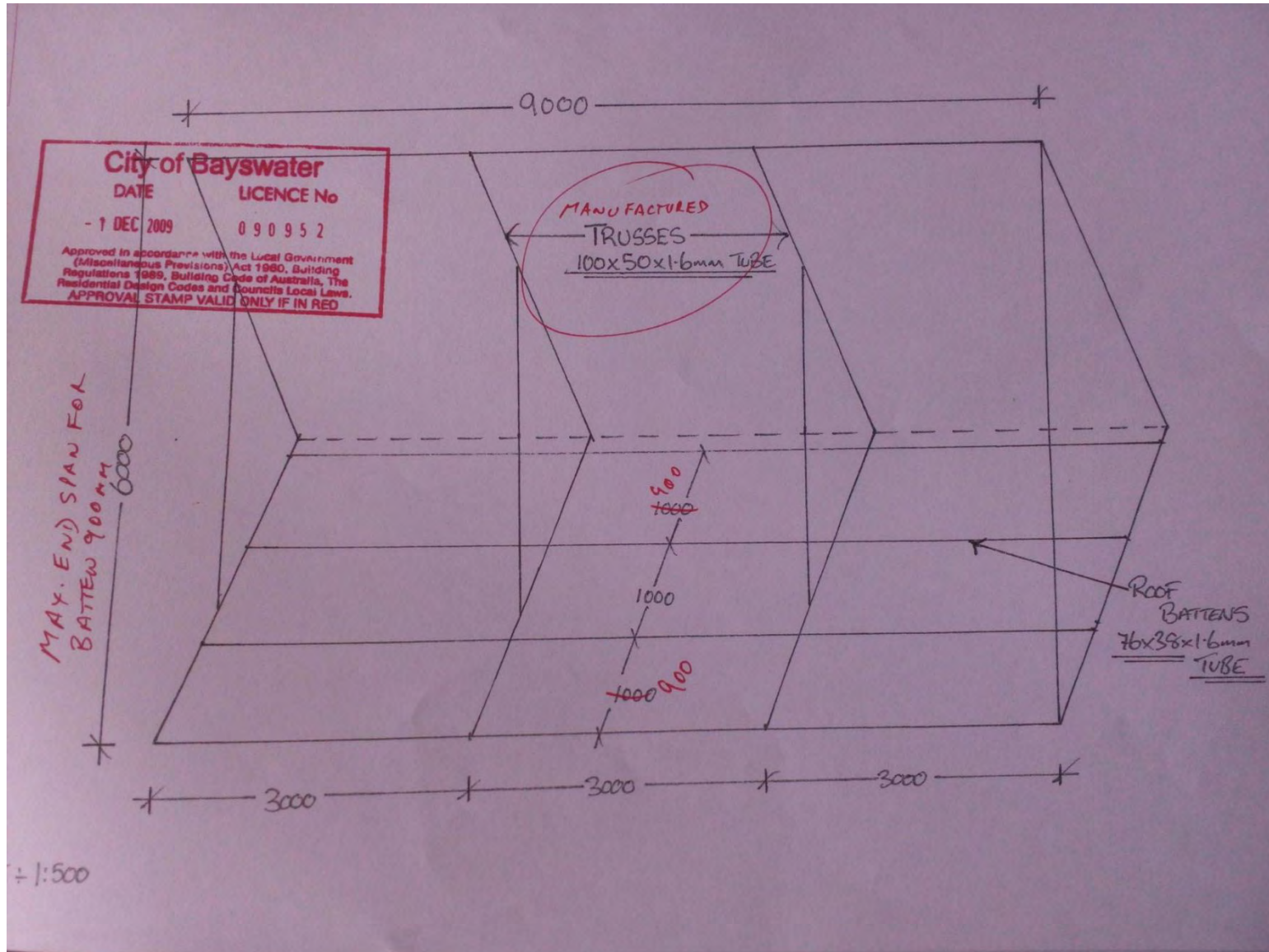
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



DESIGN & DRAFT <small>PURE DESIGN RESIDENTIAL HOMES RENO'S COMMERCIAL DEVELOPMENTS</small> <small>0412 480 735</small>	 <small>CREST DESIGN & DRAFT REGISTERED ARCHITECT</small>	CLIENT :TRACI ATKINSON	2015-TR1	SITE PLAN <hr/> PROPOSED BUILDING ENVELOPE
		ADDRESS: LOT 2 FERNIE ROAD BAKERS HILL	1D	

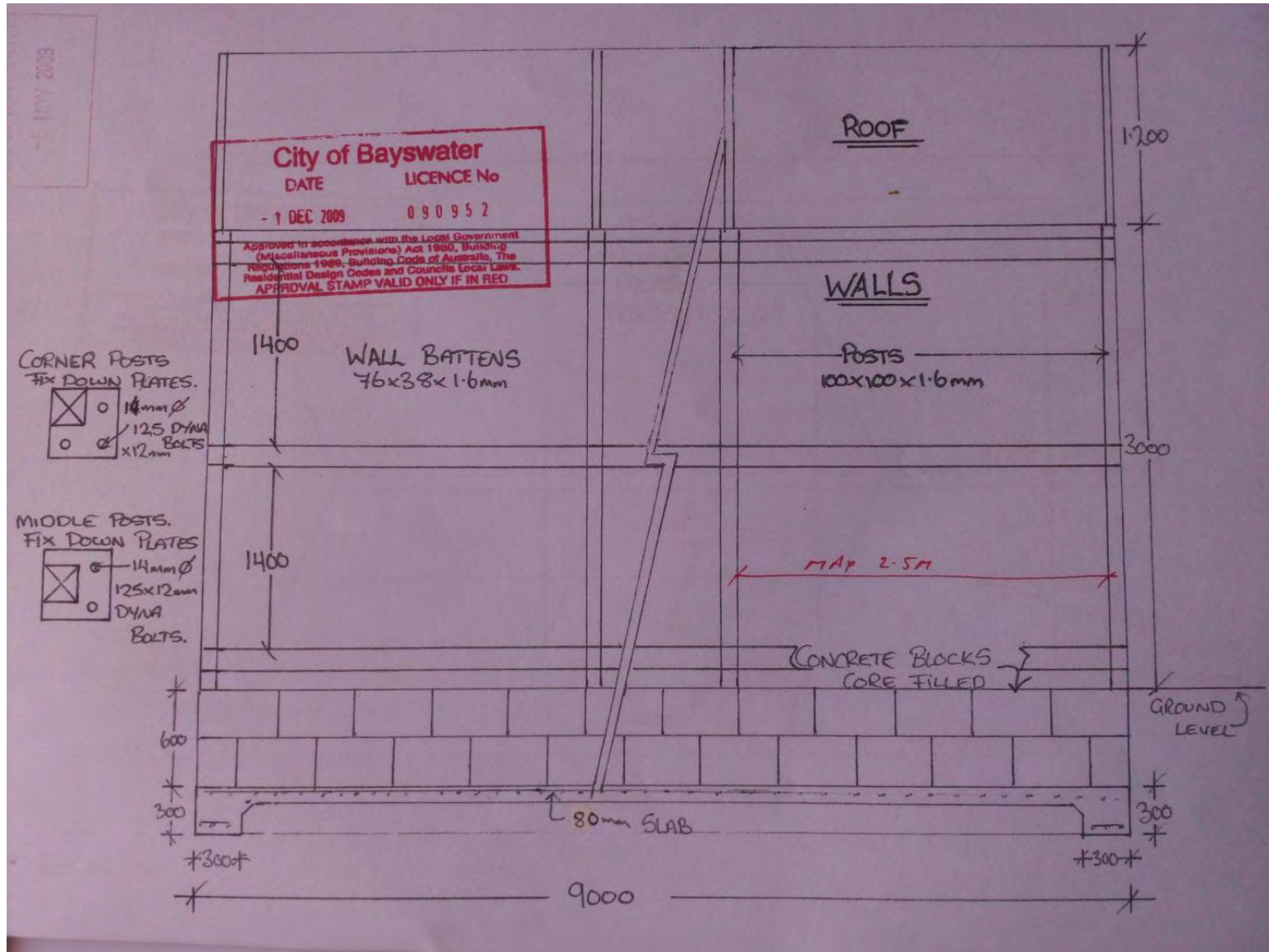
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ATTACHMENT 3 – SHED PLAN



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ATTACHMENT 4 – SHED ELEVATION



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ATTACHMENT 5 – PHOTO OF SHED



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ATTACHMENT 6 – APPLICANT’S COVER LETTER

Re: Retrospective planning application for Lot 2 Fernie Rd, Bakers Hill

Dear Kobus,

After making amendments to the plans as requested, I have also addressed some of the points raised in the letter sent to me below, which is shown in the new overall site plan.

Building envelope change:

Please refer to ***Site plan 1B: proposed building envelope change***

The reason for the new positioning of the building envelope is mainly to give privacy to us and some distance from the neighbours (Lot 3) whose house is built at the edge of their building envelope on the southern side of their block, very close to the boundary fence which runs between our blocks (See ***fig. 1. Site plan 1B***).

This will allow for a similar positioning of the house on our block and maximise our views to the surrounding hills, whilst enjoying this at a reasonable distance from their house, as one of the reasons we relocated to a rural area was to have some space around us and not be living in too close a proximity to the neighbours.

The neighbours on the southern side (Lot 1) have a building envelope that is closer to their southern boundary also so this should not affect their view or privacy should they choose to build there.

We also wish to widen and shorten the envelope, from 40m x 50m to 32m x 62.5m, still keeping it at 2000m square. This will ensure that there will be plenty of room for a possible future “main” house, and making better use of the entire envelope, keeping it further away from the 100m watercourse setback and other planned landscaping (See ***Overall site plan 1C***).

The new building envelope is not encroaching on any native vegetation or area that is recognised for protection or rehabilitation as shown on the approved structure plan and/or environmental management plan (See ***fig. 2. Site plan 1B***). There are no designated agricultural buffer areas on Lot 2.

The septic system within the building envelope meets minimum setback requirements (30m) from drainage lines, watercourses, wetlands and other areas, being 23m from the eastern end of the leach drains to the 100m setback line from the watercourse, that runs north/south across the block, effectively making it 123m from the watercourse/wet area at the eastern end of the block (See ***Overall site plan 1C***).

Relocated Dwelling and outbuilding:

Changing house position

It is not possible financially or otherwise to reorient the house from its current position to satisfy the requirements of a front door facing the road so we propose a solution to this by adding a front glass sliding door and window to the front side of the house facing the road, which will also have a verandah with paving when finished, to comply with LPP3 and Draft LPP19 (See ***Elevations proposed house Plan 3 and Floor plan proposed house Plan 2***).

Roof pitch

The roof pitch of the house is approximately 10 degrees. As stated in LPP2 “All residential dwellings shall have a minimum roof pitch of 15 degrees unless otherwise approved by the shire”. We would like to seek this approval to allow the current roof pitch as we feel it is very close to the minimum and when the verandahs have been added, and other work done it will hardly be noticeable. The current roof pitch will not cause a nuisance in the way of glare to anyone else in the vicinity and once the shed is erected and trees have grown it will not be noticeable from the road or neighbouring properties.

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Affect on amenity and landscape of the area

Relating to document LPP3 the house and shed are made out of materials acceptable to the shire. The house is cream in colour and the shed is charcoal grey with a cream roller door. The house trims will be painted charcoal grey also to match the shed. Any fencing will also be done in these two colours to enhance the look of the whole place.

Landscaping will be undertaken as shown in *Overall site plan 1C* along the west side of the block to minimise the impact from the road and also along the north side of the shed and north side of the block to minimise the impact from neighbours' views.

Once the trees and shrubs have grown, and given the fact that neither the house nor shed are very large by rural standards, the whole place should blend in well to the landscape.

Asbestos

The dwelling and outbuilding do not contain any asbestos that requires removal.

12 month program of building and amenity enhancement works

Proposed works will be done within the time frame below. Please note these are maximum times to allow for weather, delay in materials or any other problems that may arise.

Stage One: within 6 months of the planning approval being issued:

- (a) An approved effluent disposal system will be installed.

Stage Two: within 10 months of the date of planning approval being issued:

- (a) Veranda will be completed.
(b) All gutters and downpipe work will be completed.
(c) All outside gutters, flashings and trims will be repainted charcoal grey to match the shed.

Stage Three: within 12 months of the planning approval being issued:

- (a) Shed will be erected.
(b) Landscaping will be planted and established according to the submitted plan.
(c) Landscaping will have measures in place to ensure its maintenance.

Other matters still to be addressed:

Engineer's report

Engineer is booked to come at 10 am, Wednesday the 3rd of March. Report will be forwarded as soon as it is available

Water testing

The lot has an existing potable water supply by way of an underground spring and windmill reticulated to the house. Water is currently being laboratory tested for bacteria and minerals and these test results will be forwarded as soon as they are available.

Stormwater design plan

Stormwater design plan has yet to be done and will be forwarded as soon as it is completed.

Please find attached amended plans, shed plans and a photographs of the shed in it's current place before removal and the house.

Regards,
Traci Atkinson



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ATTACHMENT 7 - UNAUTHORISED WATER SUPPLY



ATTACHMENT 8 - SIDE VIEW OF RELOCATED STRUCTURE



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ATTACHMENT 9 - GENERATOR



ATTACHMENT 10 - DISUSED MATERIALS



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ATTACHMENT 11 - DISUSED MATERIALS



ATTACHMENT 12 - VIEW FROM FERNIE ROAD



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13.3.3 REQUEST TO ADOPT FOR FINAL APPROVAL LOCAL PLANNING POLICY NO.20 – ADVERTISING OF PLANNING PROPOSALS

Name of Applicant:	N/A
Name of Owners:	Shire of Northam
File Ref:	A441
Officer:	Chadd Hunt / Kobus Nieuwoudt
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

For Council to consider adopting, without modification, Shire of Northam Local Planning Policy No.20 *'Advertising of Planning Proposals'* for final approval.

BACKGROUND

Council resolved to adopt for advertising draft Shire of Northam Local Planning Policy No.20 *'Advertising of Planning Proposals'* at the February 2016 Ordinary Council Meeting (Minute No: C.2640) as follows:

"That Council prepare Local Planning Policy No.20 'Advertising of Planning Proposals' for the purposes of advertising for public comment under Part 2, Division 2, subclause 4(1)(a) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 in accordance with the document that formed the subject of Attachment 1 of this report."

Advertising in accordance with clause 4(1)(a) of the deemed provisions for local planning schemes occurred from 24th February 2016, with a notice published in *The Advocate* of 24th February 2016. In addition, a copy of the notice including a copy of the draft Policy was on display in the foyer area at the Council office. The Policy was also advertised on the Shire's website from 24th February 2016 until 17th March 2016.

Submissions on the draft policy were invited up to and including 17th March 2017. No submissions were received.

A copy of the as-advertised Policy is attached as **Attachment 1**.

STATUTORY REQUIREMENTS

Procedure for making local planning policy

If a local government resolves to prepare a local planning policy, the local government must follow the procedure under clause 4(1) up to and including clause 4(6) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows:

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- “(1) If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
- (a) publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —*
 - (i) the subject and nature of the proposed policy; and*
 - (ii) the objectives of the proposed policy; and*
 - (iii) where the proposed policy may be inspected; and*
 - (iv) to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
 - (b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
 - (c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
- (2) The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).*
- (3) After the expiry of the period within which submissions may be made, the local government must —*
- (a) review the proposed policy in the light of any submissions made; and*
 - (b) resolve to —*
 - (i) proceed with the policy without modification; or*
 - (ii) proceed with the policy with modification; or*
 - (iii) not to proceed with the policy.*
- (4) If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.*
- (5) A policy has effect on publication of a notice under subclause (4).*
- (6) The local government —*
- (a) must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and*
 - (b) may publish a copy of each of those local planning policies on the website of the local government.”*

Council is now required to resolve to –

- (i) Proceed with the Policy without modification;
- (ii) Proceed with the Policy with modification; or
- (iii) Not to proceed with the Policy.

PUBLIC CONSULTATION

As outlined under the ‘Background’ section of this report, the Draft Policy was advertised in accordance with clause 4(1)(a) of the deemed provisions for local planning schemes from 24th February 2016 including the placement of a notice in *The Advocate* of 24th February 2016.

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A copy of the notice including a copy of the draft Policy was on display in the foyer area at the Council office. The Policy was also advertised on the Shire's website from 24th February 2016 until 17th March 2016.

No submissions were received.

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

OBJECTIVE G1: Provide accountable and transparent leadership.

STRATEGY G1.1: Continue to develop Council's policy framework to guide decision making.

BUDGET IMPLICATIONS

The cost of advertising the adoption notice in a local newspaper will be approximately \$300.

OFFICER'S COMMENT

It is recommended Council resolves to proceed with the Policy without modification and publish a notice of the Policy in a local newspaper.

RECOMMENDATION

That Council;

- 1. Adopt for Final Approval Local Planning Policy No.20 'Advertising of Planning Proposals' without modification.**
- 2. Publish a notice of Local Planning Policy No.20 'Advertising of Planning Proposals' in a newspaper circulating in the Scheme area.**

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Shire of Northam Local Planning Scheme No.6
Local Planning Policy No.20 – Advertising of Planning Proposals



LOCAL PLANNING SCHEME NO.6
LOCAL PLANNING POLICY NO.20
‘Advertising of Planning Proposals’

1. PRELIMINARY

1.1 Authority to prepare and adopt a Local Planning Policy

Schedule 2, Part 2, clause 3(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) allows Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Shire’s Local Planning Scheme No.6 (the Scheme) area.

This policy will be made effective once Council has completed the process stipulated in clause 4(1) up to and including clause 4(4) of the Regulations.

1.2 Relationship of this Policy to the Scheme and Deemed Provisions for Local Planning Schemes

If a provision of this Policy is inconsistent with the Scheme or the deemed provisions for local planning schemes, the Scheme and the deemed provisions for local planning schemes prevail.

This Local Planning Policy is not part of the Scheme and does not bind Council in respect of any application for development approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

2. APPLICATION OF THE POLICY

2.1 Application of Policy

This Policy applies to:

- Applications for Development Approval made under Part 7 of the deemed provisions for local planning schemes;
- Structure Plans proposed under Part 4 of the deemed provisions for local planning schemes;
- Local Planning Policies made under Part 2 of the deemed provisions for local planning schemes; and
- Amendments to the Scheme proposed under Part 5, Division 4 of the *Planning and Development Act 2005* (the Act).

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The Policy is to be read in conjunction with the Scheme, the Act, any associated Regulations and any other relevant Local Planning Policy.

If a provision of the Policy is inconsistent with the Scheme, Act or Regulations, the Scheme, Act or Regulations prevails.

2.2 Policy Exclusions

This Policy excludes the following types of proposals:

- Applications for Single House and Outbuilding R-Codes Approval made under Part 5 of the R-Codes, for which the process outlined in the R-Codes applies;
- Subdivision and amalgamation proposals made under Part 10 of the Act; and
- Extraordinary planning proposals, such as Local Planning Strategies, Review of the Local Planning Scheme, for which specific advertising will be identified at the appropriate time.

3. **POLICY OBJECTIVES**

The objectives of this Policy are to ensure:

- Appropriate consultation occurs on planning proposals commensurate with the expectations of the community;
- The level of advertising of similar types of proposals is consistent over time; and
- Advertising of proposals is used as part of a meaningful community consultation process.

4. **BACKGROUND / ISSUES**

The deemed provisions for local planning schemes and Act require the Shire to advertise certain planning proposals. In many cases, the type and length of advertising is prescribed. However, there is usually a need for the Shire to exercise discretion on the extent and the methods used to advertise a proposal.

The Policy will clarify the method and extent of advertising for various development proposals in order to provide consistency in how proposals of a similar nature are dealt with by the Shire.

5. **POLICY MEASURES**

5.1 Advertising Applications for Development Approval

5.1.1 Table 5.1 shows the levels of advertising employed by this Policy for applications made under Part 7 of the deemed provisions for local planning schemes.

Table 5.1: Levels of Advertising of Planning Applications under Part 7 of the deemed provisions for local planning schemes

Level	Advertising Required	Type of Advertising	Minimum Advertising Period
1	None.	N/A	N/A

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	This level is used where no variation to a standard requirement is necessary in order to approve a proposal.		
2	Owners of properties that abut the proposal site or are located opposite <u>and</u> are affected by a variation to standard requirements, such as a setback relaxation. The intent of this level is to limit advertising to those immediately affected by a variation to a standard requirement rather than inform of a development as a whole.	Postal and/or electronic	14 days
3	All owners of properties that abut or are located opposite the proposal site. The intent of this level is to inform the immediate vicinity of an impending development. The immediate vicinity will generally be determined as those properties that share a common boundary with the proposal site, or would share a common boundary if a road reserve or other public place is removed.	Postal and/or electronic Sign on Site (if 'A' use or a 'use not listed' in the zoning table of the Scheme)	14 days
4	All owners of properties in the nearby vicinity. The nearby vicinity will generally be determined as those properties either wholly or partly within: <ul style="list-style-type: none"> • 250m radius of the centre of the proposal site in urban areas; or • 500m radius of the centre of the proposal site in rural or rural residential areas; or • 1,000m radius of the centre of the proposal site for proposed Industry – Extractive or Industry – Mining. 	Postal and/or electronic Sign on Site (if 'A' use or a 'use not listed' in the zoning table of the Scheme) Newspaper (if 'A' use or a 'use not listed' in the zoning table of the Scheme)	14 days
5	All owners of properties in the locality. The locality will generally be determined as those properties either wholly or partly within the gazetted townsite or locality in which the proposal is located.	Postal and/or electronic Sign on Site (if 'A' use in Scheme) Newspaper (if 'A' use in Scheme)	21 days

5.1.2 **Table 5.2** outlines the level of advertising to be used for certain Applications for Development Approval.

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Table 5.2: Advertising Levels for Particular Uses / Proposals

Use / Proposal	Advertising Level
Any use listed as 'P' or 'D' in the Zoning Table of the Scheme and:	
• No variation to a standard requirement is proposed.	1
• A variation to setbacks, building height, retaining walls or similar minor variation is proposed.	2
• A variation to car parking, landscaping, plot ratio or similar significant variation is proposed.	3
• The proposal is for a Home occupation, Home Business, Home Store, Public Utility or Residential Building.	3
• Where the proposal is for Workers Accommodation.	4
• Where the proposal is for a development within the Commercial zone with a value of greater \$7 million.	4 plus sign on site
Any use listed as 'A' in the Zoning Table or is development and/or a 'use not listed' in the Scheme and:	
• No variation to a standard requirement is proposed.	3
• Where one or more variations to standard requirements are proposed.	4
• Where a proposal is considered by the Shire to have an effect upon the locality.	5
• Where the proposal is for a Child Care Premises, Community Purpose, Consulting Rooms, Industry – Cottage or Nursing Home.	3
• Where the proposal is for a Place of Worship, or a Restaurant.	4
• Where the proposal is for Workers Accommodation or Industry – Extractive.	5
An Application for Development Approval for a non-exempt advertisement under Schedule 5 of the Scheme.	1
Extensions and Changes to a Non-Conforming Use.	3 plus Councillors
An Application for Development Approval for parking commercial vehicles pursuant to Clause 5.20 of the Scheme.	2

5.1.3 Advertising proposals to designate a heritage area or amend the Northam Municipal Heritage Inventory or advertising development proposals that may affect a place of cultural heritage significance or an entry on the Inventory or in a designated heritage area

- a) Advertising of proposals to establish or amend the Northam Municipal Heritage Inventory is to be in accordance with the advertising requirements contained in Part 8 of the deemed provisions for local planning schemes.
- b) Where proposed development may affect a place of cultural heritage significance or an entry on the Inventory, any application for Development Approval shall be advertised in the following manner:
 - (i) All owners of properties that abut or are located opposite the proposal site are to be informed in writing of the proposal in accordance with clause 6.1 of this Policy.
 - (ii) Erection of a sign in accordance with clause 6.2 of this Policy;
 - (iii) Publication of a notice in accordance with clause 6.3 of this Policy including a notice published electronically on the Shire's website; and

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- (iv) Inviting comment from the relevant local historical society or association (where one is in operation).

5.1.4 Advertising of Structure Plans

- a) Development Plans are to be advertised in accordance with Part 4 of the deemed provisions for local planning schemes as follows:
 - (i) All owners of land wholly or partly located within the Structure Plan area or wholly or partly located within 200m of the outer edge of a Development Plan area are to be informed in writing of the proposal in accordance with clause 6.1 of this Policy;
 - (ii) A sign is to be located on each street frontage of the Structure Plan area in accordance with clause 6.2 of this Policy;
 - (iii) A notice is to be published electronically on the Shire's website and in the newspaper in accordance with clause 6.3 of this Policy; and
 - (iv) A full copy of the Structure Plan and supporting documentation in either hard copy or electronically is to be provided to those public authorities identified by the Shire when adopting a Structure Plan for advertising.
- b) Structure Plans are to be advertised for the following period of time:
 - (i) 14 days for Structure Plans proposing less than 50 lots or where the Structure Plan is a substantial modification to an existing approved Structure Plan; or
 - (ii) 28 days for Structure Plans proposing more than 50 lots.
- c) Advertising of Local Development Plans are to be advertised for a period of 14 days as follows:
 - (i) All owners of land within a 200m radius of the centre of the proposal site in urban areas;
 - (ii) A notice is to be published electronically on the Shire's website.

5.1.5 Advertising of Local Planning Policies

- a) Draft Local Planning Policies are to be advertised in accordance with Part 2 of the deemed provisions for local planning policies.
- b) Where a draft Local Planning Policy will affect a specific area of land, the following is to occur:
 - (i) Advertising in accordance with the advertising procedures of clause 64 of Part 8 of the deemed provisions for local planning schemes;
 - (ii) All owners of land wholly or partly located within the Local Planning Policy area are to be informed in writing of the proposal in accordance with clause 6.1 of this Policy;
 - (iii) Where practicable, a sign is to be located on each street frontage of the Local Planning Policy area in accordance with clause 6.2 of this Policy; and
 - (iv) A notice is to be published electronically on the Shire's website.

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- c) The comment and/or approval of the Western Australian Planning Commission is to be sought on Local Planning Policies that seek to vary the Residential Design Codes of Western Australia.
- 5.1.6 **Advertising of Scheme Amendments**
- a) Scheme Amendments, excluding Basic Scheme Amendments, are to be advertised in accordance with the requirements of the Act and Regulations.
 - b) Where a Scheme Amendment relates to the rezoning of an area of land, owners of land wholly or partly within the rezoning area or wholly or partly within 200m of the outer edges of the rezoning area are to be notified in accordance with clause 6.1 of this Policy.
 - c) A full copy of the Scheme Amendment and supporting documentation in either hardcopy or electronically is to be provided to those public authorities identified by the Shire when initiating the Scheme Amendment.
 - d) Scheme Amendment proposals and supporting documentation, excluding Basic Scheme Amendments, are to be advertised electronically on the Shire's website.
- 6. ADMINISTRATION**
- 6.1 **Postal and/or Electronic Advertising**
- 6.1.1 Postal and/or electronic (email) notifications will be addressed to the owner or owners at the postal (and email addresses – where provided) details listed in the Shire's rates database for the particular property as it exists on the date the notification is sent.
 - 6.1.2 The minimum advertising period will begin the working day following the date of postage.
 - 6.1.3 Letters informing of a proposal are to be based upon clause 86(3) of Part 11 of the deemed provisions for local planning schemes and include the following information:
 - a) Details of the development, including a copy of any plans or proposal that will assist in communicating the intent of the proposal;
 - b) Explanation as to why the proposal is being advertised, such as the need to vary a standard requirement (giving details of the variation) or to meet the advertising requirements of the deemed provisions for local planning schemes;
 - c) The date by which any written comments are to be lodged;
 - d) The local government officer to which enquiries may be made;
 - e) Notification that any submission made cannot be considered a confidential document and may be released to the public domain as part of the Shire's consideration of the proposal; and
 - f) Notification that not making a submission will be construed by the Shire that the person or party has no objection to the proposal.
- 6.2 **Sign on Site**
- 6.2.1 Where required by the Policy or Scheme, a sign will be located on the street boundary of the proposal site for the entire length of advertising. The location

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should be easily seen by passers-by and located so as not to cause a traffic hazard or impede access to the lot.

- 6.2.2 The sign board is to be 750mm long x 500mm wide and erected to provide a minimum clearance of 600mm between ground level and the bottom of the sign board.
- 6.2.3 The notice placed on the sign shall be generally in accordance with clause 86(3) of Part 11 of the deemed provisions for local planning schemes or in the case of a Scheme Amendment, the appropriate form of notice contained in the Regulations.
- 6.2.4 The Shire is to photograph the sign once installed, ensuring the photograph is date stamped with the date of installation.
- 6.2.5 The applicant or owner of the proposal site is to undertake reasonable endeavours to ensure the sign remains visible at all times during the advertising period and to notify the Shire in the event the sign is stolen or damaged.
- 6.3 Newspaper Notices
 - 6.3.1 *The Advocate* will be construed by the Scheme, Act and Regulations as the newspaper that is circulated within the Scheme area and will be used for all notices, where practicable.
 - 6.3.2 Newspaper notices shall be generally in accordance with clause 86(3) of Part 11 of the deemed provisions for local planning schemes or in the case of a Scheme Amendment, the appropriate form of notice contained in the Regulations.
 - 6.3.3 Where a newspaper notice is required as part of the advertising process, the advertising period for the proposal will begin from the date of first publication in the newspaper with this date also used for other forms of notification.
- 6.4 Informing of Councillors
 - 6.4.1 Councillors are to be informed of Applications for Planning Approval for Extensions and Changes to a Non-Conforming Use in accordance with Table 5.2 of this Policy.
 - 6.4.2 Councillors are to be informed in the manner outlined in clause 6.1 of this Policy.
 - 6.4.3 Where a Councillor is an owner of property that is subject to notification, the person is to be informed by separate notices, firstly as an owner of land affected and secondly as a Councillor.
- 6.5 Form of Submissions
 - 6.5.1 Verbal submissions will not be considered by the Shire.
 - 6.5.2 Written submissions are to include the name and contact details of the person making the submission and identify the property affected by the proposal (if relevant).
 - 6.5.3 Written submissions will be accepted by the Shire via post, facsimile or email, subject to being received prior to close of business on the day submissions close.
 - 6.5.4 The Shire reserves the right to not publish or consider either wholly or in part a submission that it considers to be defamatory to any party.

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- 6.5.5 Where a person or party has been informed of a planning proposal and no submission is received by the closing date for submissions, the Shire will construe that the person or party has no objection to the proposal.
- 6.6 Consideration of Submissions
- 6.6.1 The Shire will consider a planning proposal in the light of all submissions received during the advertising period.
- 6.6.2 Submissions will be considered by the Shire against the matters to be considered contained in clause 67 of the deemed provisions for local planning schemes and on generally accepted planning grounds.
- 6.6.3 Notwithstanding clause 6.6.1 here-above, submissions that contain matters that cannot be reasonably associated with a planning matter will not be considered by the Shire.
- 6.6.4 Where a submission is received after the advertising period has ended, but prior to a decision being made on the proposal, the Shire will note that the submission is late, but will make reasonable endeavours to consider the submission.
- 6.7 Acknowledgement of Submissions
- 6.7.1 The Shire will notify each person that made a submission on a proposal of the decision made in relation to the proposal.
- 6.7.2 Notification under clause 6.7.1 here-above is to be sent within five (5) working days of the date of decision.
- 6.7.3 Where the Shire anticipates that a decision will not be taken for a period of greater than 28 days from the close of advertising, it will inform any person that has made a submission of the delay.
- 6.7.4 Where a planning proposal is to be considered at an Ordinary or Special Meeting of the Council of the Shire of Northam, each person who has made a submission is to be notified a minimum of five (5) days prior to the date of meeting and provided with a copy of the report on the matter or alternatively, informed of where an online copy of the report can be obtained.
- 6.7.5 The form of notification under this section can be either posted letter or email.
- 6.7.6 Where a person or party informed of a planning proposal in accordance with clause 6.1 of this Policy has not made a written submission on it, the Shire is not required to provide acknowledgement under this section.
- 6.8 Guarantee of Receipt
- 6.8.1 Where a notification is delivered by postal service under clause 6.1 of this Policy, the Shire does not guarantee its delivery where the notification is addressed in accordance with the address details contained on its rates database.
- 6.9 Advertising Costs
- 6.9.1 Except where an applicant is required by the Shire of Northam's adopted Schedule of Fees and Charges to pay certain advertising costs, costs associated with advertising are to be paid by the Shire and offset by the application fee.
- 6.10 Deemed Refusal

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- 6.10.1 All Applications for Development Approval that require advertising under this Policy are deemed to be subject to a notice under clause 64 of the deemed provisions for local planning schemes and subject to the 90 day deemed refusal period outlined in clause 75(1)(a) of the deemed provisions for local planning schemes.

Date Adopted:

Date Effective:

Date Reviewed:

Next Review:

For Final Adoption

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13.3.4 REQUEST TO INITIATE PROPOSED OMNIBUS AMENDMENT NO. 6 TO SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO.6

Name of Applicant:	N/A
Name of Owners:	Shire of Northam
File Ref:	A441
Officers:	Chadd Hunt / Kobus Nieuwoudt / Courtney Wynn
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

For Council to initiate an amendment to Local Planning Scheme No.6 (LPS6) to implement various (omnibus) amendments. Twenty eight (28) proposals have been identified for inclusion in this omnibus amendment to Local Planning Scheme No.6.

BACKGROUND

The Shire of Northam Local Planning Scheme No.6 (LPS6) was gazetted on 21st of August 2013. Ongoing use of LPS6 subsequent to gazettal has revealed a number of areas where refinements are required to improve the Scheme’s operational effectiveness and to otherwise correct minor errors or omissions in the text. The process for implementation of recommended changes is through the Scheme Amendment process.

The inclusion of minor proposals in omnibus amendments provides an efficient and effective process to amend the Scheme, in terms of the number of proposals, public consultation, the Shire’s resources and reporting to Council.

Note: Staff are providing Council with the opportunity to attend a Workshop to discuss the omnibus amendment proposals. This will be held prior to the Forum Meeting on Wednesday 13 April 2016 from 3.30pm – 4.30pm.

Proposal

This omnibus amendment consists of twenty eight (28) proposals to amend LPS6 in the form or modification to the Scheme Maps, to correct drafting errors, rezoning of a property and make changes to the accompanying Scheme Text. The proposals are numbered sequentially with specific details of each proposal outlined and considered in this report. To assist Council in considering the matter, **Attachment 1** (included under separate cover) includes a copy of a ‘Track Changed’ version of LPS6.

Proposal 1
Modify clause 3.3.2, by inserting the symbol “I” and corresponding meaning after the symbol “P”: -

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'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;

Explanation 1

There are a number of uses (such as a 'Caretakers Dwelling' which are incidental to another predominant use within the Scheme (ie. the secondary use cannot exist without the primary use).

Proposal 2

In Table 1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'Commercial' and 'Mixed Use' zones from 'P' to 'I'.

Explanation 2

It is considered that it is inconsistent to permit a 'Caretakers Dwelling' on a lot without an existing primary use for the 'caretaker' to look after. Therefore the permissibility for this land uses under the Scheme should be 'I' Incidental.

Proposal 3

In Table1: Zoning Table, reclassify the use class 'Ancillary Accommodation' in the 'Mixed Use' zone from 'D' to 'X'.

Explanation 3

A 'Single House' is an 'X' use within the 'Mixed Use' zone. An 'Ancillary Accommodation' use cannot exist without a 'Single House' existing on a lot and therefore should also be classified as an 'X' use within the 'Mixed Use' zone.

Proposal 4

In Table1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'General Industry' zone from 'X' to 'D'.

Explanation 4

Caretakers Dwellings offer greater security and surveillance for businesses within the 'General Industry' zone which is isolated from residential areas. It is recommended that 'Caretakers Dwellings' be classified as a 'D' (Discretionary" use within the 'General Industry' zone which would allow the Shire to consider 'Caretakers Dwellings' on a case by case basis.

Proposal 5

In Table1: Zoning Table, delete the use class 'Park Home Park'.

Explanation 5

Park homes can only occur in a caravan park. The use class is, therefore, surplus to requirements.

Proposal 6

Insert in alphabetical order, in Table 1: Zoning Table the following Land Use classes and symbols in the cross reference in the Zoning Table:

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Abattoir	X		X	X	X	A	X	A	X	X
Art Gallery	X		P	P	P	X	X	A	X	A
Bulky Goods Showroom	X		P	P	X	X	D	X	X	X
Commercial Vehicle Parking	A		X	X	X	P	P	D	A	A
Garden Centre	X		X	D	X	D	D	D	A	A
Holiday Accommodation	X		D	D	P	X	X	A	A	A
Industry - Primary Production	X		X	X	X	A	X	A	X	X
Liquor Store - Large	X		X	A	X	X	X	X	X	X
Liquor Store - Small	X		A	A	X	X	X	X	X	X
Small Bar	X		A	X	A	X	X	X	X	X
Trade Supplies	X		D	D	X	P	P	X	X	X
Tree Farm	X		X	X	X	X	X	D	X	X
Waste Disposal Facility	X		X	X	X	X	X	X	X	X
Waste Storage Facility	X		X	X	X	A	X	X	X	X

Explanation 6

The Shire has received a number of enquiries and development applications in recent years for all of the land uses listed above. In order to provide clarity to Officers and applicants of these proposals. It is recommended that the above land use definitions and their level of permissibility be added to the Shire's Planning Scheme.

Proposal 7

In Table 2: Site and Development Requirements Table (clause 4.5), with respect to the Mixed Use zone, modify the minimum boundary setback requirements from 7.5m (front), 7.5m (rear) and 4m (side) to * (front), * (rear) and * (side).

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(* Means – to be determined by the local government in each particular case.)

Explanation 7

The majority of lots zoned 'Mixed Use' are too small in area for proposed buildings to feasibly fit within the minimum lot boundary setbacks. In order to achieve desirable development outcomes within the 'Mixed Use' zone it is recommended that the appropriate setbacks be determined by the local government on a case by case basis denoted within the Scheme text by the * symbol.

Proposal 8

In Table 3: Car Parking Guidelines (clause 4.13), delete the following land uses and corresponding minimum car parking requirements:

- Fish Shop; and
- Public Amusement

Explanation 8

The Shire's Local Planning Scheme No.6 does not contain land use definitions for a 'fish shop' or 'public amusement' land uses nor are they listed within the *Planning and Development (Local Planning Schemes) Regulations 2015*. It is therefore recommended that the car parking requirements for these redundant uses be removed from the Scheme.

Proposal 9

Modify the wording of clause 4.22.3 to read as follows: -

Notwithstanding any other provisions contained in the Scheme, the local government may refuse to grant development approval for the development or use of any outbuilding on any Residential, **Rural Residential and Rural Smallholding** zoned lot which does not contain a dwelling.

Explanation 9

The majority of outbuildings unlawfully habituated are located on lots zoned 'Rural Residential' and 'Rural Smallholdings'. It is recommended that Clause 4.22.3 be amended to ensure consistency with the Shire's Local Planning Policy 1 - Outbuildings. Note that it would still be possible to grant temporary occupation of an outbuilding within the 'Rural Residential' and 'Rural Smallholding' zone where a Building Permit has been granted and the dwelling is under construction.

Proposal 10

Modify clause 4.24 by renumbering the existing provision subclause '4.24.1', and insert new subclauses 4.24.2 – 4.24.5 as follows: -

4.24.2 Where, in the opinion of the local government, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme, or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by notice in writing require the advertiser to –

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- (i) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or
 - (ii) remove the advertisement.
- 4.24.3 'The advertiser' shall be interpreted as any one person or any group comprised of the landowner, occupier, licensee or other person having an interest in, or drawing benefit from, the display of an advertisement concerned.
- 4.24.4 Any notice served in pursuant to clause 4.24.2 shall be served upon the advertiser and shall specify -
- (i) the advertisement(s) the subject of the notice;
 - (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice;
 - (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.
- 4.24.5 A person on whom notice is served under this clause may apply for a review to the State Administrative Tribunal under Part 14 of the Act against the determination of the local government.

Explanation 10

There are a number of derelict and unmaintained signs within the Shire of Northam which detract from the appearance and amenity of our central business district in particular. The addition of these clauses would provide legal backing for the Shire to carryout enforcement action to ensure that land owners maintain their advertising signage to a satisfactory standard.

Proposal 11	
Modify the wording of clause 4.30.4 to read as follows: -	
The local government may grant temporary development approval for the occupation of temporary human habitation within an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a building licence building permit for a dwelling is concurrently in force and the outbuilding complies with the specific requirements of the Building Code of Australia.	
Current Wording	Proposed Wording
The local government may grant temporary development approval for the occupation of an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a building licence for a dwelling is concurrently in force and the outbuilding complies with the specific requirements of the Building Code of Australia.	The local government may grant temporary development approval for the temporary human habitation within an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a building permit for a dwelling is concurrently in force.

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Explanation 11

There is a minor change in the wording of Clause 4.30.4 to remove the reference to the Building Code of Australia which does not form part of the Scheme. All outbuildings are required to be constructed in accordance with the Building Code of Australia which is enforced under different legislation.

Proposal 12

Modify the wording of clause 4.30.5 by inserting the words 'and Rural Smallholding' after the words 'Rural Residential' to read as follows: -

In the Rural Residential **zone** and **Rural Smallholding zones**, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.

Current Wording	Proposed Wording
In the Rural Residential zone, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.	In the Rural Residential and Rural Smallholding zones, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.

Explanation 12

There is a minor change in the wording to ensure the Scheme is consistent with Western Australian Planning Commission Policy.

Proposal 13

Insert new clause 4.31 as follows:

4.31 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY

4.31.1 Where, in the opinion of the local government, any proposed building or the erection of structures or carrying out of site works is out of harmony with existing buildings or the landscape of the locality by virtue of the design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and massing of any building, the local government may refuse the application for development approval. The refusal can be made notwithstanding that the application may otherwise comply with the provisions of the Scheme. The local government may place conditions on any development approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality.

4.31.2 In exercising its discretion under this clause, the local government shall have regard to the following when assessing any application for development approval –

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- (i) the external appearance of the building and any associated structures and landscaping;
- (ii) the dimensions and proportions of the building or structure;
- (iii) the materials used in the construction of the building taking into consideration texture, scale, shape and colour;
- (iv) the effect of the building or works on nearby properties, and on the occupants of those buildings;
- (v) the effect on the landscape and environment generally; and
- (vi) any other matter which in the opinion of the local government is relevant to the amenity of the locality.

Explanation 13

The addition of this Clause would grant the local government to place greater weighting to the appearance of a building and its amenity within the streetscape when considering a new development application for a building.

Proposal 14

Insert new clause 4.32 as follows:

4.32 UNTIDY PLACES, DERELICT VEHICLES, MACHINERY AND OBJECTS

- 4.32.1 No land within the Scheme area shall on a permanent or regular basis be used for the purposes of storage and/or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written approval of the local government.
- 4.32.2 The local government may, by written notice as provided for in clause 3.25 and Schedule 3.1 of the *Local Government Act 1995* require the owner, occupier or lessee of any land to undertake such works or actions for the improvement of the conditions and visual presentation of that property to a standard commensurate with those conditions prevailing in the locality.
- 4.32.3 The local government shall not permit the storage and/or wrecking of derelict vehicles, sea containers or machinery or the storage of any materials within any zone, except the General Industry zone, if it is visible from any road or where, in the opinion of the local government, it detracts from the amenity of the locality without the written approval of the local government.
- 4.32.4 Notwithstanding clause 4.31.3, should the applicant justify the proposal, commit to suitable management and address visual impact concerns following the receipt of an application for development approval, the local government may grant approval with or without conditions.

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- 4.32.5 Notwithstanding any other provision of the Scheme, the storage of disused vehicles and/or wrecking of any vehicle on private land other than land within the General Industrial zone is prohibited.

Explanation 14

There Shire has recent numerous complaints in recent years regarding the derelict state of buildings and untidy premises. The addition of these clauses would provide legal backing for the Shire to carryout enforcement action to ensure that land owners maintain their properties and/or remove unsightly structures, vehicles and materials from yards.

Proposal 15

Insert new clause 4.33 as follows: -

4.33 RELOCATED SECOND-HAND BUILDINGS

- 4.33.1 The local government may permit the erection of a relocated building on a lot where –
- (i) in its opinion such building is in a satisfactory condition and the design and location of the building is to the satisfaction of the local government and will not adversely affect the amenity of the locality;
 - (ii) the applicant for a building permit for the relocated building lodges a cash bond and enters into an agreement, to the satisfaction of the local government, to ensure the building achieves a standard of presentation acceptable to the local government within 12 months of the issue of the building permit; and
 - (iii) the proposal complies with the provisions of the local government's Local Planning Policies—Relocation and Use of Second-Hand Dwellings; and Transportable Structures.

Explanation 15

Relocated second hand dwellings can have a detrimental impact upon the amenity or streetscape of an area in not completed to a high standard. It is recommended that this Clause be reintroduced to the Scheme to ensure that any relocated second hand dwelling is completed to a high standard in accordance with the Shire's Local Planning Policies.

Proposal 16

Insert new clause 4.33 as follows: -

4.34 HOLIDAY ACCOMMODATION USES—SHORT STAY RESTRICTIONS

- 4.34.1 No person shall occupy any holiday accommodation use, as specified in Table 1: Zoning Table for more than a total of 3 months in any 12-month period unless approved by the local government for management purposes and staff accommodation.

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- 4.34.2 Notwithstanding the provisions of clause 4.33.1, the local government may permit the permanent occupancy of not more than 15% of caravan sites within a caravan park, where the applicant can demonstrate, to the satisfaction of the local government, that the primary tourist accommodation purpose of the park will not be compromised and that adequate services and facilities exist to service the permanent population.

Explanation 16

The addition of the above Clauses will ensure that the Scheme is consistent with the Caravan & Camping Ground Regulations 1997. It will also ensure greater clarity for staff and proponents regarding the requirements for holiday accommodation uses (short-stay restrictions) and caravan parks alike.

Proposal 17

Insert new clause 4.34 as follows: -

4.35 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS

- 4.35.1 The local government will need to be satisfied when assessing any request for rezoning, structure plan or application for development approval, where in the opinion of the local government there are bush fire risks, that development will comply with any relevant State and local government policy on bushfire protection and, where applicable, any endorsed fire management plan. In particular, the local government is to have regard to –
- (i) State Planning Policy 3.4 Natural Hazards and Disasters;
 - (ii) Guidelines for Planning in Bushfire Prone Areas or any updates;
 - (iii) any advice obtained from the Department of Fire and Emergency Services; and
 - (iv) any other planning consideration the local government considers relevant.
- 4.35.2 Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as designated by the Fire and Emergency Services (FES) Commissioner, which form part of the Scheme for the purposes of clause 4.34.
- 4.35.3 The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.
- 4.35.4 Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, irrespective of whether or not a development approval of the local government is required, will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia and Australian Standard 3959—2009 (or any updates).

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- 4.35.5 If an owner disputes their land's identification within a designated Bush Fire Prone Area, that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates).
- 4.35.6 On receiving a request made under clause 4.34.5, the local government may determine that the land is not within a designated Bush Fire Prone area; or determine that the land's identification within a designated Bush Fire Prone Area is correct.
- 4.35.7 Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates). The BAL level will inform the application of AS3959.
- 4.35.8 The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.
- 4.35.9 The local government may impose conditions to reduce bush fire risk to people and/or property including –
- (i) the provision of a fire fighting water supply;
 - (ii) the provision of fire services access;
 - (iii) the preparation of a Fire Management Plan in accordance with the *Guidelines for Planning in Bushfire Prone Areas* (or any updates), and implementation of specific fire protection measures set out in the plan; and
 - (iv) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.
- 4.35.10 Where a Fire Management Plan has been endorsed by the Department of Fire and Emergency Services and/or the local government, through the planning process, the affected landowners will be responsible for the ongoing implementation of the 'landowners' responsibilities' section as specified in that Fire Management Plan.

Explanation 17

The addition of the above Clauses will ensure that the Scheme is consistent with the WAPC State Planning Policy 3.7 Planning in Bushfire Prone Areas.

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Proposal 18

Insert new clause 4.35 as follows: -

4.36 TELECOMMUNICATIONS INFRASTRUCTURE

- 4.36.1 An application for development approval from the local government is required for the development of all telecommunications infrastructure (overhead cabling telecommunications towers, radio communications dishes, etc.) excluding those listed in the Telecommunications Low Impact Facilities Determination 1997 and subsequent Amendments to that Determination.
- 4.36.2 Applications for the development approval for telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under Part 7 of the deemed provisions and will be considered in relation to the following -
- (i) consistency with the objective and purpose of the zone or reserve;
 - (ii) social and economic benefits of the proposal;
 - (iii) the impact of the proposal on the landscape, heritage and environmental values of the locality;
 - (iv) coordination with other services; and
 - (v) any relevant Local Planning Policy adopted by the local government.

Explanation 18

The Shire has received a number of applications in recent years for 'Telecommunications Infrastructure'. The addition of the above Clauses will provide greater clarity for Officers and applicants when considering an application for 'Telecommunications Infrastructure'.

Proposal 19

Insert new clause 4.37 as follows: -

4.37 PROVISIONS AND CONTRIBUTIONS FOR SERVICES AND FACILITIES

- 4.37.1 Where, in the opinion of the local government and/or the Commission, there will be a demand for the provision of services or facilities as a consequence of the carrying out of development or subdivision of land, then, subject to the provisions of clause 4.36.2 below, the local government may impose as a condition of development approval for that development and the Commission may impose as a condition of subdivision approval a requirement for the provision of those services and facilities or the making of a monetary contribution in lieu of such provision.

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- 4.37.2 A condition for development approval for development referred to in clause 4.36.1 may only be imposed where the payment of the contribution is-
- (i) provided for in a Structure Plan endorsed by the Commission;
 - (ii) provided for in an adopted Commission Policy including Appendix 1 of State Planning Policy 3.6 and as relevant Council's adopted policies relating to road upgrading, drainage and associated standard development contribution;
 - (iii) set out in a Development Contribution Plan (clause 5.6 and Schedule 13 of the Scheme).

Explanation 19

The inclusion of these provisions in the Scheme complements the Development Contribution Plan provisions under Clause 5.6 of the Scheme, and will also provide greater clarity and certainty for staff, the Commission and proponents regarding requirements for developer contribution requirements.

Proposal 20

Insert new clause 4.37 as follows: -

4.38 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS

- 4.38.1 Development approval is not required to conduct a home office as defined in the Scheme.
- 4.38.2 Where the local government issues a development approval to conduct a home occupation or a home business, the approval relates to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.
- 4.38.3 If in the opinion of the local government, a home occupation or home business is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.
- 4.38.4 A development approval to conduct a home occupation or home business may be issued subject to an annual permit which may be renewed by application to the local government for development approval.

Explanation 20

The addition of the above Clauses will provide greater clarity for Officers and applicants and nearby landowners when considering an application for home employment land uses.

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Proposal 21

Under Schedule 1 'Dictionary of defined words and expressions, subclause 2 'land use definitions', insert in alphabetical order the following new definitions:

"Abattoir" means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;

"Art Gallery" means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

"Bulky Goods Showroom" means premises —

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —
 - (i) automotive parts and accessories;
 - (ii) camping, outdoor and recreation goods;
 - (iii) electric light fittings;
 - (iv) animal supplies including equestrian and pet goods;
 - (v) floor and window coverings;
 - (vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;
 - (vii) household appliances, electrical goods and home entertainment goods;
 - (viii) party supplies;
 - (ix) office equipment and supplies;
 - (x) babies' and children's goods, including play equipment and accessories;
 - (xi) sporting, cycling, leisure, fitness goods and accessories;
 - (xii) swimming pools;

or

- (b) used to sell by retail goods and accessories by retail if —

"Commercial Vehicle Parking" means premises used for parking of one or 2 commercial vehicles but does not include —

- (a) any part of a public road used for parking or for a taxi rank;

or

- (b) parking of commercial vehicles incidental to the predominant use of the land;

"Garden Centre" means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

"Holiday Accommodation" means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

"Industry - Primary Production" means premises used —

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

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“Liquor Store – Large” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m²;

“Liquor Store – Small” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m²;

“Small Bar” means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

“Trade Supplies” means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

“Tree Farm” means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003 section 5;

“Waste Disposal Facility” means premises used —

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

“Waste Storage Facility” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

Explanation 21

The above land use definitions relate to Proposal 6 as listed above. In order to provide clarity to Officers and applicants of these proposals, it is recommended that the above land use definitions be added to the Shire’s Planning Scheme.

Proposal 22

In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Ancillary Accommodation’ as a ‘D’ (discretionary) use in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, R26 and RR27.

Explanation 22

The Shire has received requests from land owners located within the above zones where ‘Ancillary Accommodation’ is currently not permitted. The above modification would allow land owners within these zone to apply for ancillary accommodation which

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is recommended to be classified as a 'D' (Discretionary) use within the Scheme. It is considered there are no planning reasons not to consider ancillary accommodation in the Rural Residential zone.

Proposal 23

In Schedule 7 'Rural Residential Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Family Day Care' as an 'A' (discretionary, subject to advertising) in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, RR25, R26 and RR27.

Explanation 23

The Shire has received requests from land owners located within the above zones where 'Family Day Care' is currently not permitted. The above modification would allow land owners within these zone to apply for 'Family Day Care' which is recommended to be classified as an 'A' (Advertising) use within the Scheme. It is considered there are no planning reasons not to consider family day care facilities in the Rural Residential zone.

Proposal 24

In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Ancillary Accommodation' as a 'D' (discretionary) use in RSH1.

Explanation 24

The Shire has received requests from land owners located within the above zone where 'Ancillary Accommodation' is currently not permitted. The above modification would allow land owners within these zone to apply for ancillary accommodation which is recommended to be classified as a 'D' (Discretionary) use within the Scheme. It is considered there are no planning reasons not to consider ancillary accommodation in the Rural Smallholding zone.

Proposal 25

In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Family Day Care' as an 'A' (discretionary, subject to advertising) in RSH1. It is considered there are no planning reasons not to consider family day care facilities in the Rural Smallholding zone.

Explanation 25

The Shire has received requests from land owners located within the above zone where 'Family Day Care' is currently not permitted. The above modification would allow land owners within these zone to apply for 'Family Day Care' which is recommended to be classified as an 'A' (Advertising) use within the Scheme.

Proposal 26

Under Part 5 (Special Control Areas), insert the following text under clause 5.1.1: -

8. SCA8 – Structure Plan Areas

Explanation 26

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The addition of this Clause would afford the Shire the opportunity to ensure that a particular area is planned in a orderly and proper manner by enforcing a structure plan be prepared showing how the area is proposed to be developed.

Proposal 27

Under Part 5 (Special Control Areas), insert the following special control area provisions: -

5.9 Structure Plan Areas (SCA8)

5.9.1 Structure Plan Areas are shown on the Scheme Map as SCA8 with a number. A Schedule of these areas is set out in Schedule 10.

5.9.2 For the purpose of clause 5.9, unless the context otherwise requires;

“**Proponent**” means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.

“**Proposed Structure Plan**” means a Structure Plan which may apply to either a local area or a district that has been prepared in accordance with clause Part 4 of the deemed provisions.

“**Structure Plan**” means a proposed Structure Plan that has been approved by the Commission under clause 22(a) of the deemed provisions.

5.9.3 Purpose

The purpose of Structure Plan Areas Special Control Area is to:-

- (a) To identify areas requiring comprehensive structure planning prior to subdivision and development; and
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

5.9.4 Planning requirements

- a) The local government requires a Structure Plan for a Structure Plan Area, or for any part or parts of a Structure Plan Area, before recommending subdivision or approving development of land within the Structure Plan Area.
- b) The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development and the provisions of the foregoing clauses shall apply as relevant to the preparation of any such plan.
- c) Notwithstanding clause 5.9.4 a), the local government may approve a development or support a subdivision of the land in a manner that is consistent with the objectives of the underlying zone without requiring such a Structure Plan where, in its opinion, the proposal is of a minor nature, will not adversely affect the future subdivision or development of the land and

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where it can be demonstrated that it does not conflict with the future land use expectation of the Structure Plan Area.

- d) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule 10.
- e) The Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plans.
- f) Schedule 10 describes the Structure Plan Area in more detail and sets out the land use expectations, matters to be addressed and associated provisions for Structure Plans.

5.9.5 Preparation of Structure Plans

- a) A Structure Plan must be prepared in a manner and form approved by the Commission in accordance with the provisions of clause 16 of the deemed provisions.
- b) A Structure Plan may with the agreement of the Commission after consultation with the local government, be prepared and implemented in stages.

5.9.6 Operation of Structure Plan

- a) A Structure Plan commences operation on the date it is adopted by the Commission.
- b) A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have affect as if included in the scheme, and any provisions, requirements which are only for guidance or such other purposes as stipulated in the Structure Plan.

Explanation 27

The addition of the above Clauses will provide greater clarity for Officers and applicants when considering, preparing and implementing a structure plan.

Proposal 28

Rezone Lot 881 Yilgarn Avenue, Malabaine from 'Rural' to 'Light and Service Industry'

Explanation 28

This lot has been identified in the Northam Growth Plan as being suitable for 'Light & Service Industry' development. In order to facilitate this type of development the land is required to be zoned 'Light & Service Industry'.

STATUTORY REQUIREMENTS

Planning Scheme amendments are processed in accordance with the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes)*

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Regulations 2015. The decision on whether to adopt an amendment is solely that of Council.

Upon adoption by Council the amendment is referred to the Environmental Protection Authority after which public advertising of the proposal will occur. After public advertising, Council will consider whether to adopt the amendment for final approval with or without modifications.

The final decision on whether to grant final approval to an amendment rests with the Hon. Minister for Planning, acting upon recommendation from the Western Australian Planning Commission.

PUBLIC CONSULTATION

Public will be carried out following the initiation of the Scheme Amendment.

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

OBJECTIVE RG1: Provide accountable and transparent leadership.

STRATEGY G1.1: Continue to develop Council's policy framework to guide decision making.

BUDGET IMPLICATIONS

There will be costs associated with public advertising.

OFFICER'S COMMENT

The above modifications to LPS6 are sought to enable Council, the Shire and the community to continue with an up to date local planning scheme. It should be noted that the recommended proposals are those matters that are glaring to the Shire's planners in relation to working with LPS6 on a day-to-day basis.

RECOMMENDATION

That Council:

- 1. Pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to initiate Amendment No. 6 to the Shire of Northam Local Planning Scheme No.6 to implement various (omnibus) amendments as follows:**

- 1.1 Under clause 3.3.2, after the 'P' symbol, insert the following symbol and corresponding meaning: -**

'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the

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land and it complies with any relevant development standards and requirements of this Scheme;

- 1.2 In Table 1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'Commercial' and 'Mixed Use' zones from 'P' to 'I'.
- 1.3 In Table1: Zoning Table, reclassify the use class 'Ancillary Accommodation' in the 'Mixed Use' zone from 'D' to 'X'.
- 1.4 In Table1: Zoning Table, reclassify the use class 'Shop' in the 'Mixed Use' zone from 'X' to 'D'.
- 1.5 In Table1: Zoning Table, delete the use class 'Park Home Park'.
- 1.6 Insert in alphabetical order, in Table 1: Zoning Table the following Land Use classes and symbols in the cross reference in the Zoning Table:
- 1.7 In Table 2: Site and Development Requirements Table (clause 4.5), with respect to the Mixed Use zone, modify the minimum boundary setback requirements from 7.5m (front), 7.5m (rear) and 4m (side) to * (front), * (rear) and * (side).
 - * Means – to be determined by the local government in each particular case.
- 1.8 In Table 3: Car Parking Guidelines (clause 4.13), delete the following land uses and corresponding minimum car parking requirements:
 - Fish Shop; and
 - Public Amusement
- 1.9 Modify the wording of clause 4.22.3 to read as follows: -

Notwithstanding any other provisions contained in the Scheme, the local government may refuse to grant development approval for the development or use of any outbuilding on any Residential, *Rural Residential and Rural Smallholding* zoned lot which does not contain a dwelling.
- 1.10 Modify clause 4.24 by renumbering the existing provision subclause '4.24.1', and insert new subclauses 4.24.2 – 4.24.5 as follows: -
 - 4.24.2 Where, in the opinion of the local government, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme, or it

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ceases to be effective for the purpose for which it was erected or displayed, the local government may by notice in writing require the advertiser to –

- (i) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or
- (ii) remove the advertisement.

4.24.3 ‘The advertiser’ shall be interpreted as any one person or any group comprised of the landowner, occupier, licensee or other person having an interest in, or drawing benefit from, the display of an advertisement concerned.

4.24.4 Any notice served in pursuant to clause 4.24.2 shall be served upon the advertiser and shall specify -

- (i) the advertisement(s) the subject of the notice;
- (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice;
- (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

4.24.5 A person on whom notice is served under this clause may apply for a review to the State Administrative Tribunal under Part 14 of the Act against the determination of the local government.

1.11 Modify the wording of clause 4.30.4 to read as follows: -

The local government may grant temporary development approval for the temporary human habitation within an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a building permit for a dwelling is concurrently in force.

1.12 Modify the wording of clause 4.30.5 by inserting the words ‘and Rural Smallholding’ after the words ‘Rural Residential’ to read as follows: -

In the Rural Residential and Rural Smallholding zones, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.

1.13 Insert new clause 4.31 as follows:

4.31 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY

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4.31.1 Where, in the opinion of the local government, any proposed building or the erection of structures or carrying out of site works is out of harmony with existing buildings or the landscape of the locality by virtue of the design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and massing of any building, the local government may refuse the application for development approval. The refusal can be made notwithstanding that the application may otherwise comply with the provisions of the Scheme. The local government may place conditions on any development approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality.

4.31.2 In exercising its discretion under this clause, the local government shall have regard to the following when assessing any application for development approval –

- (i) the external appearance of the building and any associated structures and landscaping;
- (ii) the dimensions and proportions of the building or structure;
- (iii) the materials used in the construction of the building taking into consideration texture, scale, shape and colour;
- (iv) the effect of the building or works on nearby properties, and on the occupants of those buildings;
- (v) the effect on the landscape and environment generally; and
- (vi) any other matter which in the opinion of the local government is relevant to the amenity of the locality.

1.14 Insert new clause **4.32** as follows:

4.32 UNTIDY PLACES, DERELICT VEHICLES, MACHINERY AND OBJECTS

4.32.1 No land within the Scheme area shall on a permanent or regular basis be used for the purposes of storage and/or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written approval of the local government.

4.32.2 The local government may, by written notice as provided for in clause 3.25 and Schedule 3.1 of the *Local*

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Government Act 1995 require the owner, occupier or lessee of any land to undertake such works or actions for the improvement of the conditions and visual presentation of that property to a standard commensurate with those conditions prevailing in the locality.

4.32.3 The local government shall not permit the storage and/or wrecking of derelict vehicles, sea containers or machinery or the storage of any materials within any zone, except the General Industry zone, if it is visible from any road or where, in the opinion of the local government, it detracts from the amenity of the locality without the written approval of the local government.

4.32.4 Notwithstanding clause 4.31.3, should the applicant justify the proposal, commit to suitable management and address visual impact concerns following the receipt of an application for development approval, the local government may grant approval with or without conditions.

4.32.5 Notwithstanding any other provision of the Scheme, the storage of disused vehicles and/or wrecking of any vehicle on private land other than land within the General Industrial zone is prohibited.

1.15 Insert new clause **4.33** as follows: -

4.33 RELOCATED SECOND-HAND BUILDINGS

4.33.1 The local government may permit the erection of a relocated building on a lot where –

- (i) in its opinion such building is in a satisfactory condition and the design and location of the building is to the satisfaction of the local government and will not adversely affect the amenity of the locality;
- (ii) the applicant for a building permit for the relocated building lodges a cash bond and enters into an agreement, to the satisfaction of the local government, to ensure the building achieves a standard of presentation acceptable to the local government within 12 months of the issue of the building permit; and
- (iii) the proposal complies with the provisions of the local government's Local Planning Policies—

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Relocation and Use of Second-Hand Dwellings; and Transportable Structures.

1.16 Insert new clause 4.34 as follows: -

4.34 HOLIDAY ACCOMMODATION USES—SHORT STAY RESTRICTIONS

4.34.1 No person shall occupy any holiday accommodation use, as specified in Table 1: Zoning Table for more than a total of 3 months in any 12-month period unless approved by the local government for management purposes and staff accommodation.

4.34.2 Notwithstanding the provisions of clause 4.33.1, the local government may permit the permanent occupancy of not more than 15% of caravan sites within a caravan park, where the applicant can demonstrate, to the satisfaction of the local government, that the primary tourist accommodation purpose of the park will not be compromised and that adequate services and facilities exist to service the permanent population.

1.17 Insert new clause 4.35 as follows: -

4.35 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS

4.35.1 The local government will need to be satisfied when assessing any request for rezoning, structure plan or application for development approval, where in the opinion of the local government there are bush fire risks, that development will comply with any relevant State and local government policy on bushfire protection and, where applicable, any endorsed fire management plan. In particular, the local government is to have regard to –

- (i) State Planning Policy 3.4 Natural Hazards and Disasters;
- (ii) Guidelines for Planning in Bushfire Prone Areas or any updates;
- (iii) any advice obtained from the Department of Fire and Emergency Services; and
- (iv) any other planning consideration the local government considers relevant.

4.35.2 Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as designated by the Fire and

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Emergency Services (FES) Commissioner, which form part of the Scheme for the purposes of clause 4.34.

- 4.35.3** The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.
- 4.35.4** Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, irrespective of whether or not a development approval of the local government is required, will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia and Australian Standard 3959—2009 (or any updates).
- 4.35.5** If an owner disputes their land's identification within a designated Bush Fire Prone Area, that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates).
- 4.35.6** On receiving a request made under clause 4.34.5, the local government may determine that the land is not within a designated Bush Fire Prone area; or determine that the land's identification within a designated Bush Fire Prone Area is correct.
- 4.35.7** Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates). The BAL level will inform the application of AS3959.
- 4.35.8** The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.
- 4.35.9** The local government may impose conditions to reduce bush fire risk to people and/or property including –
- (i) the provision of a fire fighting water supply;
 - (ii) the provision of fire services access;

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- (iii) the preparation of a Fire Management Plan in accordance with the Guidelines for Planning in Bushfire Prone Areas (or any updates), and implementation of specific fire protection measures set out in the plan; and
- (iv) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.

4.35.10 Where a Fire Management Plan has been endorsed by the Department of Fire and Emergency Services and/or the local government, through the planning process, the affected landowners will be responsible for the ongoing implementation of the 'landowners' responsibilities' section as specified in that Fire Management Plan.

18. Insert new clause **4.36** as follows: -

4.36 TELECOMMUNICATIONS INFRASTRUCTURE

4.36.1 An application for development approval from the local government is required for the development of all telecommunications infrastructure (overhead cabling telecommunications towers, radio communications dishes, etc.) excluding those listed in the Telecommunications Low Impact Facilities Determination 1997 and subsequent Amendments to that Determination.

4.36.2 Applications for the development approval for telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under Part 7 of the deemed provisions and will be considered in relation to the following -

- (i) consistency with the objective and purpose of the zone or reserve;
- (ii) social and economic benefits of the proposal;
- (iii) the impact of the proposal on the landscape, heritage and environmental values of the locality;
- (iv) coordination with other services; and
- (v) any relevant Local Planning Policy adopted by the local government.

1.19 Insert new clause **4.37** as follows: -

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4.37 PROVISIONS AND CONTRIBUTIONS FOR SERVICES AND FACILITIES

4.37.1 Where, in the opinion of the local government and/or the Commission, there will be a demand for the provision of services or facilities as a consequence of the carrying out of development or subdivision of land, then, subject to the provisions of clause 4.36.2 below, the local government may impose as a condition of development approval for that development and the Commission may impose as a condition of subdivision approval a requirement for the provision of those services and facilities or the making of a monetary contribution in lieu of such provision.

4.37.2 A condition for development approval for development referred to in clause 4.36.1 may only be imposed where the payment of the contribution is-

- (i) provided for in a Structure Plan endorsed by the Commission;
- (ii) provided for in an adopted Commission Policy including Appendix 1 of State Planning Policy 3.6 and as relevant Council's adopted policies relating to road upgrading, drainage and associated standard development contribution;
- (iii) set out in a Development Contribution Plan (clause 5.6 and Schedule 13 of the Scheme).

1.20 Insert new clause 4.38 as follows: -

4.38 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS

4.38.1 Development approval is not required to conduct a home office as defined in the Scheme.

4.38.2 Where the local government issues a development approval to conduct a home occupation or a home business, the approval relates to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.

4.38.3 If in the opinion of the local government, a home occupation or home business is causing a nuisance or

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annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.

4.38.4 A development approval to conduct a home occupation or home business may be issued subject to an annual permit which may be renewed by application to the local government for development approval.

1.21 Under Schedule 1 ‘Dictionary of defined words and expressions, subclause 2 ‘land use definitions’, insert in alphabetical order the following new definitions:

“Abattoir” means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;

“Art Gallery” means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

“Bulky Goods Showroom” means premises —

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —
 - (i) automotive parts and accessories;
 - (ii) camping, outdoor and recreation goods;
 - (iii) electric light fittings;
 - (iv) animal supplies including equestrian and pet goods;
 - (v) floor and window coverings;
 - (vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;
 - (vii) household appliances, electrical goods and home entertainment goods;
 - (viii) party supplies;
 - (ix) office equipment and supplies;
 - (x) babies’ and children’s goods, including play equipment and accessories;
 - (xi) sporting, cycling, leisure, fitness goods and accessories;
 - (xii) swimming pools;

or

- (b) used to sell by retail goods and accessories by retail if —

“Commercial Vehicle Parking” means premises used for parking of one or 2 commercial vehicles but does not include —

- (a) any part of a public road used for parking or for a taxi rank;
- or

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(b) parking of commercial vehicles incidental to the predominant use of the land;

“Garden Centre” means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

“Holiday Accommodation” means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

“Industry - Primary Production” means premises used —

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

“Liquor Store – Large” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m²;

“Liquor Store – Small” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m²;

“Small Bar” means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

“Trade Supplies” means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

“Tree Farm” means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003 section 5;

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“Waste Disposal Facility” means premises used —
(a) for the disposal of waste by landfill; or
(b) the incineration of hazardous, clinical or biomedical waste;

“Waste Storage Facility” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

1.22 In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Ancillary Accommodation’ as a ‘D’ (discretionary) use in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, R26 and RR27.

1.23 In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Family Day Care’ as an ‘A’ (discretionary, subject to advertising) in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, RR25, R26 and RR27.

1.24 In Schedule 8 ‘Rural Smallholding Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Ancillary Accommodation’ as a ‘D’ (discretionary) use in RSH1.

1.25 In Schedule 8 ‘Rural Smallholding Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Family Day Care’ as an ‘A’ (discretionary, subject to advertising) in RSH1.

1.26 Under Part 5 (Special Control Areas), insert the following text under clause 5.1.1: -

“8. SCA8 – Structure Plan Areas”

1.27 Under Part 5 (Special Control Areas), insert the following special control area provisions: -

5.9 Structure Plan Areas (SCA8)

5.9.1 Structure Plan Areas are shown on the Scheme Map as SCA8 with a number. A Schedule of these areas is set out in Schedule 10.

5.9.2 For the purpose of clause 5.9, unless the context otherwise requires;

“Proponent” means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.

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“Proposed Structure Plan” means a Structure Plan which may apply to either a local area or a district that has been prepared in accordance with clause Part 4 of the deemed provisions.

“Structure Plan” means a proposed Structure Plan that has been approved by the Commission under clause 22(a) of the deemed provisions.

5.9.3 Purpose

The purpose of Structure Plan Areas Special Control Area is to:-

- (a) To identify areas requiring comprehensive structure planning prior to subdivision and development; and**
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.**

5.9.4 Planning requirements

- a) The local government requires a Structure Plan for a Structure Plan Area, or for any part or parts of a Structure Plan Area, before recommending subdivision or approving development of land within the Structure Plan Area.**
- b) The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development and the provisions of the foregoing clauses shall apply as relevant to the preparation of any such plan.**
- c) Notwithstanding clause 5.9.4 a), the local government may approve a development or support a subdivision of the land in a manner that is consistent with the objectives of the underlying zone without requiring such a Structure Plan where, in its opinion, the proposal is of a minor nature, will not adversely affect the future subdivision or development of the land and where it can be demonstrated that it does not conflict with the future land use expectation of the Structure Plan Area.**
- d) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule 10.**

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- e) The Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plans.
- f) Schedule 10 describes the Structure Plan Area in more detail and sets out the land use expectations, matters to be addressed and associated provisions for Structure Plans.

5.9.5 Preparation of Structure Plans

- a) A Structure Plan must be prepared in a manner and form approved by the Commission in accordance with the provisions of clause 16 of the deemed provisions.
- b) A Structure Plan may with the agreement of the Commission after consultation with the local government, be prepared and implemented in stages.

5.9.6 Operation of Structure Plan

- a) A Structure Plan commences operation on the date it is adopted by the Commission.
- b) A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have affect as if included in the scheme, and any provisions, requirements which are only for guidance or such other purposes as stipulated in the Structure Plan.

2. Resolves, pursuant to the Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, that proposed Amendment No.6 is a standard amendment pursuant to Regulation 34(f) of the Regulations as the proposal is considered to be an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
3. Authorises the President and Chief Executive Officer to execute three (3) copies of the Amendment documents in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. Pursuant to Section 81 of the *Planning and Development Act 2005*, refers proposed Amendment No. 5 to the Environmental Protection Authority

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prior to advertising in accordance with Regulation 47(2) (a) up to and including (e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

5. Forward a copy of Amendment No. 6 to the Western Australian Planning Commission for information;

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ATTACHMENT 1

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SHIRE OF NORTHAM

LOCAL PLANNING SCHEME NO. 6

Updated to include AMD 1 GG 31/07/15

DISCLAIMER

This is a copy of the Town Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise the Department of Planning of any errors or omissions in this document.

Prepared by the Department of Planning

Original Town Planning Scheme Gazettal Date: 21 August 2013

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AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
	21/08/13	21/08/13	NM	Text Gazetted.
1	31/07/15	04/08/15	NG	Amend the Scheme Map to apply a zoning of "Mixed Use" to No. 9 (Lot 11) John Street, Northam.

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PART 1 — PRELIMINARY

1.1 CITATION

1.1.1 The Shire of Northam Scheme No 6 ("the Scheme") comes into operation on its Gazettal date.

1.1.2 The following Schemes are revoked –

- Shire of Northam Town Planning Scheme No 3 20th May 2005
- Town of Northam Town Planning Scheme No 5 31st August 2004

1.2 RESPONSIBLE AUTHORITY

The Shire of Northam is the responsible authority for implementing the Scheme.

1.3 SCHEME AREA

The Scheme applies to the Scheme area which covers all of the local government district of the Shire as shown on the Scheme Map.

1.4 CONTENTS OF SCHEME

The Scheme comprises –

- (a) the Scheme Text;
- (b) the deemed provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2;
- (c) the supplemental provisions contained in Schedule A; and
- (b) the Scheme Map (sheets 1 - 17).

The Scheme is to be read in conjunction with the Local Planning Strategy.

Note: The Scheme Map comprises seventeen (17) separate map sheets. Maps 1 and 2 are at a scale of 1:75,000 and cover all of the local government district of the Shire. Maps 3 to 17 are at a scale of 1:5,000 and cover the Northam, Wundowie, Bakers Hill, Clackline and Grass Valley townships and surrounds as well as the Spencers Brook and Seabrook localities.

1.5 PURPOSES OF THE SCHEME

The purposes of the Scheme are to –

- (a) set out the local government's planning aims and intentions for the Scheme area;
- (b) set aside land as reserves for public purposes;
- (c) zone land within the Scheme area for the purposes defined in the Scheme;
- (d) control and guide land use and development;
- (e) set out procedures for the assessment and determination of planning applications;
- (f) make provision for the administration and enforcement of the Scheme; and
- (g) address other matters set out in Schedule 7 to the Planning Act.

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1.6 AIMS OF THE SCHEME

The aims of the Scheme are to –

- (a) secure the amenity, health and convenience of the Scheme area and the inhabitants thereof;
- (b) ensure there is a sufficient supply of suitable serviced land for housing, employment, commercial activities, community facilities, recreation and open space;
- (c) provide for housing choice and variety in neighbourhoods with a community identity and high levels of safety, accessibility and visual amenity;
- (d) encourage residential development as a component of a mixed use development where appropriate in other zones, in particular the Commercial and Mixed Use zones;
- (e) reinforce the Northam townsite's role as a regional centre providing shopping, commercial, industrial, civic, educational, administrative and welfare services to the surrounding region;
- (f) encourage infill development within existing serviced urban areas and discourage ad hoc urban sprawl;
- (g) preserve, protect and enhance townscapes and places, buildings and objects of heritage value, historic interest, natural beauty or scientific interest which exist throughout the Scheme area;
- (h) promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities;
- (i) protect, conserve and enhance the environmental values and natural resources of the Scheme area including the protection of remnant vegetation and the rehabilitation and revegetation of degraded land;
- (j) promote ecologically sustainable land use and development;
- (k) assist the effective implementation of the State Planning Strategy, State Planning Framework (SPP No.1) and other adopted strategies and policies as these apply to the Wheatbelt Region; and
- (l) make provision for other matters necessary or incidental to town planning and development generally.

1.7 DEFINITIONS

1.7.1 Unless the context otherwise requires, words and expressions used in the Scheme have the same meaning as they have –

- (a) in the Planning and Development Act 2005; or
- (b) if they are not defined in that Act –
 - (i) in the Dictionary of defined words and expressions in Schedule 1; or
 - (ii) in the Residential Design Codes.

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1.7.2 If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the Residential Design Codes –

(a) in the case of a residential development, the definition in the Residential Design Codes prevails; and

(b) in any other case the definition in the Dictionary prevails.

1.7.3 Notes and instructions printed in italics are not part of the Scheme.

1.8 RELATIONSHIP WITH LOCAL LAWS

Where a provision of the Scheme is inconsistent with a local law, the provision of the Scheme prevails.

1.9 RELATIONSHIP WITH OTHER SCHEMES

There are no other Schemes of the Shire of Northam which apply to the Scheme area.

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PART 2 — RESERVES

2.1 RESERVES

Certain lands within the Scheme Area are classified as Local Reserves,

2.2 LOCAL RESERVES

"Local Reserves" are delineated and depicted on the Scheme Map according to the legend on the Scheme Map, the categories of which are listed hereunder:

- Conservation of Flora and Fauna;
- Major Road;
- Regional Road;
- Parks and Recreation;
- Public Purposes;
- Railway;
- State Forest.

2.3 USE AND DEVELOPMENT OF LOCAL RESERVES

2.3.1 A person must not -

- (a) use a Local Reserve; or
- (b) commence or carry out development on a Local Reserve,

without first having obtained development approval under Part 7 of the deemed provisions.

2.3.2 In determining an application for development approval the local government is to have due regard to —

- (a) the matters set out in clause 67 of the deemed provisions; and
- (b) the ultimate purpose intended for the Reserve.

2.3.3 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for development approval.

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PART 3 — ZONES AND THE USE OF LAND

3.1 ZONES

- 3.1.1 The Scheme Area is classified into the zones shown on the Scheme Map.
- 3.1.2 The zones are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

3.2 OBJECTIVES OF THE ZONES

The objectives of the zones are to –

3.2.1 Residential Zone

- Provide for residential development at a range of densities with a variety of housing types to meet the needs of all sectors of the community through application of the Residential Design Codes.
- Maintain and enhance the residential character and amenity of the zone.

3.2.2 Commercial Zone

- Provide for retail shopping, office and commercial development and social, recreational and community activities servicing the community as a whole.
- Provide for consolidation and revitalisation of commercial areas whilst reflecting the historic character and identity of the town.
- Encourage a high standard of development which serves to enhance the character of the zone.
- Maintain compatibility with the general streetscape for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- Provide for multiple dwellings only where such uses are combined with a commercial use.

3.2.3 Mixed Use Zone

- Provide for the development of a range of residential, office, commercial and other compatible uses that enhance the local amenity to a high standard and provide for the safe and efficient movement of pedestrians and vehicles.
- Provide a compatible interface and transition between commercial, light industrial and residential areas.
- Provide for grouped and multiple dwellings only where such uses are combined with a non-residential use.

3.2.4 Tourist Zone

The objectives of the Tourist zone are to –

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- Promote and provide for tourism opportunities on strategically located tourism sites in and around the Northam, Wundowie, Bakers Hill and Clackline townsites that will complement the existing natural and man-made features of the Shire.
- Encourage the location of tourist activities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
- Provide for tourism development and uses associated with tourism development, including retailing and service facilities where such facilities are an integral part of the development and are of a scale appropriate to the needs of the development.
- Ensure that short stay tourist and holiday accommodation are the predominant uses in this zone.

3.2.5 Special Use Zone

- Provide for special categories of land use which are not fully compatible with other zones in the Scheme.

Note: Special Use zones are not shown in the Zoning Table. Provisions, including uses permitted and development standards are set out in Schedule 4 of the Scheme.

3.2.6 General Industry Zone

- Provide land for industrial, manufacturing, freight-related and storage activities which by reason of its emissions and bulk require adequate separation from residential and other sensitive land uses.
- Encourage and facilitate employment-generating development which will contribute to the economic and social well-being of the Shire.
- Discourage non-industry related uses within industrial areas that may constrain industrial activities.
- Encourage new industry to contain its emissions on-site and, if that is not possible, within the zone having due regard to nearby established premises.

3.2.7 Light & Service Industry Zone

- Provide for a range of light and service industries, wholesale sales, warehouses, showrooms, trade and services which, by reason of their scale, character and operational or land requirements, are not generally appropriate in or cannot conveniently or economically be accommodated in the commercial or mixed use zones.
- Provide for light and service industrial activities and associated uses that are compatible and acceptable in close proximity to rivers and residential areas.
- Encourage and facilitate employment-generating development which will contribute to the economic and social well-being of the Shire.

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3.2.8 Rural Zone

- To provide for horticulture, extensive and intensive agriculture, agroforestry, local services and industries, extractive industries and tourist uses which ensure conservation of landscape qualities in accordance with the capability of the land.
- To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural area.
- To control the fragmentation of broad-acre farming properties through the process of subdivision.
- To protect land from land degradation and further loss of biodiversity by:
 - (i) Minimising the clearing of remnant vegetation and encouraging the protection of existing remnant vegetation;
 - (ii) Encouraging the development of and the protection of corridors of native vegetation;
 - (iii) Encouraging the development of environmentally acceptable surface and sub-surface drainage works; and
 - (iv) Encouraging rehabilitation of salt affected land.

3.2.9 Rural Residential Zone

- To provide for the use of land for rural living purposes in a rural setting on lots generally ranging in size from 1 to 4 hectares whilst preserving the amenity of such areas, ensuring landscape protection and conservation and controlling land use impacts.
- To reduce or eliminate the detrimental effect of keeping livestock in the zone by limiting stock numbers to those kept for hobby purposes and not for commercial gain.

3.2.10 Rural Smallholding Zone

- To provide for the use of land for rural living purposes in a rural setting on lots generally ranging in size from 4 to 40 hectares while preserving the amenity of such areas, ensuring landscape protection and conservation and controlling land use impacts.
- Support a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality.
- Support a range of low impact commercial and tourist uses that are compatible with and retain the rural character and amenity of the locality.

3.2.11 Development Zone

- To designate land considered to be generally suitable for future development and to prevent such land being used or developed in a manner which could prejudice its possible future use for planned development;

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- To provide for the sustainable development of land in an orderly manner with appropriate levels of physical infrastructure and human services; and
- To ensure the orderly development of the land, through a requirement for the preparation and endorsement of a Structure Plan in accordance with the provisions of section 5.31 of the Scheme, as a pre-requisite to subdivision or development of the land.

3.3 ZONING TABLE

3.3.1 The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any use is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

3.3.2 The symbols used in the cross reference in the Zoning Table have the following meanings –

'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;

'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;

'D' means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

'A' means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions;

'X' means a use that is not permitted by the Scheme.

3.3.3 A change in the use of land from one use to another is permitted if –

(a) the local government has exercised its discretion by granting development approval;

(b) the change is to a use which is designated with the symbol 'P' in the cross reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme;

(c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot; or

(d) the change is to an incidental use that does not change the predominant use of the land.

Notes 1. *The development approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances, one application is made for both the use and development of land.*

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2. The local government will not refuse a 'P' use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.
3. In considering a 'D' or 'A' use the local government will have regard to the matters set out in clause 67 of the deemed provisions.
4. The local government must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.

Table 1: Zoning Table

P - Permitted D - Discretion A - Advertising X - Not Permitted

LANDUSE	RESIDENTIAL	DEVELOPMENT	COMMERCIAL			GENERAL INDUSTRY	LIGHT & SERVICE INDUSTRY	RURAL	RURAL RESIDENTIAL	RURAL SMALLHOLDING
			COMMERCIAL	MIXED USE	TOURIST					
Abattoir	X	THE LAND MAY ONLY BE USED FOR THE PURPOSES ASSOCIATED WITH THE ZONES DELINEATED IN THE STRUCTURE PLAN ADOPTED IN ACCORDANCE	X	X	X	A	X	A	X	X
Aged Persons Hostel	D		D	D	X	X	X	X	X	X
Agriculture – Extensive	X		X	X	X	X	X	P	X	P
Agriculture – Intensive	X		X	X	X	X	X	D	X	A
Agroforestry	X		X	X	X	X	X	D	X	A
Amusement Parlour	X		D	A	D	X	X	X	X	X
Animal Establishment	X		X	X	X	A	X	D	X	A
Animal Husbandry – Intensive	X		X	X	X	X	X	D	X	X
Art Gallery	X		P	P	P	X	X	A	X	A
Bed & Breakfast	A		X	D	X	X	X	D	D	D
Betting Agency	X		P	D	D	X	X	X	X	X
Boarding House	D		A	D	D	X	X	X	X	X
Brewery	X		X	X	A	X	X	D	X	X
Bulky Goods Showroom	X		P	P	X	X	D	X	X	X
Caravan Park	X		X	X	D	X	X	X	X	X
Caretaker's Dwelling	X		I	I	D	D	D	D	X	D
Carpark	X		D	D	A	X	D	X	X	X
Childcare Premises	A		P	P	A	X	X	X	X	X
Cinema/Theatre	X		D	A	A	X	X	X	X	X
Civic Use	A		D	D	X	A	D	X	X	X
Club Premises	X		P	D	D	X	X	A	X	X
Commercial Vehicle Parking	X		X	X	X	P	P	D	A	A
Community Purpose	A		D	D	D	X	A	A	A	A
Consulting Rooms	A		P	P	X	X	A	X	X	X
Convenience Store	A		D	D	A	X	X	X	X	X
Corrective Institution	X		X	X	X	X	X	A	X	X
Dry Cleaning Premises	X		D	D	X	X	D	X	X	X
Educational Establishment	A		D	D	X	A	A	A	X	X
Equestrian Activity	X		X	X	A	A	X	D	X	A
Exhibition Centre	X		P	A	X	X	X	X	X	X
Family Day Care	A		X	D	X	X	X	A	A	A

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LANDUSE	RESIDENTIAL	DEVELOPMENT	COMMERCIAL	MIXED USE	TOURIST	GENERAL INDUSTRY	LIGHT & SERVICE INDUSTRY	RURAL	RURAL RESIDENTIAL	RURAL SMALLHOLDING
Fast Food Outlet	X		P	D	X	X	X	X	X	X
Fuel Depot	X		X	X	X	D	A	X	X	X
Funeral Parlour	X		A	A	X	X	X	X	X	X
Garden Centre	X		X	D	X	D	D	D	A	A
Health Studio	X		P	D	X	X	A	X	X	X
Holiday Accommodation	X		D	D	P	X	X	A	A	A
Home Business	P		D	D	X	X	X	D	D	D
Home Occupation	P		D	D	X	X	X	P	P	P
Home Office	P		P	D	X	X	X	P	P	P
Home Store	A		X	D	X	X	X	X	X	X
Hospital	X		A	A	X	X	X	X	X	X
Hotel	X		D	A	A	X	X	X	X	X
Industry – Cottage	A		D	D	D	P	P	D	D	D
Industry – Extractive	X		X	X	X	A	X	A	X	A
Industry – General	X		X	X	X	P	X	X	X	X
Industry – Light	X		X	X	X	D	P	X	X	X
Industry – Mining	X		X	X	X	X	X	D	D	D
Industry - Primary Production	X		X	X	X	A	X	A	X	X
Industry – Rural	X		X	X	X	D	A	D	X	X
Industry – Service	X		A	A	X	D	P	X	X	X
Landscape Supplies	X		X	X	X	P	D	A	X	X
Laundromat	X		P	P	X	X	X	X	X	X
Liquor Store - Large	X		A	A	X	X	X	X	X	X
Liquor Store - Small	X		A	A	X	X	X	X	X	X
Lunch Bar	X		P	P	X	P	P	X	X	X
Market	X		D	A	A	X	X	X	X	X
Medical Centre	A		D	A	X	X	X	X	X	X
Motel	X		X	A	D	X	X	X	X	X
Motor Vehicle, Boat or Caravan Sales	X		X	D	X	D	D	X	X	X
Motor Vehicle Repair	X		X	A	X	P	P	X	X	X
Motor Vehicle Wash	X		X	D	X	P	P	X	X	X
Motor Vehicle Wrecking	X		X	X	X	D	D	X	X	X
Museum	X		D	D	A	X	X	A	X	X
Nightclub	X		A	A	A	X	X	X	X	X
Nursing Home	A		X	A	X	X	X	X	X	X
Office	X		P	P	X	X	X	X	X	X
Park Home Park	A		X	X	X	X	X	X	X	X
Place of Worship	A		D	D	X	X	X	X	X	X
Power Generation	X		X	X	X	A	X	A	X	X
Produce Stall	X		P	A	A	X	X	D	A	D
Public Utility	D		P	P	P	P	P	P	P	P
Reception Centre	X		P	D	D	X	X	A	X	A
Recreation – Private	A		D	D	A	X	A	A	X	X

THE LAND MAY ONLY BE USED FOR THE PURPOSES ASSOCIATED WITH THE ZONES DELINEATED IN THE

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Vehicle Recovery & Towing	X		X	X	X	P	P	A	X	X
Veterinary centre	X		A	A	X	X	D	D	X	D
Warehouse	X		X	A	X	P	P	X	X	X
Waste Disposal Facility	X		X	X	X	A	X	X	X	X
Waste Storage Facility	X		X	X	X	A	X	X	X	X

LANDUSE	RESIDENTIAL	DEVELOPMENT	COMMERCIAL	MIXED USE	TOURIST	GENERAL INDUSTRY	LIGHT & SERVICE INDUSTRY	RURAL	RURAL RESIDENTIAL	RURAL SMALLHOLDING
Residential										
- Aged & Dependent Persons Dwelling	D		X	D	X	X	X	X	X	X
- Ancillary Accommodation	P		X	X	X	X	X	D	D	D
- Grouped Dwelling	D		X	D	X	X	X	X	X	X
- Holiday Home	A		X	X	D	X	X	A	A	A
- Multiple Dwelling	A		D	D	X	X	X	X	X	X
- Single House	P		X	X	X	X	X	P	P	P
Residential Building	A		D	D	X	X	X	X	X	X
Restaurant	A		P	P	D	X	X	A	X	A
Restricted Premises	X		A	X	X	X	X	X	X	X
Roadhouse	X		X	X	X	X	D	X	X	X
Rural Home Business	X		X	X	X	X	X	D	A	A
Rural Pursuit	X		X	X	X	X	X	P	D	D
Salvage Yard	X		X	X	X	D	A	X	X	X
Service Station	X		X	D	X	A	P	X	X	X
Shop	X		D	X	X	X	X	X	X	X
Showroom	X		D	A	X	A	D	X	X	X
Small Bar	X		A	X	A	X	X	X	X	X
Stockyards	X		X	X	X	X	X	D	X	X
Storage	X		X	D	X	P	P	A	X	X
Tavern	X		D	A	A	X	X	X	X	X
Telecommunications Infrastructure	A		D	D	D	D	D	D	D	D
Tourist Accommodation	X		D	D	P	X	X	A	X	A
Tourist Development	X		D	D	P	X	X	A	X	A
Trade Display	X		D	D	X	D	D	X	X	X
Trade Supplies	X		D	D	X	P	P	X	X	X
Transport Depot	X		X	X	X	P	D	D	X	X
Tree Farm	X		X	X	X	X	X	D	X	X

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Winery	X		X	X	A	X	X	D	X	A
Workers Accommodation	X		D	D	A	X	X	D	X	X

3.4 INTERPRETATION OF THE ZONING TABLE

- 3.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.
- 3.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may -
- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
 - (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or
 - (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.
- 3.4.2 If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land -
- (a) a structure plan;
 - (b) an activity centre plan;
 - (c) a local development plan.

3.5 ADDITIONAL USES

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.

3.6 RESTRICTED USES

Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

Note: A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.

3.7 SPECIAL USE ZONES

- 3.7.1 Special use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.
- 3.7.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in

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Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.

3.8 NON-CONFORMING USES

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent

- (a) the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;
- (b) the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 80 of the deemed provisions, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal date.

Note: "Land" has the same meaning as in the Planning Act and includes houses, buildings and other works and structures.

3.9 EXTENSIONS AND CHANGES TO A NON-CONFORMING USE

3.9.1 A person must not –

- (a) alter or extend a non-conforming use;
- (b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or
- (c) change the use of land from a non-conforming use to another non-conforming use,

without first having applied for and obtained development approval under the Scheme.

3.9.2 An application for development approval under this clause is to be advertised in accordance with clause 64 of the deemed provisions.

3.9.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its development approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone.

3.10 DISCONTINUANCE OF A NON-CONFORMING USE

Where a non-conforming use of any land has been discontinued for a period of 6 months the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.

3.11 TERMINATION OF A NON-CONFORMING USE

The local government may affect the discontinuance of a non-conforming use by the purchase of the land, or by the payment of compensation to the owner or occupier or to both the owner and occupier of that land, and may enter into an agreement with the owner for that purpose.

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Note: Sections 190 and 191 of the Planning Act enables the local government to purchase, or, with the consent of the Governor, compulsorily acquire land for the purpose of a local planning scheme, subject to Part 9 of the Land Administration Act 1997, that section and the Scheme.

3.12 DESTRUCTION OF NON-CONFORMING USE BUILDINGS

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the development approval of the local government.

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PART 4 — GENERAL DEVELOPMENT REQUIREMENTS

Note: This part sets out the general requirements which apply to land use and development within the Scheme Area and the specific requirements which apply to particular uses and forms of development, such as site requirements, access, parking, building design, setbacks and landscaping, for residential, commercial, industrial, rural and other uses. See Part 43 for the zoning table and objectives of the zones, this Part 4 and Part 5 Special Control Areas and the Schedules for other development requirements.

4.1 COMPLIANCE WITH DEVELOPMENT STANDARDS AND REQUIREMENTS

Any development of land is to comply with the provisions of the Scheme.

4.2 RESIDENTIAL DESIGN CODES

4.2.1 A copy of the Residential Design Codes is to be kept and made available for public inspection at the offices of the local government.

4.2.2 Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform with the provisions of those Codes.

4.2.3 The Residential Design Codes density applicable to land within the Scheme area is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Design Code density, as being contained within the area defined by the centre-line of those borders.

4.3 SPECIAL APPLICATION OF RESIDENTIAL DESIGN CODES

4.3.1 Where a lot has dual Residential Design Codes density coding, the local government may approve residential development at the higher coding if it is connected to reticulated sewerage and is generally consistent with the design criteria contained in any Local Planning Policy relating to the design of higher density residential uses in established residential areas.

4.3.2 The local government may, at its discretion, approve residential development to a maximum density of R30 on all lots with frontage to two constructed roads with a density coding of R15 or greater provided it is able to be connected to a reticulated sewerage system and after complying with the requirements of clause 64 of the deemed provisions inclusive.

4.3.3 The provisions of clauses 4.3.1 and 4.3.2 do not apply to any residential development within the Avon/Mortlock Rivers Special Control Area.

4.3.4 Where an application for subdivision or development is received for land along Gordon Street, the higher code may be considered where the application is consistent with the Gordon Street Local Planning Policy's character protection guidelines.

4.4 RESTRICTIVE COVENANTS

4.4.1 Subject to clause 4.4.2, a restrictive covenant affecting any land in the Scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Design Codes which apply under the Scheme.

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- 4.4.2 Where clause 4.4.1 operates to extinguish or vary a restrictive covenant the local government is not to grant development approval to the development of the land which would, but for the operation of clause 4.4.1, have been prohibited unless the application has been dealt with as an 'A' use and has complied with all of the advertising requirements of clause 64 of the deemed provisions.

4.5 SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

- 4.5.1 Table 2 sets out the site and development requirements for each of the zones which may be varied and/or supplemented by the local government at its discretion to suit any specific requirements.
- 4.5.2 The local government in determining applications for any development may require such development to comply generally with the standards required for the relevant zone as stipulated in Table 2 to ensure that the scale, nature, design, general appearance and impact of any proposed use/s is compatible with the objectives of the zone in which the development is proposed and the general purposes and aims of the Scheme.

Table 2: Site and Development Requirements Table

CONTROLS	Minimum Boundary Setback (metres)			Maximum Plot Ratio	φ Minimum Landscaping Area (%)	Minimum Lot Size
	Front #	Rear	Sides			
ZONE						
Residential	In accordance with the Residential Design Codes or as varied by the Scheme Provisions.					
Commercial	*	*	*	*	*	*
Mixed Use	2.5*	2.5*	4*	*	*	*
Tourist	7.5	7.5	4	*	*	*
General Industry	7.5	10	5	*	15%	2,000 m ²
Light & Service Industry	7.5	7.5	4	*	10%	1,000 m ²
Rural	25	20	20	n/a	n/a	##
Rural Residential	15	10	10	n/a	*	## (generally ranging from 1 to 4 hectares)
Rural Smallholding	25	20	20	n/a	*	## (generally ranging from 4 to 40 hectares)

NOTES:

- * Means to be determined by the local government in each particular case.
 # Front Setback applies to all sides of a property that adjoin a road reserve, see Clause 5.18.
 ## As determined by the local government in each particular case having due regard for the Local Planning Strategy.
 φ Landscaping to generally be provided at the street frontage and is determined as a percentage of the total lot area.

4.6 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

- 4.6.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for development approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.
- 4.6.2 In considering an application for development approval under this clause, where, in the opinion of the local government, the variation is likely to affect

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any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to -

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 64 of the deemed provisions; and
- (b) have regard to any expressed views prior to making its determination to grant the variation.

4.6.3 The power conferred by this clause may only be exercised if the local government is satisfied that –

- (a) approval of the proposed development would be appropriate having regard to the matters set out in clause 67 of the deemed provisions; and
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

4.7 ENVIRONMENTAL CONDITIONS

4.7.1 Environmental conditions to which the Scheme is, or amendments to the Scheme are, incorporated into the Scheme by Schedule 10 of the Scheme.

4.7.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.

4.7.3 The local government is to –

- (a) maintain a register of all relevant statements published under sections 48F and 48G of the EP Act; and
- (b) make the statements available for public inspection at the offices of the local government.

Note: Environmental conditions are those required to be incorporated into a Scheme or an amendment to a Scheme following assessment under the Environmental Protection Act 1986.

4.8 OUTDOOR STORAGE AREAS

4.8.1 Open air displays, industrial hire services, storage facilities, depots, lay-down areas and any other open area shall be sealed, paved and/or landscaped to the satisfaction of the local government and maintained in good condition.

4.8.2 Any open storage area, utilitarian area or any other space used in connection with a commercial or industrial use which, by virtue of its location and use is likely to detract from the visual amenity of the surrounding area, shall be screened from public view by a closed wall or fence no less than 1.8 metres in height, or screen landscaping approved by the local government.

4.9 BUILDING FACADES

Where lots in the Commercial, Mixed Use, Tourist or Light & Service Industry zones have common boundaries with public reserves, the local government may require buildings to be designed and constructed so as to present a facade of brick, plate glass or other material approved by the local government to those boundaries.

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4.10 MAXIMUM BUILDING HEIGHT

- 4.10.1 Unless provided for elsewhere in the Scheme or the Residential Design Codes, no site shall be developed or building constructed to contain more than two storeys or exceed 9 metres in height measured to the highest proportion of the building from mean natural ground level, or such other ground level, as may reasonably be determined by the local government.
- 4.10.2 The local government may vary the requirements of clause 4.10.1 if it is satisfied that the development can comply with the relevant development standards and:
- (a) will not restrict light, sunshine and natural ventilation enjoyed by surrounding properties;
 - (b) will not intrude upon the privacy enjoyed by surrounding properties by virtue of overview;
 - (c) will not diminish views or outlook available from surrounding properties; and
 - (d) is sympathetic with the scale, townscape and character of the surrounding built environment.

4.11 RETAINING WALLS

- 4.11.1 No retaining wall or the filling of property shall alter the contours of the natural surface by more than 0.5 metres without the prior development approval of the local government and the local government in granting such development approval is satisfied that the proposal will not adversely impact on the amenity of surrounding land and developments, occupants or the streetscape.
- 4.11.2 In granting development approval for a retaining wall or the filling of property the local government may impose such conditions as it thinks appropriate to address matters including (but not limited to) –
- (a) the engineering design;
 - (b) materials;
 - (c) shape;
 - (d) colours;
 - (e) location;
 - (f) height; and
 - (g) use of land retained.

4.12 LANDSCAPING

- 4.12.1 The local government may require an application for development approval to be accompanied by landscaping plans. Prior to the occupation of premises for the purposes of the development approval, landscaping is to be planted and is thereafter to be maintained to the satisfaction of the local government in accordance with the landscaping plan approved by the local government.

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- 4.12.2 The local government may require landowners to plant and maintain landscaping to its satisfaction on adjacent road verges as a condition of development approval.
- 4.12.3 With the exception of areas around which authorised screen walls have been erected, landscaping shall be planted and maintained by the owners, to the satisfaction of the local government, on all portions of lots that are not covered by approved buildings, storage areas, access ways or parking spaces.
- 4.12.4 In the Residential, Rural Residential and Rural Smallholding zones, the local government may, as a condition of any approval, require lot owners to plant and maintain to its satisfaction, mature native trees and shrubs to promote the natural landscape values of the area.

4.13 CAR PARKING

- 4.13.1 A person shall not develop or use any land or erect, use or adapt any building unless a suitable number of car parking spaces are provided on site and in accordance with the car parking requirements for particular developments and land uses as listed in 'Table 3: Car Parking Guidelines' or as varied by the provisions of this Scheme.
- 4.13.2 The dimensions of parking spaces required under the provisions of the Scheme, shall be as per the Australian Standards.
- 4.13.3 For open car parking facilities with 20 or more parking spaces, a minimum area equivalent to one parking space shall be provided in suitable locations for every 20 parking spaces for garden and planting of native plants and trees to provide visual relief and, so long as these garden and planting areas are maintained in good order, those areas provided for this purpose shall be included in calculations as landscaping and not as car parking.
- 4.13.4 The car parking layouts on any lot within the Commercial, Mixed Use or Tourist zones shall be designed in conjunction with layouts on adjoining lots so that the total area may ultimately function as an integrated car parking area.
- 4.13.5 Where an applicant for development approval can demonstrate that other off-street parking facilities are available to be shared with other land uses operating at different times, the local government may approve a development with less than the required number of on-site car bays provided –
- (a) the local government is satisfied that no conflict will occur in the operation of land uses for which the joint use of parking facilities is proposed; and
 - (b) landowners who request sharing of parking facilities enter into a legal agreement to the local government's satisfaction for reciprocal access to parking facilities.
- 4.13.6 Where the owner can demonstrate to the satisfaction of the local government that there is not the demand for the number of parking spaces specified in the 'Table 3: Car Parking Guidelines', landscaping may be provided in lieu of car parking spaces not constructed and the landscaping shall be included in calculations as car parking but not as landscaping, provided that the local government may from time to time require that additional parking spaces be provided by the owner.

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- 4.13.7 In the Commercial Zone, where a developer can satisfy the local government that the minimum car parking requirements cannot be provided on the site, the local government may accept a cash payment in lieu of the provision of car parking spaces, but subject to the requirements of this clause –
- (a) A "cash-in lieu" payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by the scheme, plus the value as estimated by the Valuer General, or by a licensed valuer appointed by local government of that area of the applicant's land which would have been occupied by the parking spaces.
 - (b) Before the local government agrees to accept a cash payment "in lieu" of the provision of parking spaces, the local government must either have already provided public car parking nearby, or must have firm proposals to provide public car parking nearby within a period of not more than 18 months from the time of agreeing to accept the cash payment.
 - (c) Payments made under this clause shall be paid into a special fund to be used to provide public car parks and the local government may use this fund to provide public car parking anywhere in the immediate vicinity.
- 4.13.8 When considering an application to commence development the local government shall have regard to, and may impose conditions in respect of –
- (a) the location and design of the required car parking spaces;
 - (b) natural planting;
 - (c) pedestrian spaces on the lot; and
 - (d) any other matter deemed relevant.
- 4.13.9 In determining the requirements of subclause 4.13.8, the local government may consider matters including –
- (a) the proportion of car spaces to be roofed or covered;
 - (b) the proportion of car spaces to be below natural ground level;
 - (c) the means of access to each car space and the adequacy of any vehicular manoeuvring area;
 - (d) the location of the car spaces on the site and their effect on the amenity of adjoining development, including the potential effect if those spaces should later be roofed or covered;
 - (e) the extent to which car spaces are located within required building setback areas;
 - (f) the locations of proposed public footpaths, vehicular crossings, or private footpaths within the lot, and the effect on both pedestrians and vehicular traffic movement and safety; and
 - (g) the suitability and adequacy of elevated structural deck for development and service as a proportion of the required area for natural planting and pedestrian space.

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TABLE 3: CAR PARKING GUIDELINES

LANDUSE	MINIMUM NUMBER OF CAR PARKING SPACES REQUIRED
Amusement Parlour	1 / 4 patrons
Betting Agency	1 / 15 m ² GFA
Civic Use	1 / 20 m ² GFA or 1 / 4 persons accommodated
Club Premises	1 / 50 m ² GFA or 1 / 4 persons accommodated
Club (Licensed)	1 / 5 m ² bar and other activity area
Consulting Rooms	4 / practitioner
Childcare Premises	1 / staff member + 1 / 5 children accommodated
Dry Cleaning / Laundry	1 / 30 m ² GFA
Fast Food Outlet	1 / 20m ² GFA + 1 / 4 seated patrons
Fish Shop	1 / 15 m² GFA
Funeral Parlour	6 spaces + 1 / 4 persons in chapel
Garden Centre	1 / 100 m ² GFA
Health Studio	1 / 50 m ² GFA
Hire Service	1 / 50 m ² GFA
Hotel	1 / 5 m ² public bar area + 1 / bedroom + 1 / 4 restaurant dining seats
Industry – General	1 / 100 m ² GFA
Industry – Light and Service	1 / 50 m ² GFA
Laundromat	1 / 2 machines installed
Liquor Store	1 / 25m ² GFA
Medical Centre	5 / practitioner
Motel	1 / unit + 1 / 25m ² service area
Motor Vehicles / Marine Sales	1 / 100 m ² display area + 1 / employee
Night Club	1 / 4 patrons
Office	1 / 25 m ² NLA
Public Amusement	1 / 4 persons accommodated
Place of Worship	1 / 4 persons accommodated
Reception Centre	1 / 4 persons accommodated
Recreation Active	1 / 4 persons accommodated
Residential	As per the Residential Design Codes
Restaurant	1 / 4 patrons
Restricted Premises	1 / 25 m ² GFA
Service Station	1 / 200m ² gross site area + 1 / employee
Shop	1 / 20 m ² NLA
Showroom	1 / 100 m ² GFA + 1 / employee
Tavern	1 / 5 m ² public area + 1 / 4 restaurant dining seats
Veterinary Consultancy	4 / practitioner
Warehouse	1 / 100m ² GFA + 1 / 100 m ² outdoor storage / warehousing area
Other Uses Not Listed	As determined by the local government after consideration of the parking needs generated by the use.

Note: In determining its decision in respect to the provision and construction of car parking, the local government will have regard to any relevant local planning policies adopted under the provisions of the Scheme.

4.14 TRAFFIC ENTRANCES

- 4.14.1 The local government may refuse to permit more than one vehicle entrance or exit to or from any lot, may require separate entrances and exits, or may require that entrances and exits be placed in positions nominated by it, if it considers such provision necessary to avoid or to reduce traffic hazards.

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4.14.2 Access to a lot for vehicles may not be permitted directly to or from Major and/or Regional Road reserves where access is available from side or rear streets.

4.14.3 Where access to a lot abutting a Major or Regional Road reserve is available only from that road, parking, servicing, and circulation areas within the lot shall be designed and constructed so as to allow unhindered movement within the lot and to enable vehicles to enter and leave the site in forward gear, unless the applicant can provide sufficient information to demonstrate other suitable and safe arrangements to the satisfaction of the local government.

4.15 VISUAL TRUNCATIONS – CORNER LOTS AND VEHICLE ACCESS WAYS

Except with the approval of the local government, no building, wall, fence or other form of visual obstruction greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed or placed on a lot within a 3 metre by 3 metre truncation of a street corner or within a 1.5 metre by 1.5 metre truncation of a vehicular access way.

4.16 ACCESS FOR LOADING & UNLOADING VEHICLES

For all non-residential use and/or development –

- (a) no land shall be used or buildings developed unless provision is made for the purpose of loading or unloading goods or materials to the satisfaction of the local government; and
- (b) the local government will normally seek to ensure that servicing vehicles will be able to enter the street in a forward direction.

4.17 DEVELOPMENT OF LOTS ABUTTING UNDEDICATED AND/OR UNCONSTRUCTED ROADS

Notwithstanding anything else appearing in the Scheme, development approval is required for development of land abutting an undedicated and/or unconstructed road or a lot which does not have direct frontage to a dedicated and/or constructed road. In considering an application for development approval in these circumstances, the local government shall –

- (a) refuse the application until the road has been dedicated and/or constructed or access by means of a dedicated and constructed road is provided as the case may be;
- (b) grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of dedicating and/or constructing the road or part thereof and any other conditions it thinks fit to impose; or
- (c) require such other arrangements are made for permanent access as shall be to the satisfaction of the local government.

4.18 DEVELOPMENT OF LOTS WITH MORE THAN ONE STREET FRONTAGE

Where development not governed by the requirements of the Residential Design Codes is proposed on a lot with more than one street frontage, the front setback as required in Table 2 will apply to all street frontages on the lot and the remaining boundaries shall be treated as side boundaries.

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4.19 USE OF LAND BETWEEN THE STREET ALIGNMENT AND FRONT BUILDING SETBACK

4.19.1 In any zone other than the Residential, Rural Residential and Rural Smallholding zones a person shall not use the land between the street alignment and the front building setback as prescribed in Table 2, or where no setback is prescribed, the setback as determined by the local government, or the front setback of an existing building, except for one or more of the following purposes –

- (a) gardens and other landscaping;
- (b) access driveways; and
- (c) vehicle parking to the satisfaction of the local government.

4.20 PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL AND RURAL RESIDENTIAL ZONES

4.20.1 The parking of a commercial vehicle in excess of 4.5 tonne tare weight shall not be permitted on any Residential or Rural Residential zoned lot of 1 hectare or less without the development approval of the local government except for the purpose of delivering or loading normally associated with residential uses.

4.20.2 A commercial vehicle shall be considered to be parked on a lot for the purpose of this clause if it remains on that lot for more than 2 hours in aggregate over any period of 24 hours.

4.20.3 Under this clause the local government shall only approve the parking of a maximum of one commercial vehicle per lot.

4.20.4 The parking and repair of commercial vehicles on any Residential or Rural Residential zoned lot of 1 hectare or less shall be in accordance with the following requirements:

- (a) the lot on which the vehicle is parked contains only a single house (including any associated outbuilding) provided that the local government may permit the parking of such vehicle on a lot which contains grouped dwellings if it is of the opinion that this will not adversely affect the amenity of the grouped dwelling development or the surrounding area;
- (b) the vehicle is used by an occupant that is lawfully occupying the dwelling on the lot;
- (c) the vehicle is parked entirely on the subject lot within a garage or is located on a hard stand area, sited and partially screened so as to reasonably minimise the visual effect as viewed from the road reserve or from a neighbouring property to the satisfaction of the local government;
- (d) the vehicle does not exceed 3.6 metres in height (including any load), 2.5 metres in width and 8 metres in length;
- (e) the vehicle is not started or manoeuvred on-site between the hours of 10.00pm and 6.00am the following day without the prior approval of the local government;

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- (f) whilst on the lot, the vehicle's motor is not left running when the vehicle is unattended or in any event for any period in excess of five (5) minutes;
- (g) the vehicle, whilst on the lot, is not loaded with goods or materials that may cause nuisance, risk or pollution to the detriment of the amenity of the area or nearby residents;
- (h) the vehicle is not carrying a refrigeration unit which is operating on a continuous or intermittent basis;
- (i) whilst on the lot, there is no transfer of goods or passengers from one vehicle to another vehicle, loading and unloading of the vehicle, or storage of goods associated with the use of the vehicle;
- (j) the vehicle is not used or operated as a tow truck or other emergency vehicle between the hours of 10.00pm to 6.00am in a manner that adversely affects the residential amenity of the area; and
- (k) only minor servicing, including minor mechanical repairs and adjustments, and/or cleaning that generates easily contained liquid waste is carried out on the lot. All cleaning and servicing shall be screened from any nearby road reserve/s and the disposal of waste products shall be to the satisfaction of the local government.

4.20.5 The local government may, upon receipt of an application for development approval, approve a variation to any of the requirements of clause 4.20.4 provided that it is satisfied that the variation will not adversely affect the amenity of the area or nearby residents.

4.21 HOME OCCUPATION, HOME BUSINESS AND RURAL HOME BUSINESS

4.21.1 If, in the opinion of the local government, a home occupation, home business or rural home business is having a negative impact on the character and/or amenity of a locality or is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.

4.21.2 Where the conditions of approval to conduct a home occupation, home business or rural home business are breached the local government may revoke the approval.

4.22 OUTBUILDINGS

4.22.1 The siting and design of outbuildings in the Residential zone shall be in accordance with the Residential Design Codes or any local planning policy adopted by the local government.

4.22.2 The siting and design of outbuildings in all zones except the Residential zone shall be in accordance with Table 2 or any local planning policy adopted by the local government.

4.22.3 Notwithstanding any other provisions contained in the Scheme, the local government may refuse to grant development approval for the development or use of any outbuilding on any Residential zoned lot which does not contain a dwelling.

4.23 SEA CONTAINERS

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- 4.23.1 Development approval is required to relocate sea containers to any lot. Where approval is granted to the development and use, the sea container shall be constructed and upgraded to a standard that ensures the visual amenity of the area is not impacted. Where the sea container would have an adverse impact on the amenity of the locality, the local government may refuse the application.
- 4.23.2 Where an application for development approval is made for a sea container, the local government shall give notice in accordance with clause 64 of the deemed provisions.
- 4.23.3 Sea Containers are not permitted on any land within the Residential zone.

4.24 ADVERTISEMENTS

For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land and buildings for that purpose is development within the definition of the Planning Act and requires the development approval of the local government in accordance with the provisions of Part 7 of the deemed provisions of the Scheme, unless it is an exempted advertisement as listed in Schedule 5.

4.24 EXTRACTIVE AND MINING INDUSTRIES

- 4.24.1 The development of extractive and mining industries that are not covered by the Mining Act 1978 in the Scheme Area will only be supported by the local government under the following circumstances –
- (a) where the extraction of minerals or basic raw materials does not unreasonably affect the natural environment or amenity in the locality of the operation during or after excavation;
 - (b) where due consideration is given to the rehabilitation and sequential use of extraction areas early in the planning process; and
 - (c) where proposals comply with all relevant legislation, policies, guidelines and codes of practice applicable at the time including any operative local government local law.
- 4.24.2 All applications for development approval for the establishment of extractive and mining industry operations in the Scheme area are to be accompanied by a management plan and report which –
- (a) describes the physical characteristics of the excavation site including significant environmental features;
 - (b) demonstrates that sensitive land uses within 1,000 metres of the proposed extractive and mining industry operations will not be adversely affected by the use;
 - (c) identifies appropriate buffer distances required for extraction that are needed to buffer the impact of operations to adjacent land uses;
 - (d) provides details of the proposed use, development and management of the site which may include the nature and estimated duration of excavation works, environmental and water resource management standards, excavation areas, stock piles, machinery maintenance areas, processing plants, fuel storage and on-site access roads, parking for cars and other vehicles used on the site, fire management, dust and noise management and

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proposals for landscaping to screen activities on the site from public view;

- (e) describes arrangements for access to the site, including the roads which are proposed to be used to provide the main vehicular access and likely traffic volumes;
- (f) provides details of proposed decommissioning and rehabilitation works;
- (g) describes future land use and development proposals following completion of decommissioning and rehabilitation works; and
- (h) any other information the local government considers relevant.

4.24.3 In determining applications for development approval for the establishment of extractive and mining operations (not covered by the Mining Act 1978) in the Scheme Area the local government may impose conditions relating to but not limited to the following matters –

- (a) hours and methods of operation;
- (b) siting of internal access thoroughfares, buildings and plant;
- (c) vehicle access arrangements including road upgrade and maintenance contributions;
- (d) measures to minimise air, water, noise and visual pollution;
- (e) location and depth of extraction areas;
- (f) stabilisation of extraction areas, stock piles and overburden dumps;
- (g) drainage;
- (h) protection of the amenity of adjoining land uses including visual screening and buffer requirements;
- (i) restoration and rehabilitation of excavation areas;
- (j) rehabilitation to ensure consistency with long term planning objectives including sequential land use proposals; and
- (k) a bond may be required in accordance with the local planning policy.

4.25 DEVELOPMENT IN THE COMMERCIAL ZONE

Unless otherwise specified on the Scheme map, residential development in the 'Commercial' zone shall be in accordance with the R80 Code and shall satisfy the mixed use requirements of the Residential Design Codes.

4.26 DEVELOPMENT IN THE MIXED USE ZONE

Unless otherwise specified on the Scheme map, residential development in the 'Mixed Use' zone shall be in accordance with the R40 Code and shall satisfy the mixed use requirements of the Residential Design Codes.

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4.27 DEVELOPMENT IN THE GENERAL INDUSTRY AND LIGHT & SERVICE INDUSTRY ZONES

4.27.1 Within the General Industry and Light & Service Industry zones the development of factory tenement buildings for the purpose of providing multiple factory units on a lot shall not be permitted unless the following requirements are complied with –

- (a) No factory unit shall have a floor area of less than 100 square metres and a minimum internal dimension of not less than eight metres;
- (b) Each factory unit shall have a service yard which shall be a minimum of 50% of the unit floor area;
- (c) Access to the office attached to the factory unit and the major access to the unit itself shall not be through the service yard;
- (d) Off street parking may be provided as an overall area onsite and shall provide for all employees onsite with a minimum staff parking requirement of four bays per unit. Customer parking shall be provided as an additional figure of one bay per unit;
- (e) All facades to be of masonry construction or other material approved by the local government;
- (f) Other requirements for access to the area of units for loading and unloading, and for traffic circulation, servicing and building clearance shall be at the discretion of the local government, taking into account the provisions of the Scheme.
- (g) A Local development plan for a factory unit shall show a landscaping area, which shall meet the approval of the local government. Immediately upon completion of the units the landscaping shall be constructed and maintained.

4.27.2 Where a comprehensive reticulated sewerage system is not available to a proposed development or use in the General Industry or Light & Service Industry zones, the local government may grant development approval which permits on-site effluent disposal provided such usage does not generate a daily volume of wastewater exceeding 540 litres per 2,000m² of lot size and site conditions are suitable for on-site effluent disposal.

4.27.3 The minimum standard fence for any lot classified General Industry or Light & Service Industry zones shall be a minimum of 1.8 metre high to a maximum of 2.4 metre high link mesh fence constructed in accordance with the local government's current local law governing boundary fencing unless otherwise approved by the local government.

4.28 DEVELOPMENT IN THE RURAL ZONE

The existence of more than one (1) single dwelling on any lot classified Rural zone shall not be construed as a basis for the local government's support for the subdivision of the lot.

4.29 DEVELOPMENT IN THE RURAL RESIDENTIAL AND RURAL SMALLHOLDING ZONES

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- 4.29.1 The provisions applicable to a specific area of Rural Residential or Rural Smallholding zoned land in Schedule 11 & 12 shall specify any additional provisions considered appropriate to the particular site to achieve the objectives of the Scheme and the relevant zone. If a provision in Schedule 7 & 8 conflicts with any other provision of the Scheme, the provision in Schedule 7 & 8 shall prevail.
- 4.29.2 The subdivision of any land within the Scheme area classified Rural Residential or Rural Smallholding zone shall generally be in accordance with a structure plan prepared pursuant to Part 4 of the deemed provisions. The subdivision of existing Rural Residential or Rural Smallholdings lots that do not have approved structure plans will generally not be supported.
- 4.29.3 The permissibility of uses shall be in accordance with the Zoning Table unless specified otherwise in Schedules 7 & 8.
- 4.29.4 The local government may grant temporary development approval for the ~~occupation of~~ temporary human habitation within an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a ~~building licence~~ building permit for a dwelling is concurrently in force ~~and the outbuilding complies with the specific requirements of the Building Code of Australia.~~
- 4.29.5 In the Rural Residential ~~zone~~ and Rural Smallholding zones, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.
- 4.29.6 The local government or the Western Australian Planning Commission may require the provision of building envelopes or building exclusion areas for any land proposed to be subdivided in the Rural Residential or Rural Smallholdings zone. These shall be –
- (a) Shown on the approved structure plan, or separate detailed plan required as a condition of subdivision approval;
 - (b) at a size to be determined by the local government;
 - (c) located to avoid any native vegetation or any area recognised for protection or rehabilitation as shown on the approved structure plan and/or environmental management plan;
 - (d) located to ensure on site effluent disposal meets the minimum setback requirements from drainage lines, watercourses, wetlands and other areas as determined by the local government;
 - (e) located outside of any identified and/or designated buffer areas; and
 - (f) located in accordance with any fire management plan approved for the land.
- 4.29.7 The local government may permit a variation to a previously approved building envelope, prior to the construction of any building, if it can be demonstrated to the satisfaction of the local government that the location of the proposed new building envelope will not be detrimental to the residential amenity and landscape and/or environmental qualities of the land and other adjoining properties.
- 4.29.8 Unless otherwise approved by the local government, all buildings and on-site effluent disposal systems shall be confined to the building envelope indicated on the approved structure plan.

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- 4.29.9 The following development is not permitted within a distance of 50 metres on either side of the centre of any watercourse except with the approval of the local government –
- (a) the construction of dams or artificial retention of flow, pumping, diversion of water or modification of stream course bed or banks; or
 - (b) the development of any buildings or other structures.
- 4.29.10 Conventional effluent disposal facilities (i.e. septic tank and leach drains) shall be setback a minimum of 100 metres from any wetland or watercourse. Where an anaerobic treatment unit (ATU) is to be used, it shall be setback a minimum of 30 metres from any wetland or watercourse.
- 4.29.11 No local native trees or shrubs shall be felled or removed from any lot classified Rural Residential or Rural Smallholding zone other than within an approved building envelope except where in the opinion of the local government –
- (a) such trees and shrubs are dead, diseased or dangerous;
 - (b) the establishment or maintenance of a firebreak is required under a regulation or local law;
 - (c) it is necessary to allow for the construction or maintenance of vehicle access, fences or essential service infrastructure; or
 - (d) it is necessary to provide for the reduction of any existing or potential fire hazard.
- 4.29.12 The subdivision of any land within the Scheme area classified Rural Residential or Rural Smallholding zone will be conditional upon the subdivider preparing and implementing a Fire Management Plan to the satisfaction and approval of the local government and the Fire and Emergency Services Authority of Western Australia.
- 4.29.13 The subdivision of any land within the Scheme area classified Rural Residential or Rural Smallholding zone will be conditional upon the subdivider preparing and implementing a Local Water Management Strategy to the specifications, satisfaction and approval of the local government and the Department of Water.
- 4.29.14 The subdivision of any land within the Scheme area classified Rural Residential or Rural Smallholding zone will be conditional upon the subdivider preparing and implementing an Environmental Management Plan to the satisfaction and approval of the local government. The plan shall include details of –
- (a) the location of all building envelopes;
 - (b) all vegetation protection areas;
 - (c) measures for the protection, revegetation and maintenance of landscape buffers along seasonal watercourse and wetlands;
 - (d) drainage, nutrient and salinity management arrangements;
 - (e) livestock management arrangements; and
 - (f) ground, surface and scheme water management arrangements.

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- 4.29.15 The areas identified in the Environmental Management Plan are to be maintained by individual landowners in accordance with the terms and conditions of the approved Environmental Management Plan.
- 4.29.16 All landscape buffer, tree preservation, revegetation and/or stream protection areas shown on an approved structure plan and/or Environmental Management Plan are to be protected from livestock by fencing or other means to the satisfaction of the local government and the requirements thereof are to be detailed within the Environmental Management Plan.
- 4.29.17 Any application for a rural pursuit or equestrian activity that involves the stabling and keeping of livestock (including horses) will be conditional upon compliance with the terms and conditions of the approved Environmental Management Plan.
- 4.29.18 If, in the opinion of the local government, over-grazing by livestock is causing degradation to the landscape or land degradation that may lead to soil erosion, the local government may issue an order to the property owner requiring a reduction in the number, or total removal, of the livestock.

4.30 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY

- 4.30.1 Where, in the opinion of the local government, any proposed building or the erection of structures or carrying out of site works is out of harmony with existing buildings or the landscape of the locality by virtue of the design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and massing of any building, the local government may refuse the application for development approval. The refusal can be made notwithstanding that the application may otherwise comply with the provisions of the Scheme. The local government may place conditions on any development approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality.
- 4.30.2 In exercising its discretion under this clause, the local government shall have regard to the following when assessing any application for development approval –
- (i) the external appearance of the building and any associated structures and landscaping;
 - (ii) the dimensions and proportions of the building or structure;
 - (iii) the materials used in the construction of the building taking into consideration texture, scale, shape and colour;
 - (iv) the effect of the building or works on nearby properties, and on the occupants of those buildings;
 - (v) the effect on the landscape and environment generally; and
 - (vi) any other matter which in the opinion of the local government is relevant to the amenity of the locality.

4.31 UNTIDY PLACES, DERELICT VEHICLES, MACHINERY AND OBJECTS

- 4.31.1 No land within the Scheme area shall on a permanent or regular basis be used for the purposes of storage and/or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written approval of the local government.
- 4.31.2 The local government may, by written notice as provided for in clause 3.25 and Schedule 3.1 of the *Local Government Act 1995* require the owner, occupier or lessee of any land to undertake such works or actions for the

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improvement of the conditions and visual presentation of that property to a standard commensurate with those conditions prevailing in the locality.

- 4.31.3 The local government shall not permit the storage and/or wrecking of derelict vehicles, sea containers or machinery or the storage of any materials within any zone, except the General Industry zone, if it is visible from any road or where, in the opinion of the local government, it detracts from the amenity of the locality without the written approval of the local government.
- 4.31.4 Notwithstanding clause 4.31.3, should the applicant justify the proposal, commit to suitable management and address visual impact concerns following the receipt of an application for development approval, the local government may grant approval with or without conditions.
- 4.31.5 Notwithstanding any other provision of the Scheme, the storage of disused vehicles and/or wrecking of any vehicle on private land other than land within the General Industrial zone is prohibited.

4.32 RELOCATED SECOND-HAND BUILDINGS

- 4.32.1 The local government may permit the erection of a relocated building on a lot where –
- (i) in its opinion such building is in a satisfactory condition and the design and location of the building is to the satisfaction of the local government and will not adversely affect the amenity of the locality;
 - (ii) the applicant for a building permit for the relocated building lodges a cash bond and enters into an agreement, to the satisfaction of the local government, to ensure the building achieves a standard of presentation acceptable to the local government within 12 months of the issue of the building permit; and
 - (iii) the proposal complies with the provisions of the local government's Local Planning Policies—Relocation and Use of Second-Hand Dwellings; and Transportable Structures.

4.33 HOLIDAY ACCOMMODATION USES—SHORT STAY RESTRICTIONS

- 4.33.1 No person shall occupy any holiday accommodation use, as specified in Table 1: Zoning Table for more than a total of 3 months in any 12-month period unless approved by the local government for management purposes and staff accommodation.
- 4.33.2 Notwithstanding the provisions of clause 4.33.1, the local government may permit the permanent occupancy of not more than 15% of caravan sites within a caravan park, where the applicant can demonstrate, to the satisfaction of the local government, that the primary tourist accommodation purpose of the park will not be compromised and that adequate services and facilities exist to service the permanent population.

4.34 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS

- 4.34.1 The local government will need to be satisfied when assessing any request for rezoning, structure plan or application for development approval, where in the opinion of the local government there are bush fire risks, that development will comply with any relevant State and local government policy on bushfire protection and, where applicable, any endorsed fire management plan. In particular, the local government is to have regard to –
- (i) State Planning Policy 3.4 Natural Hazards and Disasters;
 - (ii) Guidelines for Planning in Bushfire Prone Areas or any updates;
 - (iii) any advice obtained from the Department of Fire and Emergency Services; and

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- (iv) any other planning consideration the local government considers relevant.
- 4.34.2 Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as designated by the Fire and Emergency Services (FES) Commissioner, which form part of the Scheme for the purposes of clause 4.34.
- 4.34.3 The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.
- 4.34.4 Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, irrespective of whether or not a development approval of the local government is required, will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia and Australian Standard 3959—2009 (or any updates).
- 4.34.5 If an owner disputes their land's identification within a designated Bush Fire Prone Area, that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates).
- 4.34.6 On receiving a request made under clause 4.34.5, the local government may determine that the land is not within a designated Bush Fire Prone area; or determine that the land's identification within a designated Bush Fire Prone Area is correct.
- 4.34.7 Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates). The BAL level will inform the application of AS3959.
- 4.34.8 The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.
- 4.34.9 The local government may impose conditions to reduce bush fire risk to people and/or property including –
- (i) the provision of a fire fighting water supply;
 - (ii) the provision of fire services access;
 - (iii) the preparation of a Fire Management Plan in accordance with the *Guidelines for Planning in Bushfire Prone Areas* (or any updates), and implementation of specific fire protection measures set out in the plan; and
 - (iv) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.
- 4.34.10 Where a Fire Management Plan has been endorsed by the Department of Fire and Emergency Services and/or the local government, through the planning process, the affected landowners will be responsible for the ongoing implementation of the 'landowners' responsibilities' section as specified in that Fire Management Plan.

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4.35 TELECOMMUNICATIONS INFRASTRUCTURE

- 4.35.1 An application for development approval from the local government is required for the development of all telecommunications infrastructure (overhead cabling telecommunications towers, radio communications dishes, etc.) excluding those listed in the Telecommunications Low Impact Facilities Determination 1997 and subsequent Amendments to that Determination.
- 4.35.2 Applications for the development approval for telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under Part 7 of the deemed provisions and will be considered in relation to the following -
- (i) consistency with the objective and purpose of the zone or reserve;
 - (ii) social and economic benefits of the proposal;
 - (iii) the impact of the proposal on the landscape, heritage and environmental values of the locality;
 - (iv) coordination with other services; and
 - (v) any relevant Local Planning Policy adopted by the local government.

4.36 PROVISIONS AND CONTRIBUTIONS FOR SERVICES AND FACILITIES

- 4.36.1 Where, in the opinion of the local government and/or the Commission, there will be a demand for the provision of services or facilities as a consequence of the carrying out of development or subdivision of land, then, subject to the provisions of clause 4.37.2 below, the local government may impose as a condition of development approval for that development and the Commission may impose as a condition of subdivision approval a requirement for the provision of those services and facilities or the making of a monetary contribution in lieu of such provision.
- 4.36.2 A condition for development approval for development referred to in clause 4.36.1 may only be imposed where the payment of the contribution is-
- (i) provided for in a Structure Plan endorsed by the Commission;
 - (ii) provided for in an adopted Commission Policy including Appendix 1 of State Planning Policy 3.6 and as relevant Council's adopted policies relating to road upgrading, drainage and associated standard development contribution;
 - (iii) set out in a Development Contribution Plan (clause 5.6 and Schedule 13 of the Scheme).

4.37 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS

- 4.37.1 Development approval is not required to conduct a home office as defined in the Scheme.
- 4.37.2 Where the local government issues a development approval to conduct a home occupation or a home business, the approval relates to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.
- 4.37.3 If in the opinion of the local government, a home occupation or home business is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.
- 4.37.4 A development approval to conduct a home occupation or home business may be issued subject to an annual permit which may be renewed by application to the local government for development approval.

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PART 5 — SPECIAL CONTROL AREAS

5.1 OPERATION OF SPECIAL CONTROL AREAS

5.1.1 The following special control areas are shown on the Scheme Maps -

1. SCA 1 - Avon & Mortlock Rivers Special Control Area
2. SCA 2 - Landscape Protection Special Control Area
3. SCA 3 - Spencers Brook Special Control Area
4. SCA 4 - Wastewater Treatment Plant Buffer Special Control Area
5. SCA 5 - Development Contribution Areas
6. SCA 6 - Mitchell on Avon Special Control Area
7. SCA 7 - Minson Avenue Design Guidelines Special Control Area

5.1.2 In respect of a special control area shown on a Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

5.2 SCA 1 - AVON & MORTLOCK RIVERS SPECIAL CONTROL AREA

5.2.1 Purpose

The purpose of the Avon & Mortlock Rivers Special Control Area is to –

- (a) Preserve the ecological values of the Avon and Mortlock Rivers as a significant drought refuge for freshwater fishes and water birds;
- (b) Avoid development that would negatively impact upon the ecological values and landscape qualities of the area;
- (c) Ensure that land use in the area, including grazing, cultivation and recreational activities does not degrade the area;
- (d) Ensure that any development takes place in such a manner so as to safeguard the welfare of people in the area; and
- (e) Ensure that future infrastructure development does not adversely alter the capacity of the area to convey floodwaters.

5.2.2 Application Requirements

Development approval is required to construct or extend a single house and ancillary outbuilding or the demolition of any building or structure.

5.2.3 Relevant Considerations

5.2.3.1 In considering any rezoning request, subdivision or development application the local government will have due regard for the following –

- (a) There is a general presumption against rezoning of land within the area for more intensive land uses, such as residential, industrial and rural residential.
- (b) Subdivision applications for land entirely within the area will generally not be supported by the local government to avoid creating the potential for additional development.
- (c) The local government may consider supporting subdivision applications within the area where –

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- (i) the subdivision is for the use of land which will not create the potential for additional development;
- (ii) subdivision is for boundary realignment, rationalization of landholdings or lots created for management purposes, which will not create the potential for additional development within the floodplain area;
- (iii) the subdivision is consistent with the policies of the Western Australian Planning Commission.

5.2.3.2 Development applications for land within the area should not be approved where the development may result in an obstruction to major river flows and increase flood levels upstream. The impacts of proposals for aquaculture, commercial tree plantations or significant revegetation, earthworks (such as filling and excavation) and intensive agriculture will be carefully assessed.

5.2.3.3 Public works (for example, road or bridge construction) or community facilities may be permitted within the floodplain subject to advice from any relevant authority that such public works or development can be designed and located in a manner so as to minimize flood risks, property damage and obstruction to the river flow.

5.2.3.4 Development applications within the floodplain will be subject to a minimum habitable floor level of 0.50 metres above the predicted 1 in 100 year flood level as determined by the Department of Water to provide adequate protection from major floods.

5.2.4 Referral of Applications

Consultations regarding any rezoning request, subdivision or development application may be referred to any relevant authority for advice and comment.

5.2.5 Conditions of Approval

The local government's approval to any subdivision and/or development on any land within the Avon & Mortlock Rivers Special Control Area may be conditional upon one or more of the following –

- (a) Planting and/or retention of vegetation;
- (b) Fencing of remnant vegetation;
- (c) Control of stock along wetland and foreshore areas;
- (d) Prohibition of dwellings and effluent disposal systems within 100 metres of wetland and foreshore areas;
- (e) Management of storm water drainage;
- (f) Creation of rights of public access to foreshore areas;
- (g) Preparation of conservation management plans; and
- (h) Preparation and registration of restrictive covenants and/or deeds of agreement to secure performance of land management agreements.

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5.3 SCA 2 - LANDSCAPE PROTECTION SPECIAL CONTROL AREA

5.3.1 Purpose

The purpose of the Landscape Protection Special Control Area is to -

- (a) Preserve the visual amenity and landscape quality of the area;
- (b) Avoid development which would negatively impact upon the ecological values and landscape qualities of the area; and
- (c) Ensure that land use in the area, including grazing, mining activities and recreational activities does not degrade the area.

5.3.2 Application Requirements

Development approval is required to construct or extend a single house and ancillary outbuilding or the demolition of any building or structure.

5.3.3 Relevant Considerations

6.3.3.1 In considering any rezoning request, subdivision or development application the local government will have regard to the following –

- (a) It is considered that subdivision may be possible within this area in accordance with the Shire of Northam Local Planning Strategy.
- (b) The local government may consider supporting subdivision applications where -
 - (i) the subdivision is for the use of land which is in accordance with the Shire of Northam Local Planning Strategy and has been zoned appropriately;
 - (ii) the subdivision is for a boundary realignment, rationalisation of landholdings or lots created for management purposes; and
 - (iii) the subdivision is consistent with the policies of the Western Australian Planning Commission.

5.3.3.2 Development applications for land within the area will not be approved where the development may detract from the visual landscape quality of the area. The impacts of proposals for aquaculture, commercial tree plantations or significant revegetation, earthworks (such as filling and excavation) and intensive agriculture will be carefully assessed.

5.3.3.3 Public works (for example, road construction) or community facilities may be permitted within the area on condition that they do not detract from the visual quality of the area.

5.3.4 Referral of Applications

Consultations regarding any rezoning request, subdivision or development application may be referred to any relevant authority for advice and comment.

5.4 SCA 3 - SPENCERS BROOK SPECIAL CONTROL AREA

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5.4.1 Purpose

The purpose of the Spencers Brook Special Control Area is –

- (a) To preserve the ecological values of the river and riparian zone;
- (b) To avoid development which would negatively impact upon the qualities of the area;
- (c) To ensure that land use in the area does not degrade the area;
- (d) To ensure that any development takes place in such a manner so as to safeguard the lives and property of people in the area; and
- (e) To ensure that any development does not adversely alter the capacity of the floodway to convey floodwaters.

5.4.2 Application Requirements

Development approval is required to construct or extend a single house and ancillary outbuilding or the demolition of any building or structure.

5.4.3 Relevant Considerations

5.4.3.1 In considering any rezoning request, subdivision or development application the local government will have regard to the following –

- (a) There is a presumption against development of land within the Spencers Brook management area for more intensive land uses, such as residential, commercial or rural uses.
- (b) Subdivision applications for land entirely within the Spencers Brook management area will generally not be supported by the local government to avoid creating the potential for additional development.
- (c) The local government may consider supporting subdivision applications where –
 - (i) the subdivision is for the use of land which will not create the potential for additional development;
 - (ii) the subdivision is for a boundary realignment, rationalization of landholdings or lots created for management purposes, which will not create the potential for additional development; and
 - (iii) the subdivision is consistent with the policies of the Western Australian Planning Commission.

5.4.3.2 Development applications for land within the area will not be approved where the development may result in an obstruction to major river flows and increase flood levels upstream. The impacts of proposals for aquaculture, commercial tree plantations or significant revegetation, earthworks (such as filling and excavation) and intensive agriculture will be carefully assessed.

5.4.3.3 Public works (for example, road or bridge construction) or community facilities may be permitted within the area, subject to advice from any relevant authority that such public works or

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development can be designed and located in a manner so as to minimise flood risks, property damage and obstruction to the river flow.

- 5.4.3.4 Development applications within the floodplain will be subject to a minimum habitable floor level of 0.50 metres above the predicted 1 in 100 year flood level, as determined by the Department of Water, to provide adequate protection from major floods.

5.4.4 Referral of Applications

Consultations regarding any rezoning request, subdivision or development application may be referred to any relevant authority for advice and comment.

5.5 SCA 4 - WASTEWATER TREATMENT PLANT BUFFER SPECIAL CONTROL AREA

5.5.1 Purpose

The purpose of the Wastewater Treatment Plant Buffer Special Control Area is to –

- (a) Identify land likely to be the subject of off-site impacts from all wastewater treatment plants operating in the Scheme Area; and
- (b) Ensure that the development and use of any land located within a wastewater treatment plant buffer area is compatible with any existing or proposed future development and use of the relevant wastewater treatment plant.

5.5.2 Application Requirements

In addition to development which otherwise requires Development approval under the Scheme, development approval is required for any development partly or wholly within a wastewater treatment plant buffer area which involves the construction or extension of any building or earthworks. Approval to any such development will be at the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.

5.5.3 Relevant Considerations

In considering any application for development approval on land partly or wholly within a wastewater treatment plant buffer area the local government shall consider –

- (a) Whether the proposal is compatible with any existing or proposed future development and use of the relevant wastewater treatment plant;
- (b) Any advice and recommendations received from the Department of Environment and Conservation, the Department of Health, the Water Corporation or any other agency consulted pursuant to clause 5.5.4; and
- (c) The State Industrial Buffer Policy (WAPC State Planning Policy No.4.1).

5.5.4 Referral of Applications

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Prior to determining an application for any development partly or wholly within a wastewater treatment plant buffer area the local government shall consult with the Department of Environment and Conservation, the Department of Health, the Water Corporation or any other agency it considers necessary or appropriate.

5.6 SCA 5 - DEVELOPMENT CONTRIBUTION AREAS

- 5.6.1 The *Planning and Development Act 2005* provides for local schemes to make agreements and recover expenses incurred in order to implement, enforce and give effect to the scheme.
- 5.6.2 Development contributions may be made for standard infrastructure such as roads, water, power, sewer and public open space through the subdivision process.
- 5.6.3 Community infrastructure includes, but is not limited to, public open space in rural areas, sporting and recreational facilities, community centres, child care centres, libraries and cultural facilities.
- 5.6.4 Development contributions for community infrastructure may only be levied in accordance with the requirements of *State Planning Policy 3.6 - Development contributions for infrastructure*. Prior to seeking contributions for community infrastructure local governments need to prepare a –
- (a) community infrastructure plan for the area with demand analysis and service catchments;
 - (b) a capital expenditure plan;
 - (c) projected growth figures; and
 - (d) infrastructure costs, with provision for cost escalation.
- 5.6.5 Development contributions can be calculated and applied as either standard conditions of subdivision, conditions of development or through voluntary legal agreements. Provisions in this Scheme relate to development contributions prepared through a scheme amendment process and do not cover voluntary legal agreements between local government and developers.
- 5.6.6 Development contributions for standard infrastructure can generally be summarised as -
- (a) land contributions - public open space, riverine setbacks, land for primary schools, roads and road widening, district distributor roads in new development areas and primary distributor roads where justified by the subdivision;
 - (b) infrastructure works - water, sewerage, drainage, electricity, roads and other traffic works, footpaths, pedestrian access ways and dual-use paths, road upgrades, construction and widening;
 - (c) standard water, sewerage and drainage headworks charges for off-site works, monetary contributions in lieu of land or works and to reimburse other owners where costs are shared;
 - (d) other contributions as provided for in Commission policies.
- 5.6.7 Development contributions relate only to the provision of infrastructure and not the ongoing maintenance of said infrastructure.

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5.6.8 For matters relating to the calculation and supporting information required to support a development contribution plan, the clauses of *State Planning Policy 3.6 - Development Contributions for Infrastructure* shall apply as if they were part of this Scheme.

4.6.9 Principles for Requiring Development Contributions

In considering development contributions, it must be demonstrated that –

- (a) the proposed development generates a need for the infrastructure;
- (b) the calculation and application of the contributions is clear and transparent;
- (c) contributions will be levied equitably across a development contribution area;
- (d) all development contributions have been identified and methods for dealing with cost escalations will be agreed upon at the commencement of a contribution arrangement;
- (e) contributions are justifiable on a whole of life capital cost basis and will not result in over-recovery of costs;
- (f) landowners and developers will be consulted on the manner of determining contributions and have the opportunity to seek review by an independent third party; and
- (g) development contributions will be determined and expended in an accountable manner.

5.6.10 Development Contribution Areas and Development Contribution Plans

5.6.10.1 Development contribution areas are shown on the Scheme map and included in Schedule 9 of the Scheme. The number of the SCA corresponds with the DCA in Schedule 9 eg: the provisions of DCA1 applies to the area identified as SCA5-1.

5.6.10.2 In respect of a development contribution area shown on the Scheme map, the provisions applying to the area apply in addition to the provisions applying to the underlying zone or reserve and any general provisions of the Scheme.

5.6.10.3 The purpose of having development contribution areas is to –

- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
- (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- (c) coordinate the timely provision of infrastructure.

5.6.10.4 Development contribution areas must be supported by a development contribution plan, which is then referenced in Schedule 9 of the Scheme.

5.6.10.5 The content, form and process for preparing and implementing a development contribution plan is outlined in State Planning Policy

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3.6 - Development Contributions for Infrastructure. For matters of process, valuation, arbitration or conflict resolution, the clauses of State Planning Policy 3.6 - Development Contributions for Infrastructure shall apply as if they were part of this scheme.

- 5.6.10.6 Development contribution plans may involve administrative costs involved in the preparation and implementation of the plan, including legal, accounting, planning, engineering and other professional advice.
- 5.6.10.7 Costs not identified in a development contribution plan may not be apportioned or levied at a later date.
- 5.6.10.8 A development contribution plan is only enforceable once it is incorporated into the Scheme. This enacts the advertising and other provisions under the Town Planning Regulations 1967 applicable to the making of Schemes and amendments.
- 5.6.10.9 Any amendment to a development contribution plan will require a Scheme amendment in order to become enforceable.

5.6.11 Payment of Cost Contributions

- 5.6.11.1 As a general principle, the local government incurs costs associated with a development contribution plan up-front, and then recoups those costs from all landowners within the development contribution area. This may be varied by agreement between the parties.
- 5.6.11.2 The landowner's liability to pay the owner's cost contribution to the local government arises when –
 - (a) the Western Australian Planning Commission endorses the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;
 - (b) the commencement of any development on the owner's land within the development contribution area;
 - (c) the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area; or
 - (d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.
- 5.6.11.3 The liability arises only once upon the earliest of the above listed events.

5.6.12 Interaction Between Structure Plans and Development Contribution Plans

- 5.6.12.1 A development contribution plan will generally be supported by a structure plan prepared under Part 4 of the deemed provisions.
- 5.6.12.2 Development contribution areas may encompass multiple structure plan areas.
- 5.6.12.3 In order to effect to a development contribution plan it is necessary to –
 - (a) prepare a structure plan to identify the land uses and development in the development contribution area;

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- (b) establish a development contribution area based on the structure plan area/s;
- (c) prepare a development contribution plan;
- (d) amend the Scheme to appropriately zone land in the development contribution area; and
- (e) amend the Scheme to introduce the development contribution area to the Scheme map and reference the development contribution plan in Schedule 9.

5.6.12.4 It is possible to conduct steps (a) to (e) in clause 5.6.12.3 concurrently, however, the local government may elect to prepare a structure plan (with the consent of the Commission under Clause 15 of the deemed provisions) as a first stage. This provides for effective risk management and gives the local government the opportunity to –

- (a) consult with landowners, community groups and agencies in the preparation of the structure plan to address major issues prior to a Scheme amendment;
- (b) use the structure planning process to inform the eventual zones in the Scheme and provide a basis for the development contribution area;
- (c) use the structure planning process to clarify and refine the administrative costs required in the development contribution plan; and
- (d) determine whether or not any required Scheme amendment should be initiated prior to investing in the preparation of a development contribution plan.

5.7 SCA 6 - MITCHELL ON AVON SPECIAL CONTROL AREA

5.7.1 Purpose

The purpose of the Mitchell on Avon Special Control Area is to –

- (a) Provide continuity and stability to any future development and use within the 'Mitchell on Avon' precinct bounded by Mitchell Avenue, the railway line, James Street and Robinson Street; and
- (b) Maintain the integrity of the area as an example of post World War II housing for railway employees.

5.7.2 Application Requirements

Development approval is required to construct or extend a single house and ancillary outbuilding or the demolition of any building or structure.

5.7.3 Relevant Considerations

In considering any rezoning request, subdivision or development application, the local government will have due regard for the following -

- (a) There is a general presumption against rezoning of land within the area for more intensive land uses.

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- (b) The local government may consider supporting subdivision applications within the area where –
 - (i) the subdivision is for the use of land which will not create the potential for additional development;
 - (ii) subdivision is for boundary realignment purposes;
 - (iii) the subdivision is consistent with the policies of the Western Australian Planning Commission; or
 - (iv) future subdivision is to ensure that all housing has a street frontage no less than 18 metres.

5.7.4 Referral of Applications

Consultations regarding any rezoning request, subdivision or development application may be referred to any relevant authority for advice and comment.

5.7.5 Conditions of Approval

The local government's approval to any subdivision and/or development on any land within the Mitchell on Avon Special Control Area may be conditional upon one or more of the following –

- (a) The planting and/or retention of vegetation;
- (b) No building shall be constructed closer than 7.5 metres to a street boundary or 1 metre to a side or rear boundary. Parapet walls are not permitted;
- (c) All new building services (e.g. solar panels, air-conditioning units, telecommunication dishes etc.) should be located, wherever possible, on rear sections of roofs;
- (d) All new dwellings shall be single storey with the finished floor level not exceeding 1 metre above ground level and wall heights not exceeding three metres;
- (e) All new dwellings shall have two or three rooms facing the street and shall provide a front verandah or porch under the main roof;
- (f) Roofs shall be predominantly hipped design, clad with colorbond custom orb profile or tiles consistent in profile with existing dwellings in the area and pitched at no greater than 20 degrees;
- (g) Fences in front of dwellings shall not exceed 1,200mm in height, nor be of solid panel construction. Open style fencing (swimming pool or picket) may be approved, and require application for and the issuance of a fencing licence prior to construction; and
- (h) Where relatively narrow residential lots are unable to comply with the local government's design guidelines for grouped dwellings, the local government may consider approval of outbuildings for home businesses as a more appropriate option than "battleaxe" grouped dwelling development or subdivision.

5.8 SCA 7 - MINSON AVENUE DESIGN GUIDELINES SPECIAL CONTROL AREA

5.8.1 Purpose

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The purpose of the Minson Avenue Design Guidelines Special Control Area is to -

- (a) To encourage appropriate mixed residential and non-residential development.
- (b) To encourage development which both complements the existing style and character of adjacent commercial areas along Fitzgerald Street as well as improving the quality of the built form on Minson Avenue.
- (c) To control the bulk and scale of buildings along the Minson Avenue frontage.
- (d) To ensure that setbacks, building design and layout, service areas, landscaping, car parking and vehicular access are consistent with the Minson Avenue Design Guidelines (May 2011) as adopted by the local government.

5.8.2 Application Requirements

Development approval is required for all development.

5.8.3 Relevant Considerations

In considering any subdivision or development application the Local Government will have regard to the Minson Avenue Design Guidelines (May 2011) as adopted by the local government.

- (i) the development is proposed on a lot which does not have access to a dedicated and/or constructed road the development is within 50 metres of a Major and/or Regional Road reserve where the reserve/s abut land classified Rural zone, Rural Smallholding zone and Rural Residential zone;
 - (ii) the development is within view of a Major and/or Regional Road reserve; or
 - (iii) reticulated water supply is not available in the Rural Residential zone;
- (b) the demolition of any building or structure except where the building or structure is –
- (i) located in a place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*;
 - (iii) included on the Heritage List under clause 7.1 of the Scheme; or
- (c) (iv) located within a heritage area designated under the Scheme; any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a heritage area; and
- (d) the carrying out of a rural pursuit in the Rural Residential and Rural Smallholdings zones that –
- (i) is not used for trade or commercial purposes; and
 - (ii) complies with the recommended stocking rates and environmental protection requirements of the relevant State Government departments.

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Note: Development carried out in accordance with a subdivision approval granted by the Commission is exempt under Section 157 of the Planning and Development Act 2005.

5.9 Structure Plan Areas (SCA8)

5.9.1 Structure Plan Areas are shown on the Scheme Map as SCA8 with a number. A Schedule of these areas is set out in Schedule 10.

5.9.2 For the purpose of clause 5.9, unless the context otherwise requires;

“Proponent” means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.

“Proposed Structure Plan” means a Structure Plan which may apply to either a local area or a district that has been prepared in accordance with clause Part 4 of the deemed provisions.

“Structure Plan” means a proposed Structure Plan that has been approved by the Commission under clause 22(a) of the deemed provisions.

5.9.3 Purpose

The purpose of Structure Plan Areas Special Control Area is to:-

- (a) To identify areas requiring comprehensive structure planning prior to subdivision and development; and
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

5.9.4 Planning requirements

- a) The local government requires a Structure Plan for a Structure Plan Area, or for any part or parts of a Structure Plan Area, before recommending subdivision or approving development of land within the Structure Plan Area.
- b) The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development and the provisions of the foregoing clauses shall apply as relevant to the preparation of any such plan.
- c) Notwithstanding clause 5.9.4 a), the local government may approve a development or support a subdivision of the land in a manner that is consistent with the objectives of the underlying zone without requiring such a Structure Plan where, in its opinion, the proposal is of a minor nature, will not adversely affect the future subdivision or development of the land and where it can be demonstrated that it does not conflict with the future land use expectation of the Structure Plan Area.
- d) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule 10.
- e) The Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plans.
- f) Schedule 10 describes the Structure Plan Area in more detail and sets out the land use expectations, matters to be addressed and associated provisions for Structure Plans.

5.9.5 Preparation of Structure Plans

- a) A Structure Plan must be prepared in a manner and form approved by the Commission in accordance with the provisions of clause 16 of the deemed provisions.

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- b) A Structure Plan may with the agreement of the Commission after consultation with the local government, be prepared and implemented in stages.

5.9.6 Operation of Structure Plan

- a) A Structure Plan commences operation on the date it is adopted by the Commission.
- b) A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have affect as if included in the scheme, and any provisions, requirements which are only for guidance or such other purposes as stipulated in the Structure Plan.

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SCHEDULE 1 — DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

1. General definitions [cl. 1.7]

In the Scheme —

“**building envelope**” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained;

“**conservation**” has the same meaning as in the *Heritage of Western Australia Act 1990*;

“**commercial vehicle**” means a vehicle, whether licensed or not, which has a gross vehicle mass of greater than 4.5 tonnes and includes the following vehicles above that weight -

- (a) Any utility, van, truck, trailer or tractor or any attachment to any of them or any article designed to be an attachment to them; and
- (b) Any omnibus and any earthmoving machine whether self-propelled or not.

“**commercial vehicle parking**” means the parking or garaging of not more than two commercial vehicles for more than two hours in any 24 hour period;

“**commission**” means the Western Australia Planning Commission or equivalent established under the Planning and Development Act 2005.

“**floor area**” has the same meaning as in the *Building Code of Australia 1996* published by the Australian Building Codes Board;

“**frontage**”, when used in relation to a building that is used for -

- (a) residential purposes, has the same meaning as in the Residential Design Codes; and
- (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces;

“**gazettal date**”, in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under section 87 of the Planning Act;

“**gross floor area (gfa)**” means the total floor area of a building measured to the outer face of external walls, but does not include areas occupied by lift, lift motor and plant rooms, car parking spaces or loading bays or internal access thereto, public arcades or toilets;

“**height**” when used in relation to a building that is used for —

- (a) residential purposes, has the same meaning as in the Residential Design Codes; or
- (b) purposes other than residential purposes, means the maximum vertical distance between the ground level and the finished roof height directly above;

“**incidental use**” means a use of premises which is ancillary and subordinate to the predominant use;

“**infrastructure**” means the standard infrastructure items (services and facilities set out in appendix 1 of *State Planning Policy 3.6 Development Contributions for Infrastructure*) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development

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contributions may reasonably be requested having regard to the objectives, scope and provisions of this policy.

"infrastructure costs" means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

"lot" has the same meaning as in the Planning Act but does not include a strata or survey strata lot;

"minerals" has the same meaning as in the *Mining Act 1978*;

"net lettable area (nla)" means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas -

- (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;

"non-conforming use" has the same meaning as it has in section 172 of the Planning Act;

"place", in Part 7 (Heritage Protection) has the same meaning as it has in the *Heritage of Western Australia Act 1990*;

"plot ratio", in the case of residential dwellings has the same meaning as in the Residential Design Codes;

"precinct" means a definable area where particular planning policies, guidelines or standards apply;

"predominant use" means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary;

"Residential Design Codes" means the Residential Design Codes in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No. 1, as amended from time to time;

"retail" means the sale or hire of goods or services to the public;

"structure plan" means a structure plan that has come into effect in accordance with the provisions of this scheme and includes any Outline Development Plan or Subdivision Guide Plan prepared and approved under the previous local planning scheme of the local government, where applicable to a structure planning area;

"structure planning area" is an area that requires structure planning and may be required in any zone;

"Planning Act" means the *Planning and Development Act 2005*;

"wholesale" means the sale of goods or materials to be sold by others;

2. Land use definitions

In the Scheme -

"abattoir" means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;

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“aged and dependent persons dwelling” has the same meaning given as in the Residential Design Codes of Western Australia;

“aged persons hostel” means premises used for the accommodation of aged persons in independent units and where meals and other facilities are provided;

“agriculture - extensive” means premises used for the raising of stock or crops but does not include agriculture – intensive or animal husbandry – intensive;

“agriculture - intensive” means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following -

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- (d) aquaculture;

“agroforestry” means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;

“amusement parlour” means premises open to the public, where the predominant use is for amusement by means of amusement machines and where there are more than 2 amusement machines operating within the premises;

“ancillary accommodation” has the same meaning as in the Residential Design Codes of Western Australia;

“animal establishment” means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre;

“animal husbandry - intensive” means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;

“art Gallery” means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

“bed and breakfast” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short term commercial basis and includes the provision of breakfast;

“betting agency” means an office or totalisator agency established under the *Racing and Wagering Western Australia Act, 2003*;

“boarding house” means a building in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include -

- (a) premises the subject of a Hotel, Limited Hotel or Tavern Licence granted under the provisions of the *Liquor Control Act 1988*;
- (b) premises used as a boarding school approved under the *School Education Act, 1999*;
- (c) a single dwelling, attached, grouped or multiple dwelling unit;
- (d) any building that is the subject of a strata title issued under the provisions of the *Strata Titles Act, 1985* (as amended).

“brewery” means premises used for the production of beer and ale and may include sale of the produce.

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"bulky goods showroom" means premises —

(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —

- (i) automotive parts and accessories;
- (ii) camping, outdoor and recreation goods;
- (iii) electric light fittings;
- (iv) animal supplies including equestrian and pet goods;
- (v) floor and window coverings;
- (vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;
- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and children's goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools;

or

(b) used to sell by retail goods and accessories by retail if —

- (i) a large area is required for the handling, display or storage of the goods; or
- (ii) vehicular access is required to the premises for the purpose of collection of purchased goods;

"caravan park" has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;

"caretaker's dwelling" means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant;

"carpark" means premises used primarily for parking vehicles whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any premises in which cars are displayed for sale;

"child care premises" has the same meaning as in the *Child Care Services Act, 2007*;

"cinema/theatre" means premises where the public may view a motion picture or theatrical production;

"civic use" means premises used by a government department, an instrumentality of the Crown, or the local government, for administrative, recreational or other purposes;

"club premises" means premises used by a legally constituted club or association or other body of persons united by a common interest;

"commercial vehicle parking" means premises used for parking of one or 2 commercial vehicles but does not include —

- (a) any part of a public road used for parking or for a taxi rank;
- or
- (b) parking of commercial vehicles incidental to the predominant use of the land;

"community purpose" means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organizations involved in activities for community benefit;

"consulting rooms" means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care;

"convenience store" means premises -

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- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents, or the retail sale of petrol and those convenience goods;
- (b) operated during hours which include, but may extend beyond, normal trading hours;
- (c) which provide associated parking; and
- (d) the floor area of which does not exceed 300 square metres net lettable area;

“corrective institution” means premises used to hold and reform persons committed to it by a court, such as a prison or other types of detention facility;

“dry cleaning premises” means any land or buildings used for the cleaning of garments and other fabrics by chemical processes;

“dwelling” has the same meaning given as in the Residential Design Codes of Western Australia;

“educational establishment” means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;

“equestrian activity” means premises used for the showing, competition or training of horses and includes a riding school;

“exhibition centre” means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery;

“family day care” means premises used to provide family day care within the meaning of the *Child Care Services Act, 2007*;

“fast food outlet” means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;

“fuel depot” means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises;

“funeral parlour” means premises used to prepare and store bodies for burial or cremation;

“garden centre” means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

“grouped dwelling” has the same meaning as in the Residential Design Codes of Western Australia;

“health studio” means any land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation;

“holiday accommodation” means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

“holiday home” means a residential building used to provide accommodation for short-stay guests, rather than permanent residency, and excluding those uses more specifically defined elsewhere;

“home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which -

- (a) does not employ more than 2 people not members of the occupier's household;

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- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

“home occupation” means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which -

- (a) does not employ any person not a member of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone;

“home office” means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not -

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

“home store” means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling;

“hospital” means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1);

“hotel” means premises providing accommodation the subject of a hotel licence under the *Liquor Control Act, 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;

“industry” means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for -

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail; or

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(d) the provision of amenities for employees.

incidental to any of those industrial operations;

“industry - cottage” means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which -

(a) does not cause injury to or adversely affect the amenity of the neighbourhood;

(b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;

(c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;

(d) does not occupy an area in excess of 50 square metres, and

(e) does not display a sign exceeding 0.2 square metres in area;

“industry - extractive” means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry – mining;

“industry - general” means an industry other than a cottage, extractive, light, mining, rural or service industry;

“industry - light” means an industry -

(a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality;

(b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services;

“industry - mining” means land used commercially to extract minerals from the land;

“industry - primary production” means premises used —

(a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1, or

(b) for a workshop servicing plant or equipment used in primary production businesses.

“industry - rural” means -

(a) an industry handling, treating, processing or packing rural products; or

(b) a workshop servicing plant or equipment used for rural purposes;

“industry - service” means -

(a) an industry – light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or

(b) premises having a retail shop front and used as a depot for receiving goods to be serviced;

“landscape supplies” means premises used for the storage and sale of items such as woodchips, logs, rocks, sand stone and other such materials;

“laundromat” means any land or building open to the public in which washing machines, with or without provision for drying clothes, are available for use;

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“liquor store – large” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m²;

“liquor store – small” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m²;

“lunch bar” means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas;

“market” means premises used for the display and sale of goods from stalls by independent vendors;

“medical centre” means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);

“motel” means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the *Liquor Control Act, 1988*;

“motor vehicle, boat or caravan sales” means premises used to sell or hire motor vehicles, boats or caravans;

“motor vehicle repair” means premises used for or in connection with -

- (a) electrical and mechanical repairs, or overhauls, to vehicles; or
- (b) repairs to tyres,

but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping;

“motor vehicle wash” means premises where the primary use is the washing of motor vehicles;

“motor vehicle wrecking” means premises used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts;

“multiple dwelling” has the same meaning given as in the Residential Design Codes of Western Australia;

“museum” means any land or buildings used to exhibit cultural or historical artefacts.

“nightclub” means premises -

- (a) used for entertainment with or without eating facilities; and
- (b) licensed under the *Liquor Control Act, 1988*;

“nursing home” means a hospital in which patients reside;

“office” means premises used for administration, clerical, technical, professional or other like business activities;

“park home park” has the same meaning as in the *Caravan Parks and Camping Grounds Regulations 1997*;

“place of worship” means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;

“power generation” means premises used predominantly to generate electricity for a commercial gain;

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“**produce stall**” means premises used to sell goods by way of display on a produce/craft stall, such produce is grown or made within the district and offered for sale only from the produce stall;

“**public utility**” means any work or undertaking constructed or maintained by a public authority or the local government as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services;

“**reception centre**” means premises used for functions on formal or ceremonial occasions but not for un-hosted use for general entertainment purposes;

“**recreation – private**” means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;

“**residential building**” has the same meaning as in the Residential Design Codes;

“**restaurant**” means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Control Act, 1988*;

“**restricted premises**” means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of -

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Enforcement Act, 1996*;
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;

“**roadhouse**” means premises used for the predominant purpose of a service station but incidentally including a cafe, restaurant and/or shop;

“**rural home business**” means a business, service or profession carried out in a dwelling or on land around a dwelling by the occupier of the dwelling which -

- (a) Does not employ more than 2 people not members of the occupier's household;
- (b) Will not cause injury or adversely affect the amenity of the neighbourhood;
- (c) Does not occupy an area greater than 200 square metres;
- (d) Does not involve the retail sale, display or hire of goods of any nature;
- (e) In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of more than 3 vehicles, with vehicles not being more than 25 tonnes gross weight; and
- (f) Does not involve the use of an essential service of greater capacity than normally required in the zone.

“**rural pursuit**” means any premises used for -

- (a) the rearing or agistment of animals;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- (d) the sale of produce grown solely on the lot,

but does not include agriculture – extensive or agriculture – intensive;

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"salvage yard" means premises used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats;

"service station" means premises used for -

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;

"shop" means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet;

"showroom" means premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or goods of a bulky nature;

"small bar" means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*;

"stockyards" means premises used for holding and/or sale of animal stock

"storage" means premises used for the storage of goods, equipment, plant or materials;

"tavern" means premises licensed as a tavern under the *Liquor Control Act, 1988* and used to sell liquor for consumption on the premises;

"telecommunications infrastructure" means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;

"tourist accommodation" means accommodation specifically catering for tourists such as chalets, farm stay, guesthouses and similar but does not include a hotel, motel or caravan park, and which is not to be occupied by a person for more than 3 months in a 12 month period.

"tourist development" means a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three (3) months in any twelve (12) month period and excludes those uses more specifically defined elsewhere in Schedule 1;

"trade display" means premises used for the display of trade goods and equipment for the purpose of advertisement;

"trade supplies" means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;

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(g) use by government departments or agencies, including local government;

“transport depot” means premises used for the garaging of motor vehicles used or intended to be used for carrying goods or persons, or for the transfer of goods or persons from one motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles, and may include overnight accommodation on-site for the transport workers;

“transportable structure/dwelling” means any structure designed for human habitation that is partly or wholly prefabricated at any place other than on the lot upon which it is to be erected;

“tree farm” means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003 section 5;

“vehicle recovery & towing” means premises used for the transfer and temporary storage of damaged motor vehicles and includes the maintenance, management and repair of the vehicles used to recover and tow damaged motor vehicles;

“veterinary centre” means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;

“warehouse” means premises used to store or display goods and may include sale by wholesale;

“waste disposal facility” means premises used —
(a) for the disposal of waste by landfill; or
(b) the incineration of hazardous, clinical or biomedical waste

“waste storage facility” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

“winery” means premises used for the production of viticultural produce and may include sale of the produce;

“workers accommodation” means shared self-contained living accommodation (separate to a single dwelling) used for the accommodation (temporary or otherwise) of workers directly employed in an approved activity carried out on the Lot.

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SCHEDULE 2 — ADDITIONAL USES

[cl. 4.5]

No.	Description of land	Additional use	Conditions
A1.	Lot 194 Great Eastern Highway, Bakers Hill	Motor Vehicle Repairs	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government. 4. The use of the land shall not cause injury to or prejudicially affect the amenity of the immediate locality.
A2.	Lot 102 (967) Northam-Toodyay Road, Katrine on Deposited Plan 55137	<p>Group Farming</p> <p>The purpose of the 'group farming' use is to permit the establishment of more than one residence on the property to facilitate opportunities for rural living in the context of a commitment to the protection and enhancement of the agricultural and environmental status of the land and its rural landscape values.</p>	<ol style="list-style-type: none"> 1. A structure plan is required to be prepared and approved by the Commission prior to any subdivision or development. 2. All subdivision and development shall be undertaken in accordance with an approved structure plan. 3. The structure plan and supporting documentation must include: <ul style="list-style-type: none"> - Residential lot layouts & areas; - Community facilities; - Servicing details; - Identification of land uses; - Assessment of the property's landforms, soils, landscape and environment generally including assessment of capability of the commonly owned or managed area to support an agricultural enterprise appropriate to the local conditions; - Details of the fire protection and management plans; - Details of management plans to address environmental issues; and - Details of management of the property including appropriate and enforceable contractual obligations that include: <ol style="list-style-type: none"> (a) a mechanism whereby the local government will be a party to, and whose consent will be necessary for, any decision involving a change in the structure or management of the project or a major change in land use; (b) a commitment to a continuing direct relationship between ownership of residential lots and the balance of the property; (c) satisfactory management or maintenance of the non-residential component of the property; (d) methodology for resolution of any conflict arising in respect to the management of the property as a whole or to activity on a residential site; (e) continuing use of land, other than set aside for residential or community use, for agricultural purposes, other approved rural

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No.	Description of land	Additional use	Conditions
			<p>enterprises such as tree plantations or, where such uses cease either temporarily or permanently, for maintenance which will satisfactorily retain the property's agricultural potential;</p> <p>(f) ownership and management of community facilities where provided;</p> <p>(g) prohibition of the sale of commonly owned or managed land, unless with the consent of the local government and approval of the Commission; and</p> <p>(h) implementation of reasonable controls over residential appearance and maintenance.</p>
A3.	Lot 340 (No.159) Wellington Street (cnr Charles Street), Northam	Office, Showroom or Warehouse	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with the standards applicable to the 'Mixed Use' zone as well as any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
A4.	Lots 30, 34, 100 & portion of Town Lots 7 & 8 (No.334) Fitzgerald Street, Northam	Flour Mill & uses ancillary thereto as approved by the local government.	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
A5	Lot 1 (No.47) Fitzgerald Street, Northam	Motor vehicle, boat or caravan sales & uses ancillary thereto as approved by the local government.	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
A6.	Lot 4 (No.345) Northam – York Road, Muluckine	Garden Centre	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for Development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
A7.	Portion of Location 4229 Tames Road, Bakers Hill with 135.9 metres frontage to	Metal Fabrication	<ol style="list-style-type: none"> 1. The additional use permitted is restricted to a maximum floor space of 3,373m² and all use and development shall be in accordance with a Local Development Plan which is required to be

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No.	Description of land	Additional use	Conditions
	Tames Road & 159 metres frontage to Berry Brow Road		<p>submitted to and approved by the local government.</p> <p>2. The Local Development Plan is required to contain, but is not limited to the following:</p> <ul style="list-style-type: none"> (a) a detailed description of the land use. (b) a detailed description of existing buildings, structures and/or dwellings. (c) a scaled site plan showing all existing and any proposed development. (d) demonstrated compliance with the requirements of Table 2. (e) a Management Plan to control such things as noise, dust, traffic, smell etc. (f) a Landscaping Plan including revegetation to provide screening and buffer areas. <p>3. No alterations, extensions or redevelopment shall be undertaken without the prior approval of the local government.</p> <p>4. The use of the land shall not cause injury to or prejudicially affect the amenity of the immediate locality.</p>
A8.	Portion of Location 4229 Tames Road, Bakers Hill – 5.7384ha (4,660m ² reserve) with 389.8 metres frontage to Tames Road.	Industry – Light	<p>1. Prior to the commencement of any proposed development or use, a Local Development Plan is required to be submitted and approved by the local government.</p> <p>2. The Local Development Plan is required to contain, but is not limited to, the following:</p> <ul style="list-style-type: none"> (a) a detailed description of the proposed land use including scale. (b) a detailed description of proposed existing buildings, structures and/or dwellings. (c) a scaled site plan showing all proposed development. (d) demonstrated compliance with the requirements of Table 2. (e) a Management Plan to control such things as noise, dust, traffic, smell etc. (f) a Landscaping Plan including revegetation to provide screening and buffer areas. <p>3. All development and use shall be in accordance with the approved Local Development Plan.</p> <p>4. No alterations or extensions to the land use shall be undertaken without the approval of the Local Government.</p> <p>5. The use of the land shall not cause injury to or prejudicially affect the amenity of the immediate locality.</p> <p>6. The establishment of any activity shall not impose any undue load on any existing or proposed service for the supply or provision of essential services.</p> <p>7. A retail shop front from which goods manufactured on the premises may be sold is permitted subject to compliance with the approved Local Development Plan.</p> <p>8. All development that includes uses incompatible with sensitive land uses shall be</p>

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No.	Description of land	Additional use	Conditions
			located such that the required buffer area for those uses is fully accommodated within the boundaries of that portion of Lot 4229 classified 'Rural Residential' zone with additional use classification 'A8'.
A9	Linley Valley Abattoir on Lots 7, 8, 10, 421 and 5485 Linley Valley Road, Wooroloo	Abattoir and associated commercial activities	<ol style="list-style-type: none"> 1. All development of the land shall be subject to an application for development approval. 2. Other associated commercial activities may include skin and hide curing, processing facilities, waste water treatment ponds, offices, packaging facilities, storage, boning room, refrigeration room, holding area, lairage for sheep and cattle, wash down area, employee car parking and ancillary uses 3. Rendering facility and tannery are not permitted.
A10	Lot 5000 (150) Yilgarn Avenue, Northam	Caravan Park	Short and long-term accommodation permitted.

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SCHEDULE 3 — RESTRICTED USES

[cl. 4.6]

No.	Description of land	Restricted use	Conditions
R1	Lot 15 Northam-Toodyay Road, Burlong	Industry-Rural	<ol style="list-style-type: none"> 1. Provide for transport infrastructure for storage and/or processing of bulk grain including connection to the state rail system. 2. Noise, vibration, light and emissions to the atmosphere, are to be managed in accordance with statutory requirements so that the amenity of nearby sensitive uses, including residential development, is not adversely affected.
R2	Part Lot 4396 Great Eastern Highway and Part Lot 31 Oyston Road, Bakers Hill (zoned 'Agriculture-Local')	One Residential Dwelling, Home Occupation, Bed & Breakfast and/or Cottage Industry	<ol style="list-style-type: none"> 1. Residential Dwelling <ol style="list-style-type: none"> 1.1 Residential dwellings shall be restricted to one per lot. 1.2 The dwelling is to comply with Australian Standard AS:3959 in relation to Bushfire Protection Construction Guidelines. 2. Keeping of Stock and Pets <ol style="list-style-type: none"> 2.1. The keeping of stock is prohibited. 2.2 Fencing shall be erected to the local government's satisfaction to prevent domestic pet access to areas outside the building envelope. 3. Clearing <ol style="list-style-type: none"> 3.1. Clearing shall only be permitted within a building envelope. 3.2. Should a tree within a building envelope be identified by an independent Flora/Fauna Study as significant in respect to providing habitat for native fauna or being an outstanding specimen, the local government may require the tree to be retained notwithstanding Clause 3.1 above. 3.3. Clearing may be permitted, subject to local government approval, for the construction of a driveway for vehicular access to a building envelope. Only one driveway shall be permitted per lot and clearing shall minimise impacts on native flora and fauna. 3.4. Revegetation of areas damaged during the construction of a building or driveway may be required at the local government's discretion. 3.5. Fallen timber shall not be removed or cleared from areas outside the building envelope where it abuts large areas of remnant vegetation or areas

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No.	Description of land	Restricted use	Conditions
			<p>that are identified for vegetation protection.</p> <p>4. Fencing</p> <p>4.1. Boundary fencing shall not be permitted where remnant vegetation traverses lot boundaries.</p> <p>4.2. Fencing is to be erected around building envelopes.</p> <p>5. Fire Management</p> <p>5.1. A Fire Management Plan (consistent with the requirements of the <i>Planning for Bushfire Protection Guidelines</i> Edition 2 or as subsequently amended) shall be prepared that identifies the need for, and the construction requirements relating to public access routes, firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local government and the relevant government agency. The approved Fire Management Plan shall be implemented as appropriate prior to development.</p> <p>5.2. An exception to the local government's Firebreak Order shall be sought for land containing remnant vegetation where the area defined traverses lot boundaries.</p> <p>6. Vegetation/Planting Management</p> <p>The planting of exotic or introduced species is not permitted outside of the building envelopes.</p>

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SCHEDULE 4 — SPECIAL USE ZONES

[cl 4.7.1]

No.	Description of land	Special use	Conditions
SU1.	Lot 800 and 801 corner Great Eastern Highway & Bodeguero Way, Wundowie	(a) Lot 800 - Tavern & uses ancillary thereto as approved by the local government. (b) Lot 801 - Roadhouse,	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
SU2.	Lot 1 Spencers Brook Road, Spencers Brook	Rural Pursuit, Grouped Dwellings, Holiday Accommodation & uses ancillary thereto as approved by the local government.	<ol style="list-style-type: none"> 1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
SU3.	Lot 2 Spencers Brook Road & Lot 10 Muresk Road, Spencers Brook	Rural Pursuit including, with the approval of the local government, the breeding and rearing of emus and small game birds.	<ol style="list-style-type: none"> 1. The development of any Rural Pursuit requires the local government's prior development approval and will be subject to the satisfactory control of waste to avoid pollution of local waterways. 2. Any works including land clearing and/or future development shall, prior to commencement, be subject to a search for unexploded ordnance material and written clearance from an authorised officer of the Unexploded Ordnance Services Division of the Department of Fire & Emergency Services (DFES). 3. Residential uses are not permitted except with the approval of the local government and conditional upon any earthworks being subject to clearance of the site by an authorised officer of the local government. 4. Any approved Residential use shall be securely fenced and signposted regarding unexploded ordnance material. 5. The local government will not support any further subdivision or strata titling of the land.
SU4.	Lots 8, 56 & Part Lot 50 Northam-Toodyay Road	The following uses are permitted on the land provided they comply with the conditions of development approval granted by the local government.	<ol style="list-style-type: none"> 1. All development and use shall be in accordance with an approved Local Development Plan and the conditions of development approval granted by the local government. 2. No development will be permitted within the 1:100 year flood plain of the Avon River. 3. An area 30 metres in width (or wider where fringing riparian vegetation exists) up slope from the high water mark of the Avon River on Lot 8 shall be set aside as a foreshore reserve. 4. All development shall be in accordance with a structure plan approved by the WAPC. The

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No.	Description of land	Special use	Conditions
			structure plan should address matters such as building envelopes, view sheds, visual amenity, materials, colours and finishes of buildings, building heights, fencing, protection of remnant vegetation, revegetation program, clearing restrictions, reducing risk of soil erosion, effluent disposal, servicing, road access and road upgrading, and Avon River flood levels 5. A fire management plan shall be prepared for the land prior to the local government granting development approval.
SU5.	Lot 1 (No.79) Newcastle Road (corner Martin Road), Northam	FESA District Headquarters	1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
SU6.	Lot 5 West Street, Northam	Landscape Supplies	1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
SU7.	Lot 2 (No.122) Newcastle Road (corner Suburban Road & West Street), Northam	Health Club	1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
SU8.	Lot 64 (Nos.82-84) Newcastle Road (corner Hutt Street), Northam	Medical Offices & Consulting Rooms.	1. All development and use shall be subject to an Application for development Approval. 2. All development and use shall be in accordance with any plans, conditions and management requirements approved by the local government. 3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.
SU9.	Lot 90 on DP 72807 Jocoso Rise, Wundowie (Formerly Lot 81 and 89 Jocoso Rise, Wundowie	1. Park Home Park and associated development	1. 181 park homes and associated facilities including pool, bowling green, clubhouse, multipurpose hall, library, office, reception, kitchen, toilets and storage area, car parking and ancillary uses. 2. All lease agreements to contain the following advice to alert residents to the existence of the neighbouring abattoir "This park home is situated in the vicinity of an abattoir and, as such, may be affected by potential nuisances relating to odour, noise, dust and the like"

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No.	Description of land	Special use	Conditions
		2. Motel, function centre and associated development	3. Any expansion to the park home park is to be considered via a scheme amendment to modify the provisions of this special use zone. 1. Existing 19 unit motel and function centre and associated facilities including swimming pool, gym and tennis courts. 2. Any expansion of the motel and function facility is to be considered via a scheme amendment to modify the provisions of the special use zone.
SU10.	Lot 88 Great Eastern Highway, Wooroloo	Golf course and other uses ancillary thereto	All development requires approval from the local government.

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SCHEDULE 5 — EXEMPTED ADVERTISEMENTS

[cl. 8.2(f)]

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Dwellings Home Occupation	1 professional name plate as appropriate 1 advertisement describing the nature of the home occupation	0.2sqm 0.2sqm
Places of Worship, Meeting Halls and Places of Public Assembly	1 advertisement detailing the function and/or the activities of the institution concerned.	0.2sqm
Cinemas, Theatres and Drive-in Theatres	2 signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed	Each advertisement sign not to exceed 5sqm
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	N/A
Industrial and Warehouse Premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level	Total area of any such advertisements shall not exceed 15sqm Maximum permissible total area shall not exceed 10sqm & individual advertisement signs shall not exceed 6sqm. N/A
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets.	N/A
Public Places and Reserves	a) Advertisement signs (illuminated or non-illuminated) relating to the functions of government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and b) Advertisement signs (illuminated or non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a government department, public authority or the council of a municipality, and c) Advertisement signs (illuminated or non-illuminated) required to be exhibited by or pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A N/A N/A

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LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2sqm in area
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0,2sqm
Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows):		
i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2sqm
ii) Multiple Dwellings, Shops, Commercial & Industrial projects	One sign as for (i) above.	5sqm
iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height	One sign as for (i) above. One additional sign showing the name of the project builder.	10sqm 5sqm
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2sqm
Property Transactions Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows:		
a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2sqm
b) Multiple dwellings, shops, Commercial & Industrial Properties	One sign as for (a) above.	Each sign shall not exceed an area of 2sqm
c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha	One sign as for (a) above.	Each sign shall not exceed an area of 10sqm

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LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Display Homes Advertisement signs displayed or the period over which homes are on display for public inspection.	<ul style="list-style-type: none"> i) One sign for each dwelling on display. ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display. 	<p>2sqm</p> <p>5sqm</p>

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SCHEDULE 6 — ENVIRONMENTAL CONDITIONS

There are no environmental conditions imposed by the Minister for the Environment which apply to the Scheme.

[cl. 4.7]

Scheme or Amendment No.	Gazettal Date	Environmental Conditions

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SCHEDULE 7 — RURAL RESIDENTIAL ZONES

[cl. 4.29]

No.	Description of land	Conditions
RR1	Various lots in the vicinity of Bobakine Road, Paynter Road & Searle Drive, Burlong as shown on the Scheme Map.	1. Notwithstanding the provisions of the Zoning Table, the following uses are not permitted: - Rural Pursuit; and - Animal Establishment
RR2	Various lots in the vicinity of Carlin, Tamma & Shingle Hill Roads, Bakers Hill as shown on the Scheme Map.	1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are: - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Horse Stable (D) - Public Recreation (P) - Rural Pursuit (D)
RR3	Various lots in the vicinity of Berry Brow Road, O'Driscoll Street & Redcourte Road, Bakers Hill as shown on the Scheme Map.	1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are: - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Horse Stable (D) - Public Recreation (P) - Rural Pursuit (D) 2. A 6 metre wide Emergency Access is required to be gated and maintained by the owners of all lots shown on the approved Structure Plan to the satisfaction of the local government.
RR4	Lot 1 Cook Road & Location 14738 Oyston Road, Bakers Hill	1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are: - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Horse Stable (D) - Rural Pursuit (D)
RR5	Various lots in the vicinity of Anderson Road, Gleeson Hill Road & Glenmore Drive, Wundowie as shown on the Scheme Map.	1. All Vegetation Management Areas shown on the approved structure plan shall be re-vegetated by the planting of locally native species and protected from fire and excessive grazing. The following management provisions will therefore apply: (a) The local government will recommend to the Western Australian Planning Commission that all Vegetation Management Areas shall be re-vegetated by the planting of locally native species as a condition of subdivision approval; (b) These areas shall be fenced and maintained by each landowner as a low fuel area as a precaution against their destruction by fire; (c) Controlled grazing within these areas to reduce the fire hazard resulting from heavy fuel loads may be permitted at the discretion of the local government providing damage to any revegetation works is minimised; (d) Where fuel loads within these areas are not reduced by grazing the landowner is required to reduce the fire hazard by mechanical means; and (e) These provisions are to be the subject of a notification under Section 70A of the Transfer of Land Act 1893 and endorsed on the Certificate of Title of all new lots created within the approved structure plan area.

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RR6	<p>Lot 2 (No.233) Oyston Road, Bakers Hill</p> <p>Lot 100 (4301), Lot 101 (4287) and Loc 27466 (4333) Great Eastern Highway, Bakers Hill</p>	<p>1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are:</p> <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) <p>2. The minimum permitted lot size shall be 2.0 hectares.</p> <p>3. All lots shall be provided with a reticulated potable water supply.</p> <p>4. There shall be no direct access to or from any lot abutting Great Eastern Highway.</p> <p>5. Landscape buffers shall be provided and maintained along Great Eastern Highway and Oyston Road to preserve the local rural amenity to the specifications and satisfaction of the local government.</p>
RR7	<p>Various lots in the vicinity of Fernie & Sims Roads, Bakers Hill as shown on the Scheme Map.</p>	<p>1. The minimum permitted lot size shall be 2.0 hectares.</p> <p>2. All lots shall be provided with a reticulated potable water supply.</p> <p>3. All Vegetation Management Areas shown on the approved structure plan shall be re-vegetated by the planting of locally native species and protected from fire and excessive grazing. The following management provisions will therefore apply:</p> <ul style="list-style-type: none"> (a) The local government will recommend to the Western Australian Planning Commission that all Vegetation Management Areas shall be re-vegetated by the planting of locally native species as a condition of subdivision approval; (b) These areas shall be fenced and maintained by each landowner as a low fuel area as a precaution against their destruction by fire; (c) Controlled grazing within these areas to reduce the fire hazard resulting from heavy fuel loads may be permitted at the discretion of the local government providing damage to any revegetation works is minimised; (d) Where fuel loads within these areas are not reduced by grazing the landowner is required to reduce the fire hazard by mechanical means; and (e) These provisions are to be the subject of a notification under section 70A of the Transfer of Land Act 1893 and endorsed on the Certificate of Title of all new lots created within the approved structure plan area.
RR8	<p>Various lots in the vicinity of Almond Avenue, Jose Road, Koojeddah Road & Carlin Road, Bakers Hill as shown on the Scheme Map.</p>	<p>1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are:</p> <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) <p>2. All lots shall be provided with a reticulated potable water supply.</p>
RR9	<p>Lot 2 Hawke Avenue, Wundowie</p>	<p>1. The minimum permitted lot size shall be 2.0 hectares.</p> <p>2. All lots shall be provided with a reticulated potable water supply.</p> <p>3. There shall be no direct access to or from any lot abutting Great Eastern Highway.</p> <p>4. The proposed emergency fire access onto Great Eastern Highway shall be designed, constructed and used in accordance with the specific requirements of the local government and Main Roads Western Australia.</p>
RR10	<p>Lot 16 Chitty Road, Bakers Hill</p>	<p>1. The minimum permitted lot size shall be 2.0 hectares.</p> <p>2. All lots shall be provided with a reticulated potable water supply.</p>

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RR11	Lot 6468 Oyston Road, Bakers Hill	<p>1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are:</p> <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) <p>2. The minimum permitted lot size shall be 2.0 hectares.</p> <p>3. All lots shall be provided with a reticulated potable water supply.</p> <p>4. Landscape buffers shall be provided and maintained along Oyston Road to preserve the local rural amenity to the specifications and satisfaction of the local government.</p>
RR12	Loc 21630 (23), Loc 25089 (81), Loc 25088 (91), Loc 21631 (11) and Loc 25087 (99) Foundry Place and Loc 21632 (188) Coates Road, Wundowie	<p>1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are:</p> <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) <p>2. All lots shall be provided with a reticulated potable water supply.</p> <p>3. Prior to the local government's adoption of any proposed structure plan, a flora and fauna survey shall be undertaken to the specifications and satisfaction of the local government and the Department of Environment and Conservation.</p> <p>4. Lot 1 may be subdivided to a minimum lot size of 1.8ha.</p> <p>5. Egress should be provided to surrounding land west of Lot 1 and east of Lot 2 to assist in management of fire risk.</p> <p>6. As a condition of subdivision, notifications pursuant to section 70A of the Transfer of Land Act 1893 shall be registered on the Certificates of Titles of all new lots to advise that the use and enjoyment of the land could be affected by future mining and land rehabilitation works that may occur in the area.</p> <p>7. No further subdivision of Loc 21630 (23), Loc 25089 (81), Loc 25088 (91), Loc 21631 (11) and Loc 25087 (99) Foundry Place and Loc 21632 (188) Coates Road, Wundowie permitted.</p>
RR13	Lot 8246 (No.186) Chitty Road, Bakers Hill	<p>1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are:</p> <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) <p>2. All lots shall be provided with a reticulated potable water supply.</p> <p>3. All lots shall be connected to alternative on-site effluent disposal systems to the specifications and satisfaction of the local government and Department of Health.</p>
RR14	Avon Location 23094 (No.107) Doys Road, Wundowie	<p>1. All lots shall be provided with a reticulated potable water supply.</p> <p>2. Should landowners intend to keep horses, a Horse Management Plan shall be prepared and submitted to the local government for approval prior to the commencement of any such use.</p>

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RR15	Lot 5 Great Eastern Highway & Lot 6 Hawke Avenue, Wundowie	<ol style="list-style-type: none"> 1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are: <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) 2. All lots shall be provided with a reticulated potable water supply. 3. There shall be no direct access to or from any lot abutting Great Eastern Highway. A restrictive covenant shall be placed on the certificate of title of proposed Lots 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11 as shown on the approved structure plan prescribing that there shall be no direct access to Great Eastern Highway. 4. The proposed emergency fire access onto Great Eastern Highway shall be designed, constructed and used in accordance with the specific requirements of the local government and Main Roads Western Australia. 5. All building envelopes, including on-site effluent disposal systems, shall have a minimum setback of 30 metres from Coates Gully. Prior to varying the requirements for on-site effluent disposal adjacent to Coates Gully, the local government shall consult with the Department of Environment and Conservation and Department of Health Western Australia. 6. A restrictive covenant shall be placed on the certificate of title of proposed Lots 5, 6, 7, 9, 10 and 11 prescribing the requirement for ATU waste disposal systems to be installed. 7. The subdivider shall make provision for easements in favour of Western Power to enable maintenance of existing power lines.
RR16	Locations M2035 & M2036 Golf Links Road, Wundowie	<ol style="list-style-type: none"> 1. All proposed new lots shall be provided with a reticulated potable water supply unless otherwise approved by the Western Australian Planning Commission. 2. Golf Links Road shall be upgraded at the subdivider's expense to the specifications and satisfaction of the local government. 3. A fence restricting pedestrian, stock and domestic animal access to Golf Links Road and the Woondowing Nature Reserve is to be constructed on the southern boundary of Lot M2036 to a consistent standard acceptable to local government.
RR17	Lots 2 & 3 Golf Links Road, Wundowie	<ol style="list-style-type: none"> 1. All proposed new lots shall be provided with a reticulated potable water supply unless otherwise approved by the Western Australian Planning Commission. 2. Golf Links Road shall be upgraded at the subdivider's expense to the specifications and satisfaction of the local government.
RR18	Various lots in the vicinity of Bodeguero Way, Jocosso Rise & Rufian Court, Wundowie as shown on the Scheme Map.	<ol style="list-style-type: none"> 1. The minimum permitted lot size shall be 2.0 hectares. 2. All lots shall be provided with a reticulated potable water supply. 3. There shall be no direct access to or from any lot abutting Great Eastern Highway. 4. Any proposed emergency fire access onto Great Eastern Highway shall be designed, constructed and used in accordance with the specific requirements of the local government and Main Roads Western Australia.
RR19	Location 4229 Tames Road, Bakers Hill	<ol style="list-style-type: none"> 1. All lots shall be provided with a reticulated potable water supply. 2. No more than one (1) horse may be permitted on any lot at any given time. 3. A 30 metre wide buffer shall apply from the centre of the existing watercourse traversing Lot 4229. The land located within the 30 metre buffer area shall be revegetated by the planting of local endemic species and managed as part of the Environmental Management Plan.

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RR20	<p>Lots bound by Martin Street, Bostock Street, Jordi Road and Great Eastern Highway, Bakers Hill</p> <p>Lots bound by Martin Street, Great Eastern Highway, Bridgeman Road, Bakers Hill townsite boundary and residential zoned interface</p>	<ol style="list-style-type: none"> 1. Any future subdivision that does not compromise the future expansion identified in the Local Planning Strategy must be undertaken in accordance with an approved structure plan, Fire Management Plan, Local Water Management Strategy, Environmental Management Strategy and be served by a reticulated potable water supply. 2. Subdivision proposals contemplated in the absence of an endorsed structure plan must demonstrate the subdivision will not compromise the future residential and light industrial development identified in the Local Planning Strategy and any further subdivision that compromises this will not be supported. 3. There shall be no direct access to or from any lot abutting Great Eastern Highway.
RR21	Lot 161 to Lot 165 Great Eastern Highway, Bakers Hill	<ol style="list-style-type: none"> 1. Subdivision proposals contemplated in the absence of an endorsed structure plan must demonstrate the subdivision will not compromise the orderly and proper planning principles expressed in WAPC policy. 2. There shall be no direct access to or from any lot abutting Great Eastern Highway.
RR22	Clackline townsite and land bound by Wilding Road, Railway Road and Clackline Nature Reserve	<ol style="list-style-type: none"> 1. Any future subdivision must be undertaken in accordance with an approved structure plan, Fire Management Plan, Local Water Management Strategy, Environmental Management Strategy and be served by a reticulated potable water supply. 2. Subdivision proposals contemplated in the absence of an endorsed structure plan must demonstrate the subdivision will not compromise the orderly and proper planning principles expressed in WAPC policy. 3. There shall be no direct access to or from any lot abutting Great Eastern Highway.
RR23	Land bound by Muluckine Road, Railway reserve, Carroll Street, Keane Street, Walsh Street, Tank Street, Grass Valley Road South, Grass Valley	<ol style="list-style-type: none"> 1. Any future subdivision must be undertaken in accordance with an approved structure plan, Fire Management Plan, Local Water Management Strategy, Environmental Management Strategy and be served by a reticulated potable water supply. 2. Subdivision proposals contemplated in the absence of an endorsed structure plan must demonstrate the subdivision will not compromise the orderly and proper planning principles expressed in WAPC policy.
RR24	Loc 5584 (Lot 1) Great Eastern Highway (Oyston Road), Bakers Hill	<ol style="list-style-type: none"> (iv) Minimum lot sizes shall be 2.0 hectares. (v) Anaerobic Treatment Units are to be installed on proposed lots containing Coates Gully wetlands to the specifications of the local government and are to be detailed within the Environmental Management Plan. (vi) Landscape buffers are to be provided and maintained along Great Eastern Highway and Oyston Road to preserve the rural amenity to the satisfaction of the Local Government. (vii) The permissibility of uses shall be: <ol style="list-style-type: none"> (a) Single House (P) (b) Ancillary Accommodation (D) (c) Family Day Care (A) (d) Home Occupation (D) (e) Rural Pursuit (D) (f) All other uses are not permitted. (viii) Second hand transportable dwellings shall not be permitted, (ix) All lots abutting Great Eastern Highway shall not have any direct access to the highway. (x) These conditions are to be read in conjunction with the scheme requirements for the Rural Residential zone. Where conflict exists, the conditions of this Schedule will prevail.
RR25	Loc 3709 (L1) Chitty Road and Lot 340 (127)	<ol style="list-style-type: none"> 1. Second hand transportable dwellings shall not be permitted. 2. The subdivider shall prepare and implement an Environmental Management

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	Augustini Road, Bakers Hill	<p>Plan to the satisfaction and approval of the local government prior to the subdivision of the land. The plan shall include:-</p> <ul style="list-style-type: none"> (a) vegetation protection except that necessary to provide for the provision of roads, other infrastructure and building development within building envelopes as approved by the local government; (b) drainage and nutrient management; and (c) "Watercourse Protection Areas" the extents of which are to be determined after consultation with the relevant government agency, and where the following will apply: <ul style="list-style-type: none"> (a) except with the approval of the local government, the clearing of trees except for the purpose of fire-breaks or fences is prohibited and, in order to assist in reducing erosion, planting of vegetation indigenous to the area shall be undertaken by the subdivider to the satisfaction of the local government; (b) except with the approval of the local government and only after consultation with the relevant authority, the construction of dams or artificial retention flow, pumping, diversion of water or modification of stream course bed or banks is prohibited; (c) development of buildings or other structures is not permitted; and (d) with the intention of preventing degradation of the streams and their contiguous areas, the keeping of livestock in the area is prohibited and the area is to be fenced to preclude livestock; <p>3. Stormwater drainage shall be controlled through appropriate drainage systems to avoid erosion and discharge while maintaining natural flow of discharge at pre-development levels and shall be to the satisfaction and specifications of the local government. The storm automation system should be designed in accordance with the guidelines contained within the 'Stormwater Management Manual of WA' (Department of Water 2004).</p> <p>4. The permissibility of uses shall be:-</p> <ul style="list-style-type: none"> (a) Dwelling (Single) (P) (b) Ancillary Accommodation (D) (c) Home Occupation (D); and (d) Rural Pursuit (D) <p>All other uses are not permitted (X).</p> <p>5. Landscape buffers are to be provided and maintained along Chitty Road to preserve the rural amenity to the satisfaction of the local government.</p> <p>6. At the time of subdivision application, the Shire will request the subdivider to upgrade both Chitty Road and Augustini Road to the satisfaction of the local government.</p>
RR26	Lot 411 (35) Northam-Pithara Road, Northam	<p>1. Minimum lot sizes shall be 2.0 hectares.</p> <p>2. Landscape buffers are to be provided and maintained along Great Eastern Highway as appropriate to preserve the rural amenity to the satisfaction of the Local Government.</p> <p>3. The permissibility of uses shall be:</p> <ul style="list-style-type: none"> (a) Single House (P); (b) Ancillary Accommodation (D) (c) Family Day Care (A) (d) Home Occupation (D); (e) Public Recreation (P); (f) Rural Pursuit (D); and (g) All other uses are not permitted. <p>4. Second hand transportable dwellings shall not be permitted</p> <p>5. All lots abutting Great Eastern Highway shall not have any direct access to the highway.</p> <p>6. Stormwater drainage shall be contained onsite to the satisfaction and specification of the local government, the stormwater management system should be designed in accordance with the guidelines contained in the 'Stormwater Management Manual of Western Australia' (Department of Conservation and Environment, 2004).</p>

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		<p>7. The applicant being advised that the local government will request that a condition of subdivision approval be imposed that requires the preparation of a notification on the Certificate of Titles of all lots advising of the close proximity of the airport.</p> <p>8. The applicant being advised that the local government will request that a condition of subdivision be imposed that requires the upgrading of Harper Street from the property boundary to Katrine Road.</p> <p>9. Access to Northam-Pithara Road shall be limited to two intersections; designed in consultation with the relevant State road agency. Lots abutting Northam-Pithara Road shall not have any direct access.</p> <p>10. For the portion of the site potentially affected by existing and future airport operations (within 1000m from the northern end and 500m from the western side of the runway):</p> <p>(a) A maximum of six lots or six dwellings may be permitted within this area;</p> <p>(b) All dwellings on these lots are to be constructed in accordance with Australian Standard 2021.2000 Acoustics - Aircraft noise intrusion - building siting and construction;</p> <p>(c) At subdivision stage, restrictive covenants are to be placed on titles to implement the required construction standards.</p>
RR27	Lots 100 (5200) and 101 (5196) Great Eastern Highway, Clackline	<p>1. Minimum lot sizes shall be 1,0 hectares.</p> <p>2. Landscape buffers are to be provided and maintained along Great Eastern Highway to preserve the rural amenity to the satisfaction of the Local Government.</p> <p>3. The permissibility of uses shall be:</p> <p>(a) Single House (P);</p> <p>(b) Ancillary Accommodation (D)</p> <p>(c) Family Day Care (A)</p> <p>(d) Home Occupation (D);</p> <p>(e) Rural Pursuit (D); and</p> <p>(f) All other uses are not permitted.</p> <p>4. Second hand transportable dwellings shall not be permitted.</p> <p>5. A covenant to be included on titles to ensure that purchasers are aware that all lots abutting Great Eastern Highway shall not have any direct access to the highway.</p> <p>6. Stormwater drainage shall be contained onsite to the satisfaction and specification of the local government, the stormwater management system should be designed in accordance with the guidelines contained in the 'Stormwater Management Manual of Western Australia' (Department of Conservation and Environment 2004).</p> <p>7. The applicant being advised that the local government will request that a condition of subdivision be imposed that requires the construction of a road reserve from Lockyer Road along the northern boundary of Lot 98 through the site to the western boundary of Lot 501 Great Eastern Highway.</p> <p>8. The applicant is to identify any areas of unexploded/ exploded ordnance within the site prior to subdivision.</p> <p>9. A notification is to be placed on titles to ensure that purchasers are aware of the agricultural activities that occur on surrounding properties that can cause noise and dust at seasonal times of the year.</p>

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RR28	Loc 10583 (309) Refractory Road, Bakers Hill	<ol style="list-style-type: none"> 1. Stormwater drainage shall be controlled through appropriate drainage systems to avoid erosion and discharge while maintaining natural flow of discharge at pre-development levels and shall be to the satisfaction and specifications of the local government. The storm automation system should be designed in accordance with the guidelines contained within the 'Stormwater Management Manual of WA' (Department of Water 2004). 2. The permissibility of uses shall be - <ol style="list-style-type: none"> (a) Dwelling (Single) (P) (b) Home Occupation (P) (c) Agriculture Extensive (P) (d) Animal establishment (A) (e) Caretakers Dwelling (D) (f) Home Office (P) (g) Rural Pursuit (P) - Must comply with Environmental Management Plan. (h) All other uses that comply with the Local Planning Scheme in force at the time of any application with the exception of the following uses— <ol style="list-style-type: none"> l Dog Kennels l Animal Husbandry- Intensive. 3. Landscape buffers are to be provided and maintained along Chitty Road to preserve the rural amenity to the satisfaction of the local government. 4. Lot sizes should be a minimum of 4 hectares.
RR29	Lot 8071 (400) Chitty Road, Bakers Hill	<ol style="list-style-type: none"> 1. Stormwater drainage shall be controlled through appropriate drainage systems to avoid erosion and discharge while maintaining natural flow of discharge at pre-development levels and shall be to the satisfaction and specifications of the local government. The storm automation system should be designed in accordance with the guidelines contained within the 'Stormwater Management Manual of WA' (Department of Water 2004). 2. The permissibility of uses shall be:- <ol style="list-style-type: none"> (a) Dwelling (Single) (P); (b) Home Occupation (P); (c) Agriculture - Extensive (P); (d) Animal Establishment (A); (e) Home Office (P); (f) Rural Pursuit (D) (Must comply with Environmental Management Plan); and (g) All other uses that comply with the Local Planning Scheme in force at the time of any application. 3. Landscape buffers are to be provided and maintained along Chitty Road to preserve the rural amenity to the satisfaction of the local government. 4. At the time of a subdivision application the Shire will request that the Subdivider shall upgrade the section of Chitty Road adjacent to the property to the satisfaction of the Local Government. 5. The subdivider shall prepare a Development Contribution Plan to the satisfaction of the local government.
RR30	Part Lot 4396 Great Eastern Highway, Part Lot 31 Oyston Road and Lot 8 Gumley Road Bakers Hill (zoned "Rural Residential")	<ol style="list-style-type: none"> 1. Any application for a rural pursuit that involves the stabling and keeping of stock (including horses) is to be accompanied by a Stock Management Plan to the satisfaction and approval of the local government. The Stock Management Plan shall require all native vegetation and any area recognised for protection or rehabilitation in the Environmental Management Plan to be fenced. 2. All buildings and on-site effluent treatment and disposal are to be confined to the building envelope for each lot. All building envelopes shall be:- <ol style="list-style-type: none"> (a) Shown on the endorsed Subdivision Guide Plan; (b) Located to avoid as far as practicable, the removal of any vegetation protection area identified on the Subdivision Guide Plan or the Environmental Management Plan; (c) Located to exclude areas identified as low or very low capability for rural smallholdings in the land use capability assessment; and

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		<p>(d) 2,000sqm in size unless otherwise approved by the local government.</p> <p>3. A Restrictive Covenant is to be lodged against the titles of lots identified in the land capability assessment as being susceptible to waterlogging and pollution, stating that ATUs are to be utilised for effluent disposal.</p> <p>4. A Restrictive Covenant is to be lodged against the titles of lots situated within 300m of the Great Eastern Highway/Oyston Road intersection, stating that direct access will not be permitted via Oyston Road.</p> <p>5. Subdivision shall provide for the western extension of Gumley Road as part of the public road network, in accordance with the Fire Management Plan.</p> <p>6. Stormwater drainage shall be controlled through appropriate drainage systems to avoid erosion and discharge while maintaining natural flow of discharge at pre-development levels and shall be to the satisfaction and specifications of the local government. Drainage systems shall be designed and constructed consistent with the <i>Stormwater Management Manual for Western Australia</i>.</p> <p>7. A landscape buffer is to be provided and maintained along Great Eastern Highway to preserve the rural amenity to the satisfaction of the Local Government.</p> <p>8. Notification pursuant to Section 70A of the Land Administration Act to be included on titles to ensure that purchasers are aware that remnant vegetation and any revegetated areas are to be managed, in accordance with the approved Environmental Management Plan.</p> <p>9. Contributions toward upgrading of the Great Eastern Highway/Oyston Road intersection and the section of Oyston Road adjacent to the property shall be provided at the time of subdivision, to the satisfaction of the local government and Main Roads WA.</p> <p>10. The subdivision guide plan is to reflect a 10 metre setback from the boundary of Great Eastern Highway where no development is permitted, in order to allow for future road widening to occur.</p>
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SCHEDULE 8 — RURAL SMALLHOLDING ZONES

[cl. 4.29]

No.	Description of land	Conditions
RSH 1	Pt Lot 2 Foundry Place, Bakers Hill	<ol style="list-style-type: none"> 1. Notwithstanding the provisions of the Zoning Table, the only permitted and discretionary uses are: <ul style="list-style-type: none"> - Single House (P) - Ancillary Accommodation (D) - Family Day Care (A) - Home Occupation (D) - Rural Pursuit (D) 2. All lots shall be provided with a reticulated potable water supply. 3. Prior to the local government's adoption of any proposed structure plan, a flora and fauna survey shall be undertaken to the specifications and satisfaction of the local government and the Department of Environment and Conservation. 4. The northern half of Lot 2 may be subdivided into a maximum of two (2) lots only. 5. The southern half of Lot 2 may be subdivided to a minimum lot size of 3ha. 6. Egress should be provided to surrounding land east of Lot 2 to assist in management of fire risk. 7. As a condition of subdivision, notifications pursuant to section 70A of the Transfer of Land Act 1893 shall be registered on the Certificates of Titles of all new lots to advise that the use and enjoyment of the land could be affected by future mining and land rehabilitation works that may occur in the area.
RSH 2	Lot 2 (4479), Lot 3 (4475), Lot 7 (4442) Great Eastern Highway, Lot 5 (80) and Lot 1 (50) Martin Street and Lot 6 (26) Gumley Road, Bakers Hill	<ol style="list-style-type: none"> 1. Any future subdivision must be undertaken in accordance with an approved structure plan, Fire Management Plan, Local Water Management Strategy, Environmental Management Strategy and be served by a reticulated potable water supply. 2. Subdivision proposals contemplated in the absence of an endorsed structure plan must demonstrate the subdivision will not compromise the orderly and proper planning principles expressed in WAPC policy. 3. There shall be no direct access to or from any lot abutting Great Eastern Highway.
RSH 3.	Lot 1 (41), Lot 166, Lot 65 (42) and Loc 10766 (Lot 63) Lukin Road, Lot 62 (289) Railway Road and Loc 19370 (201) Clackline-Toodyay Road, Clackline	No further subdivision permitted.

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**SCHEDULE 9 — COMMUNITY INFRASTRUCTURE DEVELOPMENT
CONTRIBUTION PLANS FOR DEVELOPMENT CONTRIBUTION AREAS**

[cl. 6.6]

The first amendment for a development contribution plan will create a table that accords with State Planning Policy 3.6 - Development Contributions for Infrastructure.

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ADOPTION

Adopted by resolution of the Council of the Shire of Northam at the meeting of the Council held on the 6th day of October 2010.

Date: 6th October 2010
.....
Shire President

Date: 6th October 2010
.....
Chief Executive Officer

Final Approval

1. Adopted for final approval by resolution of the Council of the Shire of Northam at the meeting of the Council held on the 17th day of April 2013 and the seal of the Municipality was pursuant to that resolution affixed in the presence of:

Date: 17th April 2013
.....
Shire President

Date: 17th April 2013
.....
Chief Executive Officer

2. Submitted and recommended for final approval by the Western Australian Planning Commission.

.....2013
Delegated under S.16 of the PD Act 2005 Date

3. Final approval granted

.....2013
Minister for Planning Date

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SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO 6

APPENDIX 1
SCHEME MAPS

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Cr S B Pollard has declared an 'Impartiality' interest in item 13.3.5 - Request for Minor Amendment to Temporary Development Approval P1907 Recreation Private Land Use (Rally Car School) - 724 Leaver Road, Bakers Hill as his son in law works occasionally for the applicant/owner.

13.3.5 REQUEST FOR MINOR AMENDMENT TO TEMPORARY DEVELOPMENT APPROVAL P1907 RECREATION PRIVATE LAND USE (RALLY CAR SCHOOL) - 724 LEAVER ROAD, BAKERS HILL

Name of Applicant:	Tolley Challis
Name of Owners:	Theodore Challis
File Ref:	A597/P1907
Officer:	Chadd Hunt / Courtney Wynn
Officer Interest:	Nil
Policy:	<i>Local Planning Scheme No.6 Planning & Development Act 2005 Planning Regulations 2015</i>
Voting:	Simple Majority

PURPOSE

Council has received a request from Mr Tolley Challis, who would like Council to amend Condition 2 of Development Approval P1907. Condition 2 relates to the permitted operating hours for the rally car school as follows:

- 2. Hours of operation shall be limited to an average of 2 weekends per month from 1st March to 30th November between the hours of 0800 to 1600 hours Saturday and 0900 to 1700 Sunday and excluding public holidays;*

The request received is detailed as follows:

If possible could the time for Saturdays be adjusted from the current 8am to 4pm as this has proved difficult to get the days activities done. The start time of 8am is a bit too early to expect participants to leave the city and arrive at the venue for a 8am start. If it could be adjusted to an 8.30am start and a finishing time of 5pm this would be very helpful. I understand that this relates to an extra 30mins of operating time, if this is an issue, then if the times could be adjusted to 8.30am to 4.30pm this would also be of great assistance and not increase the overall operating time.

This request is being referred to Council for consideration as it is requesting an amendment to Council's original approval granted on 15th April 2015. The application was referred to Council for determination at the time due to a number of objections received during public consultation.

BACKGROUND

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In 2014, the Shire received a retrospective change of use application for the rally car school. Following assessment and public consultation, the application was referred to Council for its consideration at its Ordinary Council Meeting held on the 15th April 2015 where Council resolved the following:

That Council, grant approval for a period of 10 years for the Change of Use (Private Recreation - Rally Car School) at 724 Leaver Road, Bakers Hill subject to the following conditions:

- 1. The land use is to be undertaken in accordance with the approved plans and the details incorporated within the documentation endorsed with an 'Approved' stamp by the Shire of Northam;*
- 2. Hours of operation shall be limited to an average of 2 weekends per month from 1st March to 30th November between the hours of 0800 to 1600 hours Saturday and 0900 to 1700 Sunday and excluding public holidays;*
- 3. An annual register detailing all operations on the site subject to this approval, including the date and times in which the rally school operates to be submitted to the Shire by 30 June each year;*
- 4. The rally school is required to operate in accordance with the noise management plan submitted as part of this application;*
- 5. All vehicles used on site are to incorporate a suitable exhaust system which maintains a maximum noise output of 65dBA when measured at the property boundaries.*
- 6. The rally school is to operate in accordance with the requirements of the Environmental (Noise) Protection Regulations 1997. Should noise complaints that identify valid planning considerations and/or non-compliance be received, Council Officers shall investigate the matter and may require the applicant to employ a suitably qualified acoustic engineer to determine mitigation strategies, which shall be submitted to the Local Government for approval prior to implementation;*
- 7. The Dust Management Plan approved by the Shire of Northam must be adhered to and followed at all times. Should complaints that identify valid planning considerations and/or non-compliance be received, Council Officers shall investigate the matter and may require the applicant to install dust monitoring equipment at the applicants expense and regular reports provided to the Shire's Executive Manager of Development Services;*
- 8. All trafficable areas shall be treated and maintained in a manner which minimizes the generation of airborne dust to the satisfaction of the Local Government and in accordance with the approved dust management plan;*
- 9. All signage being submitted to and approved by the Local Government prior to installation;*
- 10. The applicant is required to submit and have approved an application for public event approval in accordance with the provisions of the Health Act 1911 for any activities that are not in accordance with this approval;*

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11. *All structures annotated as 'excluded' in red on the submitted site plan are not subject to this approval;*
12. *Permanent facilities to be provided including sanitary facilities, lunchroom, change-room and first aid facilities. Temporary facilities may be provided for a maximum of 2 years.*
13. *A licensee shall have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than \$10 million in respect to any one claim.*
14. *The licensee shall provide to the local government a copy of the policy taken out under the preceding condition, within 14 days after the issue of that policy and shall provide to a copy to the Local Government;*
15. *The rally school is not to operate during periods of total fire ban, vehicle movement bans and hot works bans.*
16. *The cost for additional road maintenance (as determined by Councils Engineering Department to be as a result of the rally school operations), is required to be met by the proponent for grading portions of Decastilla and Leaver Roads. The applicant will be notified in writing of the additional maintenance required and invoiced for work undertaken accordingly. Note that current maintenance consists of two grading per financial year; and*
17. *A performance bond of \$5,000 is to be paid to the Shire of Northam prior to the rally school commencing. The bond is to be held by the Shire of Northam to be used if required road maintenance contribution in conjunction with Condition 16 is not paid within 30 days of being invoiced. In the case that the road bond is required to be accessed by the Shire to cover the costs of Condition 16 above, the applicant will be notified in writing and the bond will be reinstated to the full amount.*
18. *Refuelling is to occur in the designated location and is to comply with the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 (the Storage and Handling Regulations) and supporting codes of practice.*
19. *Servicing and other maintenance of vehicles is to be carried out off-site.*
20. *Should it be deemed that conditions of approval are not being complied with the Shire of Northam reserves the right to revoke the approval at any stage.*

NOTE: If the development, subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.

NOTE: A Building Permit being obtained prior to the commencement of any works.

NOTE: Where an approval has so lapsed, no development shall be carried out without the further approval of the Local Government having first been sought and obtained.

NOTE: If an applicant is aggrieved by this determination there is a right of appeal under the Planning and Development Act 2005. An appeal must be lodged with the State Administrative Tribunal within 28 days of the determination.

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NOTE: A 2.0 metre firebreak being maintained along the property boundaries at all times.

CARRIED 5/3

STATUTORY REQUIREMENTS

Requests to amend a development approval are dealt with under Part 9 Clause 77 of the Deemed Provisions under the *Planning & Development (Local Planning Schemes) Regulations 2015* as follows:

77. Amending or cancelling development approval

- (1) An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following —*
 - (a) to amend the approval so as to extend the period within which any development approved must be substantially commenced;*
 - (b) to amend or delete any condition to which the approval is subject;*
 - (c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
 - (d) to cancel the approval.*
- (2) An application under subclause (1) —*
 - (a) is to be made in accordance with the requirements in Part 8 and dealt with under this Part as if it were an application for development approval; and*
 - (b) may be made during or after the period within which the development approved must be substantially commenced.*
- (3) Despite subclause (2), the local government may waive or vary a requirement in Part 8 or this Part in respect of an application if the local government is satisfied that the application relates to a minor amendment to the development approval.*
- (4) The local government may determine an application made under subclause (1) by —*
 - (a) approving the application without conditions; or*
 - (b) approving the application with conditions; or*
 - (c) refusing the application.*

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

STRATEGY C3.1: Develop, maintain and support appropriate recreation facilities throughout the Shire.

OBJECTIVE E2: Facilitate further development of regional tourism.

The Rally School attracts tourists to the Shire who are likely to visit other local activities supporting the growth of the regional tourism and events whilst also increasing the associated economic benefits that these visitors bring to the Shire.

BUDGET IMPLICATIONS

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Nil.

OFFICER'S COMMENT

During the advertising period, the submissions received raised concerns regarding the hours of operation for the application. However, in the year following the grant of development approval, according to Shire records, no complaints have been received in relation to the rally car school activities.

The proposed revised operating hours on a Saturday are 8:30am to 5pm in lieu of 8am to 4pm comply with the *Environmental Protection (Noise) Regulations 1997* stipulations in relation to operating hours.

It is considered that the extension in operating hours on a Saturday by 30 minutes represents a minor change to Condition 2 of Development Approval P1907 and therefore does not warrant public advertising. This view is formed by staff as it is considered that all relevant factors have been borne out of the initial consultation and re-advertising a minor amendment such as this would not result in new concerns being raised and therefore not assist Council in making a determination.

Further information regarding the background of Development Approval P1907 can be obtained from the minutes of the Ordinary Council Meeting held 15th April 2015 or from Shire Staff upon request.

Should Council resolve to amend Development Approval P1907, it is recommended that written advice be provided to the surrounding land owners who made a submission in respect of the original application to ensure that they are made aware of the minor change in operating hours for the rally car school.

RECOMMENDATION

That Council,

- 1. Amend Condition 2 of Temporary Development Approval P1907 granted 15th April 2015 for the Change of Use (Private Recreation - Rally Car School) at 724 Leaver Road, Bakers Hill as follows:**

(a) *Hours of operation shall be limited to an average of 2 weekends per month from 1st March to 30th November between the hours of 0830 to 1700 hours Saturday and 0900 to 1700 Sunday and excluding public holidays;*

- 2. Notify all land owners who made a submission in respect to the application of the amended hours of operation in writing.**

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13.3.6 NORTHAM RECREATION CENTRE AIR-CONDITIONING FEASIBILITY

Name of Applicant:	Internal
Name of Owner:	N/A
File Ref:	1.3.16.8
Officer:	Chadd Hunt
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

This report has been prepared to provide Council with options regarding the air-conditioning project for the Northam Recreation Centre.

BACKGROUND

As part of the 2015/16 Budget deliberations Council has included an allocation of \$500,000 for air-conditioning the sports hall of the Northam Recreation Centre. This followed an initial recommendation in the budget to allocate funding of \$350,000 for a mid-level evaporative air-conditioning option.

An initial assessment was undertaken by Tim Franklin Engineers which investigated 3 options for air-conditioning being –

1. High Volume Low Speed Fans (HVLS)
2. Evaporative Cooling
3. Refrigerated Air-conditioning

The report included some indicative capital costs however had limited information on the option of Indirect Evaporative Cooling or annual operating costs and life cycle costing. The recommended option of a mid-level evaporative air-conditioning option was included in the initial budget request as mentioned above.

Subsequent to the budget allocation staff have engaged a further report including the estimated benefits of the four options (including indirect evaporative cooling) and the operational and life cycle costings. A copy of this report is attached to the Agenda.

Council resolved at its meeting in December 2015 the following –

That agenda item 13.2.7 Northam Recreation Centre Air Conditioning Feasibility be laid on the table and Council request the Department of Sport & Recreation to conduct a survey of the air conditioning requirements for the Northam Rec Centre and report their recommendations back to Council in due course.

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STATUTORY REQUIREMENTS

Nil.

PUBLIC CONSULTATION

Nil.

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

STRATEGY C3.1: Develop, maintain and support appropriate recreation facilities throughout the Shire.

BUDGET IMPLICATIONS

As indicated above Council has allocated \$500,000 in the 2015/16 Budget for this project. The recommended action can be accommodated within this allocation.

OFFICER'S COMMENT

Following the resolution of Council above Council officers have discussed with Department of Sport and Recreation staff the issue of the option for the cooling of the Recreation Centre with the following comments being received –

I've read through the Council's 'Northam Recreation Centre Sports Hall – Report on Comfort Cooling Options'. Generally the document seems useful with the various options considered along with the estimated capital and recurrent costs appropriately identified. DSR would not normally undertake a study for an asset it does not own, this being the Council's responsibility. Having said that we are more than happy to assist the Council to achieve the best value for money outcome and in this regard I've provided some comments below. I'm on leave from COB tomorrow however I'm happy for you to provide this email and my details to Ross for further discussion.

We've been through similar extensive investigations for the WA Basketball Centre and State Netball Centre. The WABC includes passive ventilation to the 6 court sport hall (with fans) and the two court show court includes refrigerated air conditioning (AC). Feedback we've received is that generally hirers do not want to pay the additional costs for refrigerated air conditioning. At the State Netball Centre we've installed passive ventilation with low level displacement cooling for player comfort only. We've also tried to work with the sports in relation to fixturing during times of extreme heat, i.e. schedule training and competition in the early mornings or late evenings.

- *The report could benefit from including the Centre's usage patterns. I'm assuming that similar to most local government facilities that peak usage is after 3:30-4pm weekdays and from 9am on weekends.*

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- *An understanding of the summer temperature pattern may be beneficial – for example the time of maximum temperature would be useful when assessed against peak usage. Generally the hotter days have a later maximum temperature, i.e. 2 or 3pm. How does this coincide with peak usage, at what point does the ambient temperature cool sufficiently etc.*
- *Do the prevailing winds provide a benefit – obviously Perth, particularly the coastal suburbs, benefits from the afternoon south-westerly which can be used for passive cooling.*
- *Does the night-time temperature provide for ‘purging’ of daytime heat?*
- *It might be beneficial to consider displacement cooling (possibly a variation on the HVLS option) with potential modification to the passive ventilation system.*

Subsequently, Rob Thompson has provided the following additional information regarding the State netball and basketball Centres;

Hi Ross

The consultant we used on the State Netball Centre project were Stevens, McGann, Willcock and Copping Pty Ltd. They designed the air conditioning systems for the office space (refrigerated) and the 4 court sports hall (displacement air conditioning) and the passive ventilation system. Originally the State Netball Centre sports hall was only going to be passively ventilated however during the Project Definition stage Netball WA raised concerns about elite player comfort during the summer months. On that basis we determined that low level displacement air conditioning was the best value for money solution combined with passive ventilation (high level louvres). The system will keep the 2m space above the courts at about 28 degrees during hotter days. Given there are only 1,100 spectator seats and the State League starts in Feb/March and plays in the evening we didn't believe it value for money to expand the displacement system for further spectator comfort, especially given the show court capability at that WA Basketball Centre (see below).

The consultants we used on the WA Basketball Centre project were Steens, Gray and Kelly. The WA Basketball Centre has refrigerated air conditioning to the two court show court (2,000 person grandstand) and passive ventilation for the 6 court sports hall (500 seats) with fans installed once operations had commenced to assist air flow. The design of the WA Basketball Centre makes use of the summer south-westerly with low level louvres incorporated on the southern side of the building and high level louvres on the north side to vent the warmer air. Feedback we've had is that people participating in community level competition don't want to pay the cost of operating the air conditioning on the show courts. The capital and operating costs of providing refrigerated air conditioning were prohibitive given there are only a few weeks a year, like this week, where that system may be required. From memory the ambient temperature is suitable for 70% of the operating time without mechanical heating or cooling hence the decisions made

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Generally our decision rationale included an assessment of usage times, competition level (i.e. elite, State league, community etc.), number of forecast spectators, relevant ambient temperature and wind conditions for passive ventilation purposes.

Hope that helps. Happy to discuss further.

The comments from the DSR with regard to the suggested additional information regarding peak usage times, temperatures and wind direction can be provided when the matter is presented to the next formal Council meeting. In staffs opinion the comments from DSR officers support the previous recommendation from staff.

The current report has investigated five options for the cooling of the Recreation Centre being –

- Air-conditioning (AC)
- Evaporative Cooling (EC)
- Indirect Evaporative Cooling (IEC)
- HVLS Fans
- EC and HVLS Fans

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The table below summarises the findings of the latest report.

	Airconditioning	Evap Cooling	Indirect Evap Cooling	HVLS Fans	EC + HVLS
Conditions					
Ambient (°CDB/RH)	40.0/35%	40.0/35%	40.0/35%	40.0/35%	40.0/35%
Internal (°CDB/RH)	27.0/55%	31.0/75%	36.5/43%	40.0/35%	31.0/75%
Air Velocity (m/s)	0.5	1.5	1.0	3.0	3.0
Effective Temp (°CDB)	27.6	30.6	31.8	32.5	29.5
Capital Costs					
Mechanical	\$480,000.00	\$290,000.00	\$500,000.00	\$125,000.00	\$400,000.00
Electrical	\$5,000.00	\$5,000.00	\$5,000.00	\$3,000.00	\$5,000.00
Hydraulic	\$3,000.00	\$10,000.00	\$15,000.00	\$0.00	\$10,000.00
Building Works	\$175,000.00	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00
Total	\$663,000.00	\$355,000.00	\$570,000.00	\$128,000.00	\$465,000.00
Procurement Costs					
Project Mgt	\$25,000.00	\$20,000.00	\$25,000.00	\$10,000.00	\$25,000.00
Architect	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	\$15,000.00
Mech Consultant	\$50,000.00	\$35,000.00	\$45,000.00	\$15,000.00	\$40,000.00
Structural Consult	\$20,000.00	\$20,000.00	\$20,000.00	\$0.00	\$20,000.00
Total	\$110,000.00	\$90,000.00	\$105,000.00	\$25,000.00	\$100,000.00
Recurrent Costs					
Energy	\$22,000.00	\$6,500.00	\$11,000.00	\$2,000.00	\$8,500.00
Maint	\$8,500.00	\$4,000.00	\$6,000.00	\$1,000.00	\$5,000.00
Life Cycle					
Years	20	10	10	20	
Replacement Cost	\$200,000.00	\$110,000.00	\$300,000.00	\$100,000.00	
Power					
Amps	150	40	60	10	50
Availability	Yes	Yes	Yes	Yes	Yes
Building Works					
Structural	AC unit platforms + access	EC unit platforms + access	IEC unit platforms + access	NIL	EC unit platforms + access
Screening	Yes	Yes	Yes	NIL	Yes
Hydraulic	Condensate drains	Condensate drains + Water Supply	Condensate drains + Water Supply	NIL	Condensate drains + Water Supply
Fabric Insulation	Required	Not Required	Not Required	NIL	Not Required
Other				NIL	
BL Required	Yes	Yes	Yes	No	Yes
Program (wks)					
Design & Document	8	8	8	2	8
Tender & Award	4	4	4	3	4
Execute	20	12	16	12	12
Total	32	24	28	17	24
Cost Summary					
Capital	\$773,000.00	\$445,000.00	\$675,000.00	\$153,000.00	\$565,000.00
Recurrent	\$30,500.00	\$10,500.00	\$17,000.00	\$3,000.00	\$13,500.00
Annual Sinking	\$10,000.00	\$11,000.00	\$30,000.00	\$5,000.00	\$16,000.00

In order to determine which option Council wishes to pursue, a direction on what the objective is that Council wants to achieve from the project is needed. For example if the main objective is for player comfort only then the HVLS fans would meet that criteria. If the objective is to meet improved conditions for both players, spectators and occasional events then the use of air-conditioning should be pursued. If this option is pursued the report is quite clear in the benefits and shortfalls of each of the options presented.

From staff's perspective the use of the Air-conditioning, whilst achieving the best conditions is cost prohibitive from both a capital purchase and also that additional works such as insulation will be required which has not been included within the budget figures.

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Similarly the use of the IEC has a high capital cost and will achieve the same the same conditions (generally) as the more conventional EC.

From the report findings there are two options available, this being the use of a combination of HVLS fans and Evaporative Cooling or only to pursue the HVLS fans at this stage and reassess the installation of the Evaporative Units following a review period with the main user groups of the centre, being sporting clubs and organisations. As indicated in the report, staging the installation will have minimal additional costs.

It is recommended by staff that Council adopt the second option and assess the effectiveness over a full summer. It is hoped that should this option be effective, the installation of the additional evaporative cooling will not be required. This may provide Council with the opportunity to reassess the priority for funding on other capital works currently planned.

RECOMMENDATION

That Council;

- 1. Notes the contents and recommendations of the report on cooling options for the Northam Recreation Centre prepared by Geoff Hesford Consultants.**
- 2. Endorse the installation of HVLS fans for the cooling of the Northam Recreation Centre.**
- 3. Request the Chief Executive Officer to provide a report to Council in April 2017 giving an update on the operation and effectiveness of these fans.**

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**NORTHAM RECREATION CENTRE
SPORTS HALL**

**REPORT ON COMFORT
COOLING OPTIONS**

Prepared for:

SHIRE OF NORTHAM

Geoff
Hestford
BE MIEAUST

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

DOCUMENT HISTORY

Revision	Date Issued	Revision Comment	Author
A	29 Nov 2015	Issued for Client Review	G Hesford

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

1.0 EXECUTIVE SUMMARY

The Sports Hall of Northam Recreation Centre is naturally ventilated by a combination of:

- Low level wall louvres
- High level wall louvres
- A Fixed ridge vent
- Rotary cowls

With a summer design condition of 40.0°CDB / 26.4°CWB (35%RH) which can often be exceeded, conditions within the Hall have proven to be too uncomfortable to conduct sports activities or even more sedentary uses such as exhibitions.

This report has examined the installation of five cooling options being:

- Airconditioning (AC)
- Evaporative Cooling (EC)
- Indirect Evaporative Cooling (IEC)
- High Volume Low Speed (HVLS) Fans
- EC + HVLS Fans

Following a site visit, preliminary engineering has been undertaken to derive system capacities, and equipment selections to enable capital, recurrent and replacement costs to be determined.

Thermal Comfort is discussed herein and Effective Temperatures derived for each option.

A summary of the findings are as follows:

	AC	EC	IEC	HVLS Fans	EC + HVLS
Effective Temp (°CDB)	27.6	30.6	31.8	32.5	29.5
Capital	\$773,000.00	\$445,000.00	\$675,000.00	\$153,000.00	\$565,000.00
Recurrent	\$30,500.00	\$10,500.00	\$17,000.00	\$3,000.00	\$13,500.00
Annual Sinking	\$10,000.00	\$11,000.00	\$30,000.00	\$5,000.00	\$16,000.00
Time to Implement (wks.)	32	24	28	17	24

The Evaporative Cooling + HVLS Fans option is the recommended because it offers good thermal comfort for moderate costs.

This combination in reality will provide equal or better comfort conditions than the airconditioning option because the cooling effect of the evaporative cooling will be evenly spread across the courts and augmented by the high air movement from the fans.

This combination also enables the use of just the fans for a considerable time of the warmer months, particularly in the evenings.

If funding is an issue, then HVLS Fans on their own is the next preferred option. Evaporative cooling could be added as a second stage with no abortive costs incurred.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

2.0 INTRODUCTION

2.1. SCOPE

This report examines five options to provide cooling of the Sports Hall.

For each option the following aspects have been considered:

- Thermal Comfort
- Capital costs
- Procurement costs
- Recurrent costs
- Replacement costs
- Time to Implement

2.2. OBJECTIVES

The objectives of this report are to present practical alternatives for the improvement of internal comfort conditions for the Sports Hall throughout the warmer months of the year.

By providing comparative comfort levels for the costs incurred, an objective decision can be made as to which option presents the most balance outcome.

2.3. METHODOLOGY

Firstly a site visit was undertaken in the company of council staff and the electrical maintenance contractor to familiarise the author with the physical and services constraints of the building.

Preliminary engineering of all options was then undertaken to establish:

- System capacities
- Equipment selections and costs
- Power requirements
- Spatial requirements
- Noise considerations
- Thermal comfort levels

Detailed estimates were then undertaken for all costs (capital, recurrent & replacement).

Options have been presented in a spreadsheet format for easy comparison. (Appendix 1.0)

2.4. LIMITATIONS

No structural engineering assessment has been made for the placement of equipment on structural platforms over the rooms on the NE side of the Sports Hall.

Experience suggests this will not be an issue for the Evaporative Cooling (EC) and Indirect Evaporative Cooling (IEC) options.

Whilst the Airconditioning option has heavier equipment, support from the existing structure should not be that difficult to achieve.

Water costs have not been estimated for the EC or IEC options as the variables make this impossible to predict with any accuracy.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

3.0 COSTS ESTIMATES

3.1. BASIS

Capital, procurement and recurrent costs are based on today's rates and do not include the following:

- GST
- Escalation to time of Tender

Replacement costs equally have been calculated at today's rates.

3.2. CAPITAL COSTS

Item	Comment
Mechanical	Expected trade cost for all mechanical services works
Electrical	Costs to provide electrical supplies to equipment or Mechanical Services Switch Boards (MSSB's)
Hydraulic	Costs for provision of water and condensate drainage. Does not include monitored metering
Building Works	Costs for structural platforms, access, flashed wall penetrations and in the case of the AC option, to insulate the external tilt panel walls

3.3. PROCUREMENT COSTS

These costs are for engagement of:

- Project Manager
- Architect
- Mechanical Consultant
- Structural Consultant

No allowance has been made for internal costs of Shire employees.

3.4. RECURRENT COSTS

3.4.1. Energy Costs

It is very difficult to predict the energy costs of these options as the variables and assumptions to be considered are very wide.

Average load profiles have been assumed for each month varying from 100% to 80% for differing options for the hottest months to 0% for all options in the winter months

Operating hours have been taken as 8 hrs per day for 200 days per year = 1600 hrs/year and this has been applied to all options.

Average electricity cost has been taken @ \$0.25/kWhr.

3.4.2. Maintenance Costs

Maintenance costs include normal labour and consumables for routine maintenance.

They do not include service call outs or unexpected replacements/repairs beyond the contract warranty period.

3.5. REPLACEMENT COSTS

Replacement costs include for the replacement of equipment at the end of their economic life spans.

For simplistic comparative purposes a "sinking cost" has been derived as Replacement Cost/Life Span

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4.0 THERMAL COMFORT

Thermal comfort is a very complex parameter to describe and/or calculate and is a function of many factors, the principle ones being:

- Dry Bulb Temperature
- Relative Humidity
- Occupant metabolic rate (activity)
- Clothing
- Air velocity

The following is extracted from Wikipedia.

Thermal comfort is the condition of mind that expresses [satisfaction](#) with the thermal environment and is assessed by subjective evaluation ([ANSI/ASHRAE Standard 55](#)).^[1] Maintaining this standard of thermal comfort for occupants of buildings or other enclosures is one of the important goals of [HVAC \(heating, ventilation, and air conditioning\)](#) design engineers.

Thermal neutrality is maintained when the heat generated by human metabolism is allowed to dissipate, thus maintaining thermal equilibrium with the surroundings. The main factors that influence thermal comfort are those that determine heat gain and loss, namely [metabolic rate](#), [clothing insulation](#), air temperature, [mean radiant temperature](#), air speed and [relative humidity](#). Psychological parameters such as individual expectations also affect thermal comfort.^[2]

The Predicted Mean Vote (PMV) model stands among the most recognized thermal comfort models. It was developed using principles of heat balance and experimental data collected in a controlled climate chamber under steady state conditions.^[3] The adaptive model, on the other hand, was developed based on hundreds of field studies with the idea that occupants dynamically interact with their environment. Occupants control their thermal environment by means of clothing, operable windows, fans, personal heaters, and sun shades.^{[4][5]}

The PMV model can be applied to air conditioned buildings, while the adaptive model can be generally applied only to buildings where no mechanical systems have been installed.^[6] There is no consensus about which comfort model should be applied for buildings that are partially air conditioned spatially or temporally.

Thermal comfort calculations according to [ANSI/ASHRAE Standard 55](#)^[7] can be freely performed with the [CBE Thermal Comfort Tool for ASHRAE 55](#).

The CBE Thermal Comfort Tool for ASHRAE 55 has its limitations when operating in the ranges of temperature, humidity and metabolic rate associated with indoor sports.

However this tool has been used to provide comparative "Effective Temperatures" for each option using a metabolic rate of 2.0 (Walking @ 3.2 km/hr). Basketball has a metabolic rate of 6.3, however when applied, the calculator crashes at the estimated internal conditions!!

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5.0 CONSTRAINTS

5.1. NOISE

The neighbouring property to the SW kills any consideration of locating equipment on this side of the building.

Whilst it may be possible to select equipment then house it in acoustic enclosures, the costs of such attenuation would be prohibitive and in the case of the EC & ICE options the additional pressure drop to the airflow would render these options useless.

5.2. INFRASTRUCTURE

There are no foreseen constraints in terms of electrical or hydraulic services to support any of the options considered.

5.3. STRUCTURE

As noted earlier, detailed structural assessment to support plant over the over the rooms on the NE side of the Sports Hall.

Whilst the Airconditioning option has heavier equipment, support from the existing structure should not be that difficult to achieve.

Experience suggests this will not be an issue for the Evaporative Cooling (EC) and Indirect Evaporative Cooling (IEC) options.

5.4. BCA SECTION J REQUIREMENTS

The installation of airconditioning will require the installation of insulation to the tilt panels exposed to external elements.

This is considered the absolute minimum on the basis that an Alternative Solution could be developed to demonstrate that the conditioned space is below the 4.0m height of the tilt panels and that the heat gains from the upper walls and roof do not impact on the cooling demands of the occupied space.

The EC, IEC and High Volume Low Speed (HVLS) fan options all consume well less than the 15 W/sqm limitation which would require insulation being applied to the tilt panels.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

6.0 OPTIONS CONSIDERED

6.1. AIRCONDITIONING

6.1.1. Design Criteria

To establish system capacities, the following Design Criteria have been used:

Ambient Conditions	Summer	40.0°CDB / 26.4°CWB (35%RH)
Internal Conditions	Summer	27.0°CDB/50%RH
Control Tolerance	Temperature	± 1.5°C DB about set point.
	Humidity	No specific humidity controls; Resultant humidity levels are achieved by virtue of cooling coil performance.
Occupancy		400 people
Minimum Fresh Air Rate		2,500 l/s

6.1.2. Systems Description

The above criteria indicate a total cooling demand of 200 kW_r.

Four off 55 kW_r nominal capacity roof top package units would be located on screened structural platforms over the roofs of the rooms to the NE side of the Sports Hall.

Conditioned air would be delivered to the occupied zone (4000H) via insulated ductwork suspended/bracketed along the NE wall just above the tilt panels and utilising double deflection sidewall registers.

Return air would be drawn through a return air grille mounted behind the supply air ductwork as the supply air ductwork will be located approximately 400 mm in front of the grille to enable it to pass in front of the columns.

The registers would be sized to throw the conditioned air approximately half way across the court as trying to throw all the way would result in unacceptable noise levels and pressure drops.

This means there will be temperature gradient across the court (approximately 2 degrees) dependent on the level of on court activity that will assist in dispersing the cooler air across the court.

All units would be controlled and monitored by the existing BMS system thus enabling time programming, fault enunciation and temperature setpoint adjustment.

At these cooling capacities, the units will incorporate economy cycles to utilise 100% outside air when more economical to do so.

6.1.3. Associated Works

Associated works required are as follows:

Discipline	Works
Building	Insulation of tilt panels Flashed wall penetrations
Structural	AC platforms Screening Access
Electrical	Submains to units/MSSB
Hydraulic	Condensate drains to AC units

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6.1.4. Building Licence

Given the extent of works and particularly as it incorporates structural work, a Building Licence will be required.

6.1.5. Program

Estimated time to fully implement the works from approval to proceed is 32 working weeks.

6.2. EVAPORATIVE COOLING

6.2.1. Design Criteria

To establish system capacities, the following Design Criteria have been used:

Ambient Conditions	Summer	40.0°CDB / 26.4°CWB (35%RH)
Internal Conditions	Summer	31.0°CDB/75%RH
Occupancy		400 people

6.2.2. Systems Description

The above criteria indicate a total supply air quantity of approximately 30,000 l/s is required.

Four off 7,500 l/s EC units would be located on screened structural platforms over the roofs of the rooms to the NE side of the Sports Hall.

Supply air distribution would be similar to that described for the AC option.

However, there is no return air and vitiated air would be relieved via the high level louvered openings and the ridge vent.

Again conditioned air would be thrown approximately half way across the court.

All units would be controlled and monitored by the existing BMS system thus enabling time programming, vent/cooling operation and fault enunciation.

6.2.3. Associated Works

Associated works required are as follows:

Discipline	Works
Building	Flashed wall penetrations
Structural	EC platforms Screening Access
Electrical	Submains to units/MSSB
Hydraulic	Water supplies to the EC units Condensate drains to EC units

6.2.4. Building Licence

Given the extent of works and particularly as it incorporates structural work, a Building Licence will be required.

6.2.5. Program

Estimated time to fully implement the works from approval to proceed is 24 working weeks.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

6.3. INDIRECT EVAPORATIVE COOLING

6.3.1. Design Criteria

To establish system capacities, the following Design Criteria have been used:

Ambient Conditions	Summer	40.0°CDB / 26.4°CWB (35%RH)
Internal Conditions	Summer	36.5°CDB/45%RH
Occupancy		400 people

6.3.2. Systems Description

The above criteria indicate a total supply air quantity of approximately 16,000 l/s is required.

Four groups of IEC units, each group comprising 4 x 1,000 l/s units would be located on screened structural platforms over the roofs of the rooms to the NE side of the Sports Hall.

Supply air distribution would be similar to that described for the AC option.

As there is no return air, vitiated air would be relieved via the high level louvered openings and the ridge vent.

Again conditioned air would be thrown approximately half way across the court.

All units would be controlled and monitored by the existing BMS system thus enabling time programming, vent/cooling operation and fault enunciation.

6.3.3. Associated Works

Associated works required are as follows:

Discipline	Works
Building	Flashed wall penetrations
Structural	EC platforms Screening Access
Electrical	Submains to units/MSSB
Hydraulic	Water supplies to the EC units Condensate drains to EC units

6.3.4. Building Licence

Given the extent of works and particularly as it incorporates structural work, a Building Licence will be required.

6.3.5. Program

Estimated time to fully implement the works from approval to proceed is 28 working weeks.

6.4. HVLS FANS

6.4.1. Systems Description

High Volume Low Speed (HVLS) fans achieve their cooling effect in a similar fashion to evaporative cooling systems by air movement evaporating body sweat.

At peak summer ambient conditions, the internal conditions will be similar to the external conditions – perhaps marginally cooler given the thermal mass of the building.

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Whilst technically 6 off 3.6m dia fans will do the job, there is little difference in cost to install either 5.4 m dia or even 6.0m dia fans.

MSK-001 in Appendix 2.0 shows an overlay of the 4.8, 5.6 and 6.0m dia fans.

Costings have been based on the 5.4m dia fans.

6.4.2. Associated Works

Discipline	Works
Building	NIL
Structural	NIL
Electrical	Submains to MSSB
Hydraulic	NIL

6.4.3. Building Licence

Given the works are entirely internal and do not require any structural works, a Building License should not be required.

6.4.4. Program

Estimated time to fully implement the works from approval to proceed is 17 working weeks.

6.5. EVAPORATIVE COOLING + HVLS FANS

6.5.1. Rationale

One of the major shortcomings of the AC, EC and IEC options is the inability of these systems to throw the conditioned air further than approximately 50% of the way across the courts.

This will result in temperature gradients across the courts with the extremities being possibly 2 degrees warmer than areas closest to the points of air discharge.

Installing both the EC & HVLS Fans will ensure that the conditioned air is quickly dispersed across the whole court area and the high air velocities delivered will increase the cooling effect of the evaporative cooling process.

This greater cooling effect is demonstrated by the lower effective temperature (29.5 degrees versus 30.6 degrees for EC only).

6.5.2. Systems Description

For this option, all works described for the EC & HVLS options would be incorporated.

6.5.3. Associated Works

Associated works required are as follows:

Discipline	Works
Building	Flashed wall penetrations
Structural	EC platforms Screening Access
Electrical	Submains to units/MSSB
Hydraulic	Water supplies to the EC units Condensate drains to EC units

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6.5.4. Building Licence

Given the extent of works and particularly as it incorporates structural work, a Building Licence will be required.

6.5.5. Program

Estimated time to fully implement the works from approval to proceed is 24 working weeks.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

7.0 DISCUSSION

7.1. AIRCONDITIONING

This option has the highest capital and recurrent cost.

It has a problem in dispersing the conditioned air further than 50% of the way across the court resulting in temperature gradient across the courts.

Predicted Effective Temperature is 27.6°CDB (excluding the abovementioned gradient issue).

Whilst comfort levels are predictably the best, they come at very high costs.

7.2. EVAPORATIVE COOLING

This option has moderate capital and low recurrent costs.

A for the airconditioning option, it has a problem in dispersing the conditioned air further than 50% of the way across the court resulting in temperature gradients across the courts.

Predicted Effective Temperature is 30.6°CDB (excluding the abovementioned gradient issue).

Comfort levels reflect costs = marginal.

7.3. INDIRECT EVAPORATIVE COOLING

This option has high capital costs, moderate recurrent costs and very high replacement costs.

The high replacement costs are the result of the number of units, their cost and relatively short life span – similar to evaporative coolers at 10 years.

As for the airconditioning option, it has a problem in dispersing the conditioned air further than 50% of the way across the court resulting in temperature gradients across the courts.

Predicted Effective Temperature is 31.8°CDB (excluding the abovementioned gradient issue).

Indicated comfort levels are not as good as evaporative cooling due predominantly to the lower air movement from this system.

A poor thermal outcome for very high costs.

7.4. HVLS FANS

This option has the lowest capital, recurrent and replacement costs.

It is also the easiest and quickest to implement.

Predicted Effective Temperature is 32.5°CDB, however in reality is likely to be a little better than this using the larger 5.4m dia fans.

This is still relatively warm but does represent a noticeable reduction in temperature from ambient conditions.

Good value.

7.5. EVAPORATIVE COOLING + HVLS FANS

This option has moderate capital, recurrent and replacement costs.

Predicted Effective Temperature is 29.5°CDB, however in reality is likely to be a little better than this using the larger 5.4m dia fans.

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This combination in reality will provide equal or better comfort conditions than the airconditioning option because the cooling effect of the evaporative cooling will be evenly spread across the courts and augmented by the high air movement from the fans.

This combination also enables the use of just the fans for a considerable time of the warmer months, particularly in the evenings.

Energy costs are therefore likely to be similar to EC only as the EC units will not run as much in the milder ambient conditions.

Moderately expensive but provides very good thermal comfort for reasonable recurrent and replacement costs.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

8.0 RECOMMENDATION

The Evaporative Cooling + HVLS Fans option is the recommended option for the reasons outlined above.

If funding is an issue, then HVLS Fans on their own is the next preferred option. Evaporative cooling could be added as a second stage with no abortive costs incurred.

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NORTHAM RECREATION CENTRE – COOLING OPTIONS

APPENDIX 1.0
OPTIONS MATRIX

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NORTHAM RECREATION CENTRE COMFORT COOLING OPTIONS

	Airconditioning	Evap Cooling	Indirect Evap Cooling	HVLS Fans	EC + HVLS
Conditions					
Ambient (°CDB/RH)	40.0/35%	40.0/35%	40.0/35%	40.0/35%	40.0/35%
Internal (°CDB/RH)	27.0/55%	31.0/75%	36.5/43%	40.0/35%	31.0/75%
Air Velocity (m/s)	0.5	1.5	1.0	3.0	3.0
Effective Temp (°CDB)	27.6	30.6	31.8	32.5	29.5
Capital Costs					
Mechanical	\$480,000.00	\$290,000.00	\$500,000.00	\$125,000.00	\$400,000.00
Electrical	\$5,000.00	\$5,000.00	\$5,000.00	\$3,000.00	\$5,000.00
Hydraulic	\$3,000.00	\$10,000.00	\$15,000.00	\$0.00	\$10,000.00
Building Works	\$175,000.00	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00
Total	\$663,000.00	\$355,000.00	\$570,000.00	\$128,000.00	\$465,000.00
Procurement Costs					
Project Mgt	\$25,000.00	\$20,000.00	\$25,000.00	\$10,000.00	\$25,000.00
Architect	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	\$15,000.00
Mech Consultant	\$50,000.00	\$35,000.00	\$45,000.00	\$15,000.00	\$40,000.00
Structural Consult	\$20,000.00	\$20,000.00	\$20,000.00	\$0.00	\$20,000.00
Total	\$110,000.00	\$90,000.00	\$105,000.00	\$25,000.00	\$100,000.00
Recurrent Costs					
Energy	\$22,000.00	\$8,500.00	\$11,000.00	\$2,000.00	\$8,500.00
Maint	\$8,500.00	\$4,000.00	\$6,000.00	\$1,000.00	\$5,000.00
Life Cycle					
Years	20	10	10	20	
Replacement Cost	\$200,000.00	\$110,000.00	\$300,000.00	\$100,000.00	
Power					
Amps	150	40	60	10	50
Availability	Yes	Yes	Yes	Yes	Yes
Building Works					
Structural	AC unit platforms + access	EC unit platforms + access	IEC unit platforms + access	NIL	EC unit platforms + access
Screening	Yes	Yes	Yes	NIL	Yes
Hydraulic	Condensate drains	Condensate drains + Water Supply	Condensate drains + Water Supply	NIL	Condensate drains + Water Supply
Fabric Insulation	Required	Not Required	Not Required	NIL	Not Required
Other				NIL	
BL Required	Yes	Yes	Yes	No	Yes
Program (wks)					
Design & Document	8	8	8	2	8
Tender & Award	4	4	4	3	4
Execute	20	12	16	12	12
Total	32	24	28	17	24
Cost Summary					
Capital	\$773,000.00	\$445,000.00	\$675,000.00	\$153,000.00	\$565,000.00
Recurrent	\$30,500.00	\$10,500.00	\$17,000.00	\$3,000.00	\$13,500.00
Annual Sinking	\$10,000.00	\$11,000.00	\$20,000.00	\$5,000.00	\$16,000.00

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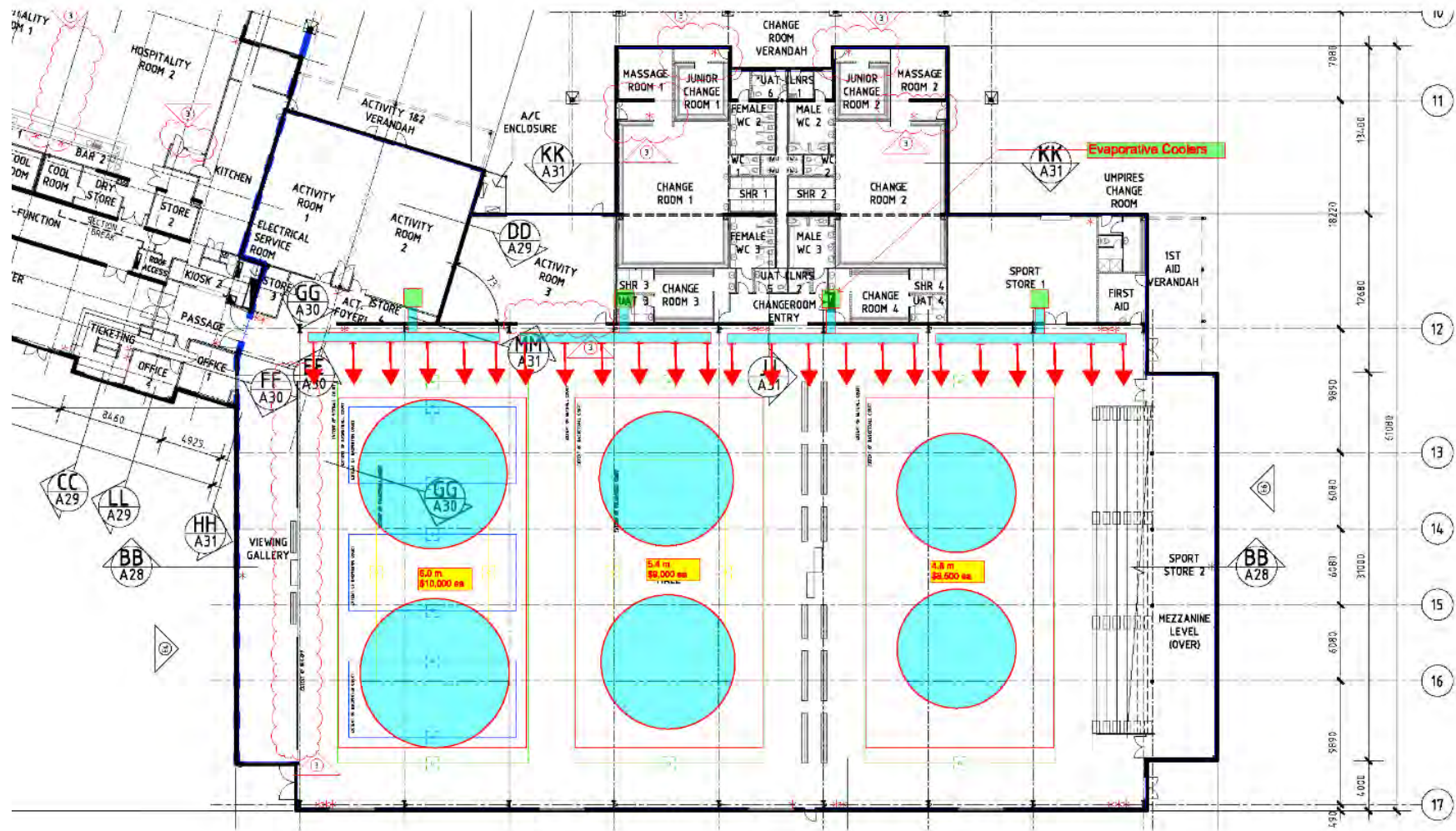
NORTHAM RECREATION CENTRE – COOLING OPTIONS

APPENDIX 2.0
EC + HVLS FANS SKETCH

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Cr U Rumjantsev has declared an 'Impartiality' interest in item 13.3.7 - Request to Purchase a Portion of Spencers Brook Road Reserve Adjacent to Lot 102 Spencers Brook Road, Warranine as Marilyn Piper is known to him as a friend also via Riding for Disabled & Carriage Driving Group.

13.3.7 REQUEST TO PURCHASE A PORTION OF SPENCERS BROOK ROAD RESERVE ADJACENT TO LOT 102 SPENCERS BROOK ROAD, WARRANINE

Name of Applicant:	Marilyn Piper
Name of Owners:	Shire of Northam
File Ref:	A2154
Officer:	Chadd Hunt / Courtney Wynn
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

Council has received a request from Mrs Marilyn Piper, who would like to purchase a 20m wide strip of the Spencers Brook Road Reserve that is adjacent to the front boundary of her property located at Lot 102 Spencers Brook Road, Warranine.

BACKGROUND

A 820m long, 20m wide portion of the Spencers Brook Road Reserve has been fenced off and utilised by previous land owners of Lots 101 & 102 Spencers Brook Road at some point during the last 50 years. The present land owner of Lot 101 Spencers Brook Road only discovered that their crossover, driveway and a water tank have been constructed on the Shire's Road Reserve when she submitted a development application to construct an outbuilding extension in late 2014.

The road reserve along the majority of the Spencers Brook Road is approximately 40m wide. However, the road reserve is approximately 60m wide for a stretch of 820m where it adjoins Lots 101 and 102 Spencers Brook Road, Warranine (Appendix 1). Evidence shows that it is believed that the reason the road reserve is so wide in this location is due another road (Wilding Road) being amalgamated with Spencers Brook Road sometime prior to 1947.

It should be noted that Officers approached the land owners of Lot 101 Spencers Brook Road, who have advised that they not interested in purchasing the portion of road reserve that adjoins their property. Therefore this request only pertains to the portion of road reserve that adjoins Lot 102 as shown on the map in Appendix 1.

STATUTORY REQUIREMENTS

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Land Administration Act 1997

The *Land Administration Act 1997* (LAA) is Western Australia's legislation in which the creation and closure of roads is dealt under. A local government that wishes to close a road must comply with Section 58 of the LAA and Regulation 9 of the *Land Administration Regulations 1998* which includes dealing with public advertising, objections and service agency responses, formally resolving to close the road and advising the Department of Lands in writing.

Land Administration Act 1997 - Section 58

"58. Closing roads

- (1) *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —*
 - (a) *by order grant the request; or*
 - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - (c) *refuse the request.*
- (5) *If the Minister grants a request under subsection (4) —*
 - (a) *the road concerned is closed on and from the day on which the relevant order is registered; and*
 - (b) *any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road —*
 - (a) *becomes unallocated Crown land; or*
 - (b) *if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land."*

Land Administration Regulations 1998 - Regulation 9

"For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request —

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- (a) *written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and*
- (b) *sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and*
- (c) *copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and*
- (d) *a copy of the relevant notice of motion referred to in paragraph (c); and*
- (e) *any other information the local government considers relevant to the Minister's consideration of the request; and*
- (f) *written confirmation that the local government has complied with section 58(2) and (3) of the Act."*

PUBLIC CONSULTATION

The local government must advertise the proposed road closure in accordance with the procedure outlined in Section 58 of the *Land Administration Act 1997* which requires the local government to advertise the proposed road closure in a newspaper circulating in its district of notice for a minimum of 35 days.

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

OBJECTIVE P2: Accessible and legible communities

The proposed sale of the portion of the Spencers Brook Road Reserve to the adjoining land owner would ensure safe vehicles access for the land owners and rationalise the alignment of the Spencers Brook Road Reserve in a consistent logical configuration.

BUDGET IMPLICATIONS

The cost to proceed with this request cannot be calculated at this stage, however, there will be associated costs for:

- Advertising in the local newspaper
- Cost of surveying the Spencers Brook Road Reserve & new Lot 102 boundary.
- Cost of the valuation of the surplus land.
- Transfer of Land & Settlement
- Amalgamation of the sold portion of land with the adjoining lot.

It is recommended that Council impose all costs associated with this request upon the land owners of Lot 102 Spencers Brook Road.

OFFICER'S COMMENT

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The matter is of particular concern to the land owner of Lot 102 Spencers Brook Road as they have spent considerable funds constructing and maintaining their driveway which has been constructed entirely on the Shire's land. It should also be noted that there is a significant waterway running through the property to the rear of the buildings which prevents the land owners of Lot 102 from obtaining safe road access from Old Spencers Road. The Shire's Engineering Department have previously advised that direct road access onto Spencers Brook Road is not permitted due to safety concerns.

The size of the subject portion of the road reserve suggests that the only viable option is for the land to be amalgamated into the adjoining property to ensure that the land can continue to be used and maintained by the land owner as they have done for years. The land value of the subject portion of the road reserve cannot be determined at this stages as it needs to be surveyed and valued. However, due to the narrow dimensions of the land and the fact that new development cannot be approved on the land, the value is expected to be low.

The 8,300m² portion of the reserve subject to this request is not required by the Shire of Northam for use as a road reserve and would only of be of value to the adjoining land owner. The reconfiguration of this section of the road reserve would reduce land with associated maintained responsibilities which although have been carried out by the adjoining land owner are technically the responsibility of the Shire of Northam.

It is recommended that Council support the proposal provided that the owners of Lot 102 Spencers Brook Road agree to meet all costs associated with the disposal of the property.

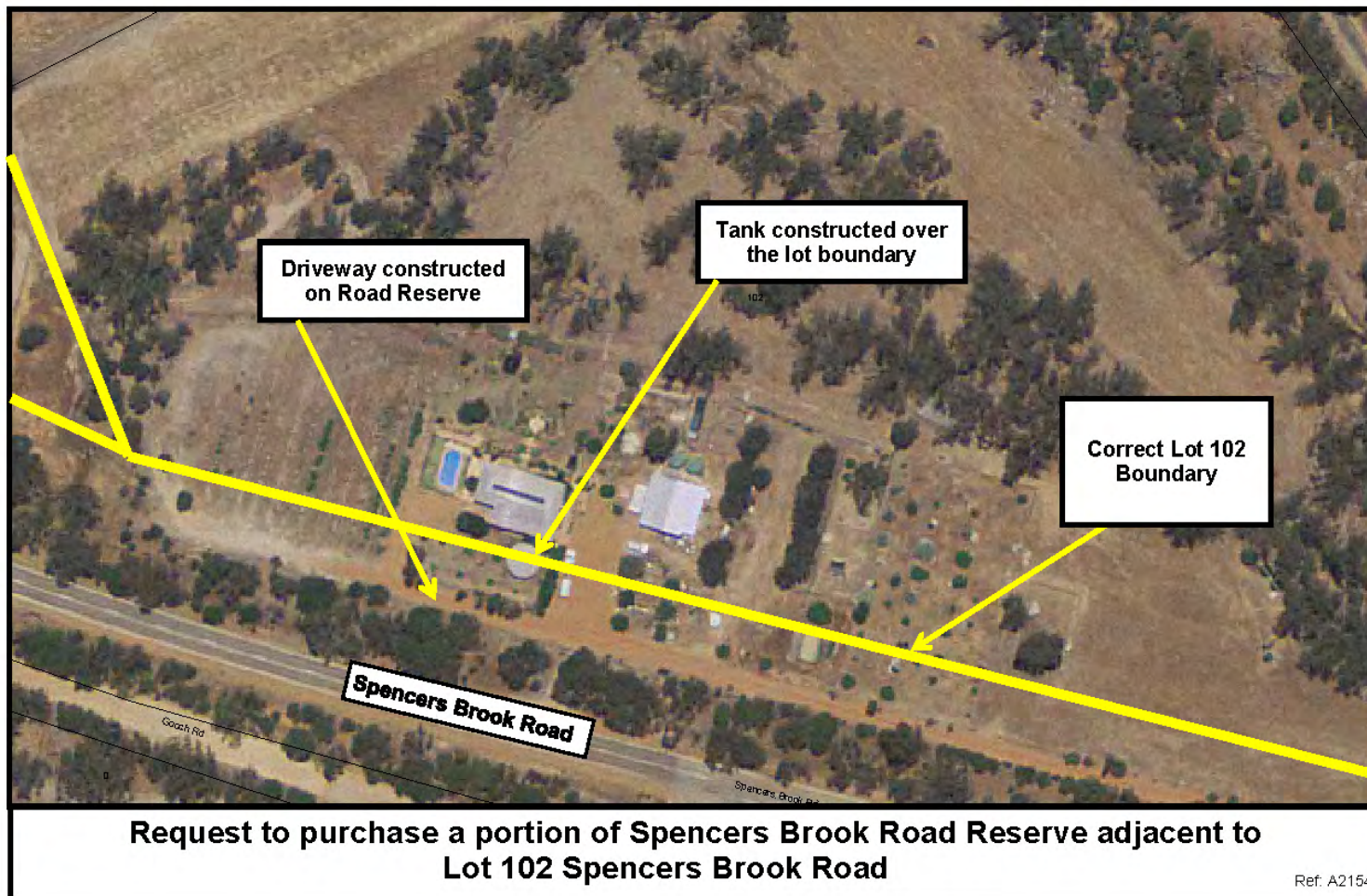
RECOMMENDATION

That Council:

- 1. Agrees to initiate the process to dispose of the subject portion of the Spencers Brook Road Reserve subject to written agreement for all costs incurred with the disposal of the land being received from the land owner of Lot 102 Spencers Brook Road, Warranine *including* and associated with valuation, purchasing, surveying and amalgamation.**
- 2. Support the closure of the subject portion of Spencers Brook Road Reserve.**
- 3. Support the amalgamating of the portion of closed road reserve with Lot 102 Spencers Brook Road, Warranine subject to written agreement being received for all costs being met by the owner of Lot 102 Spencers Brook Road, Warranine.**

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

ATTACHMENT 1



SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

ATTACHMENT 2

Courtney Wynn
Planning Officer
Shire of Northam

Re: Expression of Interest to purchase portion of Road Reserve along the boundary of Lot 102 Old Spencers Road, Clackline.

Dear Courtney

I write to you to lodge an expression of interest to purchase the portion of road reserve located along the front boundary of Lot 102 (#1) Old Spencers Road, Clackline, at an affordable price. The portion of land runs along the Spencers Brook Road boundary of our property.

History of the land at 1 Old Spencers Road, Clackline, as we know it:

- The land was surveyed in 1901, as part of the original proposed Warranine Townsite.
- The above mentioned land was purchased by us on 9 February 2000.
- The land was fenced.
- In good faith we believed, as did the bank property valuer and the Shire Engineer at the time, that the land bounded by the fences was indeed the same land as surveyed on the title.
- Over the past 15 years we have had a chook pen, house, and swimming pool approved by Council within the required 25m setback from the boundary fence, believing (by all parties) this to be the actual boundary of the property.
- Council advised where our front entrance should be (off Old Spencers Rd) and organised the crossover, which is on the road reserve section of the land. All with the current Spencers Brook Road fence as the boundary.
- When the Shire renumbered our property, the number was positioned on our fence line as the boundary.
- November 2014 we made inquiries about permits to build a shed, situated 25m from the fence line.
- At this point we were advised that in fact our fence is not on the boundary of our property, but some 20m outside our actual boundary.
- We have had the land surveyed to replace lost surveyor pegs and confirm boundaries.
- We have redesigned and relocated the proposed shed and have followed due process of applying for planning/ building approval. The shed is completed and Notice of completion has been lodged with the Shire.
- We have done considerable research into this land which formed part of the proposed Warranine Town site, surveyed in 1901. We understand the land was fenced on the current fence line sometime early last century.

We would be most grateful if you would advise on the course of action necessary for us to acquire this piece of land. We have spent several thousand dollars to develop this strip of land to include a long driveway, fruit trees etc. We are retirees on a part pension, with limited financial resources and hope we will be in the financial position to meet any costs that we are expected to pay.

Thank you again for all your assistance and advice on this issue. We look forward to receiving advice from you on the process for acquisition of land and to have it added to our title.

Yours sincerely

Marilyn & Terry Piper
1 Old Spencers Road
Clackline 6564

23 February 2016

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

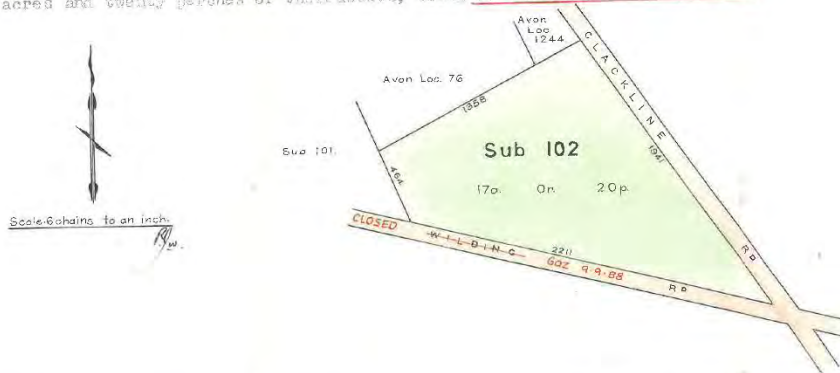
ATTACHMENT 3

WESTERN AUSTRALIA.

Certificate of Title

under "The Transfer of Land Act, 1893" (58 Vic., 14, Sch. 5).

Elsie Grace Jones of Yarramony, Married Woman, is now the proprietor of an estate in fee simple subject to the easements and encumbrances notified hereunder in all that piece of land delineated and coloured green on the map hereon containing seventeen acres and twenty perches or thereabouts, being Yarramony Suburban Lot 102.



Dated the sixth day of November One thousand nine hundred and sixty-seven.

Arvid Leese
 Registrar of Titles.

Transfer 15962/1967 Transferred to Robert Dugan Quasonby of Northam, Farmer. Registered 6th November 1967 at 12.45 o'clock.

Arvid Leese
 REGISTRAR OF TITLES

3652/1954 to Maurice Edgar Montgomery Armstrong of Bindi Bindi, Farmer.

25th March 1954 at 12.30 o'clock. Blackmore

Transfer F251804 to Mark James Winkworth and Donna Jennene Winkworth both of 3 Endgate Court, Parkwood, as joint tenants. Registered 16th July 1993 at 15.41 hrs.



Transfer F916752 to Kenneth Jack Harrison and Marion Pearl Harrison both of Lot 27 Bushmead Road, Hazelmere as joint tenants. Registered 30th June 1995 at 15.34 hrs.



Transfer H358172 to Terence John Piper and Marilyn Joy Piper both of Unit 3/40 York Street, North Perth as joint tenants. Registered 9th February, 2000 at 11.17 hrs.



SUPERSEDED BY
 DIGITAL REGIST

ISSUED FOR INFO
 PURPOSES OF

For encumbrances and other matters affecting the land see back.

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

13.3. CORPORATE SERVICES

13.4.1 ACCOUNTS AND STATEMENTS OF ACCOUNTS – MARCH 2016

Name of Applicant:	Internal Report
Name of Owner:	N/A
File Ref:	2.1.3.4
Officer:	Kathy Scholz / Colin Young
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

The Accounts due and submitted to the Ordinary Council Meeting on 20 April 2016 are attached.

RECOMMENDATION

That Council endorse the payments for the period 1 March 2016 to 31 March 2016, as listed, which have been made in accordance with the delegated authority reference number (M/F/F/Regs LGA 1995 S5.42).

Municipal Bank Vouchers 34452 to 34466	\$ 45,651.39
Trust Bank Vouchers 1948 to 1950	\$ 15,977.68
Municipal Bank Electronic Fund Transfer EFT22387 to EFT22460 and EFT222466 to EFT22643	\$ 813,216.96
Trust Bank Electronic Fund Transfer EFT22461 to EFT22465	\$ 6,500.00
Direct Debit Fund Transfer 9620.1 to 9620.1 and 9632.1 to 9632.14 and 9646.1 and 9691.1 to 9691.15 and 9698.1	\$ 66,704.23
Municipal Bank Electronic Fund Transfer Payroll 09/03/2016	\$ 184,306.38
Municipal Bank Electronic Fund Transfer Payroll 23/03/2016	\$ 194,441.32
TOTAL	\$1,349,369.46

SHIRE OF NORTHAM
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LIST OF ACCOUNTS DUE & SUBMITTED TO COUNCIL MARCH 2016.				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT \$
1948	10/03/2016	BUILDER'S REGISTRATION BOARD OF WA	MONTHLY BUILDING FEES COLLECTED FOR BSL FOR THE MONTH OF JANUARY & FEBRUARY 2016.	- 7,009.55
1949	10/03/2016	BUILDING & CONSTRUCTION INDUSTRY TRAINING FUND	MONTHLY BUILDING FEES COLLECTED FOR BCITF FOR THE MONTH OF JANUARY & FEBRUARY 2016.	- 8,662.88
1950	10/03/2016	SHIRE OF NORTHAM	MONTHLY BUILDING COMMISSION FEE FOR COLLECTION OF BSL & BCITF FOR JANUARY & FEBRUARY 2016.	- 305.25
			TOTAL TRUST CHEQUES	- 15,977.68
EFT22387	04/03/2016	STEWARTS PHARMACY	MEDICATION FOR CLIENT AT KILLARA.	- 20.98
EFT22388	04/03/2016	AJ & SG FOWLER	GRAVEL FOR VARIOUS SHIRE ROADS	- 4,554.00
EFT22389	04/03/2016	ALGAEFREE AUSTRALIA	YOOVEE CRS1E LAMP FOR WATER PARK.	- 170.00
EFT22390	04/03/2016	ANDY'S PLUMBING SERVICE	VARIOUS PLUMBING REPAIRS TO SHIRE BUILDINGS.	- 2,574.00
EFT22391	04/03/2016	ANGI MCCLUSKEY	PETTY CASH REIMBURSEMENT FOR LIBRARY EXPENSES.	- 69.47
EFT22392	04/03/2016	APPLIED INDUSTRIAL TECHNOLOGIES T/A NORTHAM BEARINGS	MISCELLANEOUS MATERIALS FOR DEPOT	- 342.43
EFT22393	04/03/2016	AUSTRALIAN OFFICE	ENVELOPES FOR SHIRE ADMIN BUILDING.	- 143.79
EFT22394	04/03/2016	AVON VALLEY ARTS SOCIETY (INC)	STOCK PURCHASES FOR VISITORS CENTRE.	- 892.00
EFT22395	04/03/2016	AVON VALLEY MOWER & CHAINSAW CENTRE	15L CHLORINE DRUMS FOR TREATED WASTE WATER RETICULATION.	- 165.70
EFT22396	04/03/2016	AVON VALLEY NISSAN	REPAIR BELTS TO AIRCON ON BUS PN1202.	- 385.53
EFT22397	04/03/2016	AVON VALLEY STOCK FEED & GARDEN SUPPLIES	UPKEEP OF WHITE SWANS COLONY YELLOW SAND FOR LAWNS AT KILLARA.	- 201.30
EFT22398	04/03/2016	AVON WASTE	RUBBISH BINS FOR VARIOUS SHIRE EVENTS.	- 466.10
EFT22399	04/03/2016	BEAUREPAIRES	REPLACEMENT TYRE FOR FIRE BRIGADES VEHICLE AT INKPEN.	- 340.46
EFT22400	04/03/2016	BOUNCY FUN CASTLES	BOUNCY CASTLE HIRE FOR BAKERS HILL REC CENTRE.	- 638.00
EFT22401	04/03/2016	BRIDGELEY COMMUNITY CENTRE	COMMUNITY GRANT FUNDING FOR NORTHAM CHRISTMAS CAROLS.	- 4,947.80
EFT22402	04/03/2016	C.Y.O'CONNOR INSTITUTE	CERT 111 IN AGED CARE TRAINEE - JOANNE FRENCH & GAIL PIETERSIE.	- 128.00
EFT22403	04/03/2016	CHRIS DAVIDSON	COUNCILLOR PAYMENTS FEBRUARY 2016.	- 2,026.25
EFT22404	04/03/2016	CHRISTOPHER RICHARD ANTONIO	COUNCILLOR PAYMENTS FEBRUARY 2016.	- 1,815.35
EFT22405	04/03/2016	CIVIC LEGAL	ELECTED MEMBER TRAINING - CR JULIE WILLIAMS. THURSDAY, 10 MARCH 2016.	- 522.50

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EFT22406	04/03/2016	CLACKLINE FENCING CONTRACTORS	FENCING REPAIRS AT VARIOUS SHIRE PROPERTIES.	-	801.00
EFT22407	04/03/2016	COOK'S TOURS	FULL PAGE ADVERTISEMENT IN 2016/17 BEAUTIFUL SOUTH BOOK.	-	1,485.00
EFT22408	04/03/2016	CS LEGAL	LEGAL FEES - SHIRE OF NORTHAM V CITY PROVIDENT NOMINEES PTY LTD	-	4,142.93
EFT22409	04/03/2016	DEBBIE ANN WILLIAMS	REIMBURSEMENT FOR POLICE CLEARANCE APPLICATION.	-	61.80
EFT22410	04/03/2016	DENIS GRAHAM BERESFORD	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	1,726.55
EFT22411	04/03/2016	DESMOND ARNOLD HUGHES	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	1,726.55
EFT22412	04/03/2016	FULTON HOGAN INDUSTRIES PTY LTD	BULKA BAGS FULL OF COLDMIX.	-	1,408.00
EFT22413	04/03/2016	HAKO AUSTRALIA PTY LTD	2 X BRUSHES FOR HAKO FOOTPATH SWEEPER - PART NUMBER 99113200	-	335.50
EFT22414	04/03/2016	HAYLEY AYERS-FINDLAY	REIMBURSEMENT OF EXPENSES FOR LIBRARY.	-	41.50
EFT22415	04/03/2016	HISCO	KITCHEN AND BATHROOM ITEMS FOR COTTAGE.	-	1,404.54
EFT22416	04/03/2016	HOLCIM AUSTRALIA PTY LTD	2M3 OF CONCRETE DELIVERED TO SOUTHERN BROOK.	-	671.00
EFT22417	04/03/2016	HOST AUTO REPAIRS	RELOCATION OF JERRY CANS ON 1DAB318 FIRE BRIGADES VEHICLE & GOVERNMENT VEHICLE INSPECTION ON 200LT SPRAY UNIT.	-	208.50
EFT22418	04/03/2016	INVISION SIGNS AND DESIGNS	1000 DL FLYERS FOR SCITECH EXHIBITS & BUSINESS CARDS.	-	462.66
EFT22419	04/03/2016	JARED WILSON	MISTAKENLY CHARGED FOR TWO DAYS AT THE AG SHOW INSTEAD OF ONE.	-	25.00
EFT22420	04/03/2016	JOHN PROUD	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	1,726.55
EFT22421	04/03/2016	JULIE ELLEN WILLIAMS	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	1,726.55
EFT22422	04/03/2016	KENDERSEN PTY LTD	RATES REFUND FOR ASSESSMENT A15229 13 GOLF CRESCENT NORTHAM	-	999.41
EFT22423	04/03/2016	KIDDE AUSTRALIA PTY LTD	THERMAL IMAGING CAMERA K2 FOR FIRE BRIGADES.	-	2,233.00
EFT22424	04/03/2016	KLEENWEST DISTRIBUTORS	CLEANING PRODUCTS FOR NORTHAM RECREATION CENTRE & KILLARA.	-	423.01
EFT22425	04/03/2016	LOUISA JANE DYER	REIMBURSEMENT OF LIBRARY EXPENSES.	-	48.48
EFT22426	04/03/2016	LRA CIVIL PTY LTD	PROGRESS CLAIM NUMBER 6	-	9,175.42
EFT22427	04/03/2016	METRO BEVERAGE CO PTY LTD	STOCK PURCHASES FOR REC CENTRE.	-	309.95
EFT22428	04/03/2016	MOORE STEPHENS (WA) PTY LTD	AUDIT CERTIFICATION IN RESPECT OF PENSIONER DEFERRED RATES OUTSTANDING AS AT 30 JUNE 2015.	-	495.00
EFT22429	04/03/2016	MT HELENA HOCKEY CLUB	KIDSPORT FUNDING FOR LOCHLAN BEATTY.	-	120.00
EFT22430	04/03/2016	NAVMAN WIRELESS PTY LTD	MONTHLY SATELLITE SERVICE FEE 05/01/2016 - 04/03/2016	-	65.90
EFT22431	04/03/2016	NETSIGHT	MYOSH MONTHLY SUBSCRIPTION FOR FEBRUARY 2016.	-	663.30

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EFT22432	04/03/2016	NORTHAM AMATEUR BASKETBALL ASSOCIATION	KIDSPORT FUNDING	-	70.00
EFT22433	04/03/2016	NORTHAM CRICKET ASSOCIATION	REIMBURSEMENT OF LIGHTING HIRE FOR PINK STUMPS DAY.	-	561.83
EFT22434	04/03/2016	NORTHAM MITRE 10 SOLUTIONS	VARIOUS HARDWARE ITEMS FOR VARIOUS BUILDINGS	-	2,936.36
EFT22435	04/03/2016	NORTHAM SWIMMING CLUB	KIDSPORT VOUCHERS FOR NORTHAM SWIMMING CLUB.	-	800.00
EFT22436	04/03/2016	OXTER SERVICES	VARIOUS TOWNSITE MAINTENANCE.	-	4,569.79
EFT22437	04/03/2016	POLLARD FAMILY SUPERANNUATION FUND T/A POLLARD ENTERPRISES PTY LTD	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	2,500.00
EFT22438	04/03/2016	PRESTIGE ALARMS	24 HOUR MONITORING OF SECURITY ALARM SYSTEM.	-	115.00
EFT22439	04/03/2016	PROBLEMS SOLVED N SOLUTIONS FOUND PTY LTD	ATTEND SHIRE POUND & ASSESSMENT OF 4 DOGS AS REQUESTED.	-	150.00
EFT22440	04/03/2016	PROMAPP SOLUTIONS LIMITED	PROMAPP PROCESS MANAGER (50 LICENCES) - MONTHLY SUBSCRIPTION FEBRUARY 2016.	-	1,122.00
EFT22441	04/03/2016	QUAD SERVICES PTY LTD	CLEANING FOR VARIOUS SHIRE BUILDINGS	-	3,697.13
EFT22442	04/03/2016	QUBE LOGISTICS	DELIVERY OF CHLORINE GAS AND PICK UP OF EMPTY DRUM.	-	824.29
EFT22443	04/03/2016	R & JT CONTRACTORS PTY LTD	SUPPLY OF SOLENOID RUBBER FOR BERNARD PARK	-	289.89
EFT22444	04/03/2016	REECE MICHAEL ALLEN	RATES REFUND FOR ASSESSMENT A15229 13 GOLF CRESCENT NORTHAM	-	94.50
EFT22445	04/03/2016	RETECH RUBBER	PLAY EQUIPMENT FOR JUBILEE OVAL.	-	940.50
EFT22446	04/03/2016	RIDING FOR THE DISABLED HILLS GROUP	KIDSPORT FUNDING FOR THOMAS BRADY.	-	195.00
EFT22447	04/03/2016	ROBERT WAYNE TINETTI	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	1,726.55
EFT22448	04/03/2016	STAPLES AUSTRALIA PTY LIMITED	STATIONERY FOR SHIRE ADMIN BUILDING & PAPER FOLDING MACHINE.	-	2,068.48
EFT22449	04/03/2016	STEVEN BRUCE POLLARD	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	2,779.55
EFT22450	04/03/2016	STEWART & HEATON CLOTHING CO.PTY LTD	CESM UNIFORM.	-	83.38
EFT22451	04/03/2016	TERRY MATTHEW LITTLE	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	2,702.92
EFT22452	04/03/2016	THE WORKWEAR GROUP	UNIFORMS FOR VARIOUS STAFF.	-	415.13
EFT22453	04/03/2016	THOMPSONS LAWN MOWING	COMPULSARY FIREBREAK YARD CLEANUPS AT VARIOUS SHIRE BUILDINGS	-	340.00
EFT22454	04/03/2016	TRISLEY'S HYDRAULIC SERVICES PTY LTD	REPAIRS TO POOL WUNDOWIE POOL PUMP	-	742.50
EFT22455	04/03/2016	ULO RUMJANTSEV	COUNCILLOR PAYMENTS FEBRUARY 2016.	-	2,129.11

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EFT22456	04/03/2016	VALLEY FORD	SERVICE OF PN1503 - N11120 - FORD RANGER.	-	470.40
EFT22457	04/03/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	WA LOCAL GOVERNMENT DIRECTORY FOR 2016.	-	651.30
EFT22458	04/03/2016	WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	NEW STARTER SWITCH FOR THE LEAF BLOWER.	-	96.50
EFT22459	04/03/2016	WHAT'S ON GROUP T/A EYEZON PTY LTD	2 EDITIONS OF WHAT'S ON EZYFOLD MAP.	-	295.00
EFT22460	04/03/2016	WHEATBELT SAFETYWEAR	HIGH VIS EQUIPMENT FOR OHS.	-	421.00
			SUB-TOTAL EFT MUNICIPAL	-	86,678.87
EFT22461	10/03/2016	BARBARA HILL	REFUND OF KERB BOND - A14654.	-	1,000.00
EFT22462	10/03/2016	COLIN SMYTH PTY LTD	REFUND FOR KERB DEPOSIT/BOND FOR 47 WOOD DRIVE NORTHAM BLD APPLICATION NO 14194	-	1,000.00
EFT22463	10/03/2016	DAWN GARLETT	REFUND OF BOND ON TOWN HALL BOOKINGS# 2229 - 26/2/2016 RECEIPT NO'S 7077, 7079 & 6697.	-	2,000.00
EFT22464	10/03/2016	RED INK HOMES	REFUND FOR KERB DEPOSIT/BOND FOR 24 FAIRWAY BEND NORTHAM BUILD APP:14166	-	1,000.00
EFT22465	10/03/2016	STALLION HOMES	REFUND OF KERB DEPOSIT FOR 88 WELLINGTON ST NORTHAM BLG PERMIT NO 13169.	-	1,500.00
			TOTAL TRUST EFT	-	6,500.00
EFT22466	14/03/2016	RIVERSEDGE CAFE - SAFFRON(WA) PTY LTD	GIFT VOUCHER FOR VBFB MEMBER, JANUARY - NEIL CARROTHERS	-	150.00
EFT22467	14/03/2016	ALLCOM COMMUNICATIONS WA PTY LTD	AUDIT CONDITION OF RADIO COMMUNICATIONS IN PLANT/VEHICLES AND DEPOT BASE INCLUDING AUDIT REPORT.	-	3,625.60
EFT22468	14/03/2016	ANDY'S PLUMBING SERVICE	PLUMBING REPAIRS AT VARIOUS SHIRE BUILDINGS.	-	5,431.25
EFT22469	14/03/2016	APPLIED INDUSTRIAL TECHNOLOGIES T/A NORTHAM BEARINGS	GRAVITY DRUM VALVE FOR DEPOT YARD.	-	218.28
EFT22470	14/03/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	-	25.80
EFT22471	14/03/2016	AUSTRALIAN TAXATION OFFICE - PAYG	PAYG PAYRUN W/END 8/3/2016.	-	57,668.00
EFT22472	14/03/2016	AUTOPRO NORTHAM	VARIOUS ITEMS PURCHASED.	-	1,052.57
EFT22473	14/03/2016	AV-SEC SECURITY SERVICES	ALARM ATTENDANCE AT VARIOUS SHIRE BUILDINGS	-	242.00
EFT22474	14/03/2016	AVON CONCRETE	REPLACEMENT OF BRIDGE 5029 - SPENCERS BROOK ROAD, CLACKLINE AS PER CONTRACT 20 OD 2015.	-	53,957.37
EFT22475	14/03/2016	AVON DEMOLITION & EARTHMOVING	MANAGEMENT OF INKPEN ROAD WASTE FACILITY.	-	1,568.00
EFT22476	14/03/2016	AVON PAPER SHRED	EMPTYING AND DESTRUCTION OF CONFIDENTIAL PAPERS - ADMIN SHREDDER BIN	-	55.00

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EFT22477	14/03/2016	AVON TELECOMS PTY LTD	SERVICE CALL TO REPLACE 3 HEAT DETECTORS IN UNDERCROFT OF NORTHAM VISITORS CENTRE.	-	308.00
EFT22478	14/03/2016	AVON VALLEY ARTS SOCIETY (INC)	STOCK FOR VISITORS CENTRE.	-	144.90
EFT22479	14/03/2016	AVON VALLEY BAKERY	CATERING FOR VARIOUS EVENTS	-	128.00
EFT22480	14/03/2016	AVON VALLEY CONTRACTORS	GRAVEL TO BE DELIVERED TO THE DEPOT.	-	440.00
EFT22481	14/03/2016	AVON VALLEY MOWER & CHAINSAW CENTRE	CHLORINE FOR WATER PARK.	-	65.84
EFT22482	14/03/2016	AVON VALLEY NISSAN	15,000KM SERVICE ON N11129 - PN1505.	-	380.62
EFT22483	14/03/2016	AVON VALLEY STOCK FEED & GARDEN SUPPLIES	UPKEEP OF WHITE SWAN COLONY.	-	94.40
EFT22484	14/03/2016	AVON WASTE	DOMESTIC & COMMERCIAL RUBBISH COLLECTION FOR THE FORTNIGHT ENDING 05/02/2016.	-	34,305.34
EFT22485	14/03/2016	AVW ELECTRICAL	KURINGAL VILLAGE. EMERGENCY REPLACEMENT OF DAMAGED LIGHT FITTING. INSPECT CEILING CAVITY FOR DAMAGE.	-	211.20
EFT22486	14/03/2016	B W PLASTICS PTY LTD	RESIN FOR DRAINAGE MANAGEMENT.	-	136.13
EFT22487	14/03/2016	BINDI-BINDI PUBLISHING	AUSTRALIAN VERSE BOOKS & NURSERY RHYMES.	-	90.00
EFT22488	14/03/2016	BLACKWELL PLUMBING PTY LTD	VARIOUS PLUMBING REPAIRS TO SHIRE BUILDINGS.	-	2,569.45
EFT22489	14/03/2016	BOUNCY FUN CASTLES	HIRE OF BOUNCY CASTLE.	-	638.00
EFT22490	14/03/2016	CADD'S FASHIONS	UNIFORMS FOR DEPOT STAFF.	-	654.00
EFT22491	14/03/2016	CHIDLOW JUNIOR FOOTBALL CLUB INC	KIDSPORT VOUCHERS.	-	340.00
EFT22492	14/03/2016	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-	815.02
EFT22493	14/03/2016	CJD EQUIPMENT PTY LTD	INSPECT AND RECTIFY STARTING FAULT ON VOLVO BACKHOE PN3555 - N4177	-	182.16
EFT22494	14/03/2016	CLACKLINE/TOODYAY KARATE CLUB INC	KIDSPORTS VOUCHER FOR BIANCA DACK.	-	400.00
EFT22495	14/03/2016	CLARK EQUIPMENT	LH JOYSTICK FOR PN0916.	-	2,470.47
EFT22496	14/03/2016	COLIN YOUNG	REIMBURSEMENT FOR ACCOMMODATION & MEALS WHILST ATTENDING TRAINING IN PERTH FROM THE 22ND - 24TH FEB 2016.	-	405.00
EFT22497	14/03/2016	COUNTRY COMFORTSTYLE NORTHAM	OFFICE CHAIRS X 2.	-	620.00
EFT22498	14/03/2016	COUNTRY COPIERS NORTHAM	COLOUR COPIER SERVICE/METER READING - ADMIN.	-	1,817.01
EFT22499	14/03/2016	COVS PARTS PTY LTD	DIESEL ADDITIVE FOR KILLARA BUS.	-	119.02
EFT22500	14/03/2016	DEPARTMENT OF FIRE AND EMERGENCY SERVICE(DFES) OF WESTERN AUSTRALIA	2015/16 ESL QUARTER 3, DEPARTMENT OF FIRE EMERGENCY SERVICES.	-	134,096.01
EFT22501	14/03/2016	DLR CABINETS	COMPUTER STAND FOR LIBRARY.	-	660.00

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EFT22502	14/03/2016	DRACO AIR PTY LTD	REPAIRS TO 2 X COOLROOMS AT REC CENTRE.	-	654.50
EFT22503	14/03/2016	E FIRE & SAFETY	SERVICE OF FIRE EQUIPMENT.	-	926.20
EFT22504	14/03/2016	ELITE CHAMPION MMA	KIDSPORT VOUCHERS.	-	400.00
EFT22505	14/03/2016	FLAT OUT FREIGHT	FREIGHT CHARGES	-	667.10
EFT22506	14/03/2016	FULTON HOGAN INDUSTRIES PTY LTD	BULKA BAG OF COLDMIX & EMULSION.	-	1,276.00
EFT22507	14/03/2016	GLENN STUART BEVERIDGE	REPAIRS TO VARIOUS SHIRE BUILDINGS	-	2,639.00
EFT22508	14/03/2016	GRAFTON ELECTRICS	ASSORTED WORK AND REPAIRS.	-	5,901.79
EFT22509	14/03/2016	GREENWAY ENTERPRISES	PLIFIX LOCATION MARKERS - YELLOW.	-	374.00
EFT22510	14/03/2016	HOLCIM AUSTRALIA PTY LTD	600CONCRETE FOR DRAINAGE ON SOUTHERN BROOK RD.	-	671.00
EFT22511	14/03/2016	HOST AUTO REPAIRS	REPLACEMENT OF TYRE ON N2501 INKPEN FIRE TRUCK.	-	583.30
EFT22512	14/03/2016	IXOM OPERATIONS PTY LTD	SERVICE FEE - CHLORINE BUSINESS 2030. QTY: 3 PACKAGING - 920KG CYLINDER - CHLORINE CHARGE \$5.11/DAY X 57 BILLABLE DAYS = \$291.27 FOR THE PERIOD 01.02.2016 TO 29.02.2016	-	320.40
EFT22513	14/03/2016	KOALA PUBLISHING PTY LTD	STOCK PURCHASES FOR VISITORS CENTRE.	-	159.50
EFT22514	14/03/2016	KRISTY HOPKINS	FOR TRELIS TRAINING , TRAVEL & FOOD.	-	366.13
EFT22515	14/03/2016	LANDGATE	GROSS RENTAL VALUATIONS ,MINING TENEMENTS & RURAL UV'S CHARGEABLE SCHEDULE: G 2015/2 DATED 21/11/2015 TO 12/02/2016.	-	522.67
EFT22516	14/03/2016	MATT GIRAUDO	REVIEW OF DREDGING REPORT PREPARED BY BMT JFA CONSULTANTS.	-	660.00
EFT22517	14/03/2016	MAXXIA PTY LTD	PAYROLL DEDUCTIONS	-	514.32
EFT22518	14/03/2016	MCDOWALL AFFLECK PTY LTD	LOT 501 (10) BEAMISH AVENUE - DILAPIDATION SURVEY EXTENT REPORT.	-	1,149.50
EFT22519	14/03/2016	MCLEODS BARRISTERS & SOLICITORS	LEGAL COSTS	-	4,784.67
EFT22520	14/03/2016	MENTIS AUSTRALIA	SUPPLY & FABRICATE 12 OF 900MM 40NB GRAB RAIL WITH 50NB PIPE SLEEVES, PAINTED WITH REFLECTIVE TAPE & DRAIN GRATING 900 X 610MM INCLUDING FRAME FOR DRAINAGE MAINTENANCE.	-	5,654.00
EFT22521	14/03/2016	NATIONAL TRUST OF AUSTRALIA (WA)	STOCK PURCHASES FOR VISITORS CENTRE.	-	89.80
EFT22522	14/03/2016	NAVMAN WIRELESS PTY LTD	MONTHLY SUBSCRIPTION FEE 15/02/2016 - 14/03/2016.	-	527.78
EFT22523	14/03/2016	NORTHAM CENTRAL NEWSAGENCY	NEWSPAPERS DELIVERED TO SHIRE ADMIN BUILDING.	-	42.30
EFT22524	14/03/2016	NORTHAM HARDWARE	BRASS FITTINGS FOR RETIC REPAIRS TO TOWN HALL.	-	55.80

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EFT22525	14/03/2016	NORTHAM SWIMMING CLUB	KIDSPORT VOUCHERS.	-	1,200.00
EFT22526	14/03/2016	NORTHAM WADO RYU KARATE CLUB	KIDSPORTS VOUCHERS.	-	1,000.00
EFT22527	14/03/2016	OFFICEWORKS SUPERSTORES PTY LTD	KILLARA STATIONARY ORDER & 12 MONTH PLABBER FOR CORPORATE SERVICES.	-	315.56
EFT22528	14/03/2016	OXTER SERVICES	CEMETERY INVOICING FOR THE FORTNIGHT ENDING 26 FEBRUARY 2016 & DELIVERY OF SANITARY ITEMS FOR VARIOUS SHIRE BUILDINGS.	-	2,922.01
EFT22529	14/03/2016	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SOLUTIONS FOR VARIOUS SHIRE BUILDINGS.	-	635.00
EFT22530	14/03/2016	PFD FOOD SERVICES PTY LTD	FOOD SUPPLIES FOR KILLARA.	-	440.80
EFT22531	14/03/2016	PORTNER PRESS PTY LTD	EMPLOYMENT LAW UPDATE 1 2016.	-	97.00
EFT22532	14/03/2016	POWER DESMOND JOHN	PAINTING AT VARIOUS SHIRE BUILDINGS.	-	5,851.87
EFT22533	14/03/2016	PUBLIC TRANSPORT AUTHORITY OF WESTERN AUSTRALIA (TRANS WA)	TICKET SALES FROM 03/02/2016 TO 28/02/2016.	-	123.01
EFT22534	14/03/2016	R & JT CONTRACTORS PTY LTD	WUNDOWIE - TO CONNECT OVAL END OF PIPE LINE TO EXISTING SYSTEM INCLUDING NEW CONTROL VALVES AND PITS & WUNDOWIE PUMP SHED - EXCAVATE FOR DIVERSION OF ELECTRICAL CONTROL WIRING BACK FILL AND COMPACT.	-	6,501.91
EFT22535	14/03/2016	RED DOT STORES	MATERIALS TERM ONE AFTER SCHOOL ART PROGRAM.	-	83.33
EFT22536	14/03/2016	RICOH AUSTRALIA	PRINTER CARTRIDGE FOR LICENSING.	-	172.70
EFT22537	14/03/2016	ROWLANDS TV & VIDEO REPAIRS	REPAIRS TO BOTH TV CABLE OUTLETS, REPLACE FAULTY WALL OUTLET AND REPAIR BROKEN WIRING ON THE SECOND OUTLET. SERVICE CALL AND LABOUR.	-	165.60
EFT22538	14/03/2016	SANTALEUCA FORESTRY	STOCK FOR VISITORS CENTRE.	-	160.04
EFT22539	14/03/2016	SETH WILLIAM TUCKER T/A TUCKERBUILT	INSTALL VINYL COVERED BIN SURROUNDS IN VARIOUS LOCATIONS AROUND NORTHAM.	-	4,774.00
EFT22540	14/03/2016	SIGMA CHEMICALS	PHOTOMETER FOR WATER TREATMENT PLANTS.	-	174.00
EFT22541	14/03/2016	SLAV'S CLEANING SERVICE	GRAFFITI THE TOILET PAPER DISPENSER IN THE MOTHER'S ROOM AT BERNARD PARK.	-	115.50
EFT22542	14/03/2016	ST JOHN AMBULANCE AUSTRALIA (WA) INC.	AMBULANCE STANDBY FOR MOVIEWA BY TWILIGHT AT BAKERS HILL REC CENTRE.	-	168.20
EFT22543	14/03/2016	THE FACTORY	SECOND 50% PAYMENT OF 2015 CHRISTMAS DECORATIONS	-	11,496.37

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EFT22544	14/03/2016	THE WORKWEAR GROUP	UNIFORM FOR STAFF & COUNCILLORS	-	112.71
EFT22545	14/03/2016	TUDOR HOUSE	BLANK BANNER FOR BANNERS ON THE TERRACE PROJECT	-	126.50
EFT22546	14/03/2016	TYREPOWER	TYRE REPAIRS TO VARIOUS SHIRE VEHICLES.	-	737.31
EFT22547	14/03/2016	VERLINDENS ELECTRICAL SERVICE (WA)	RECTIFY WATER FOUNTAIN NOT WORKING.	-	430.27
EFT22548	14/03/2016	WHEATBELT SAFETYWEAR	PPE EQUIPMENT FOR DEPOT.	-	140.00
EFT22549	14/03/2016	WRITINGWA INC	ANNUAL MEMBERSHIP RENEWAL FOR CALENDAR YEAR 2016.	-	135.00
EFT22550	14/03/2016	WW SOUVENIRS GIFTS & HOMEWARES PTY LTD	STOCK PURCHASES FOR VISITORS CENTRE.	-	817.57
EFT22551	15/03/2016	BEAUREPAIRES	REPAIR TYRE ON BOMAG ROAD ROLLER N.4174.	-	91.62
EFT22552	15/03/2016	DUNNING INVESTMENTS PTY LTD	FUEL CHARGES FOR FEBRUARY 2016.	-	18,324.29
EFT22553	15/03/2016	WRIGHT EXPRESS AUSTRALIA PTY LTD (PUMA ENERGY)	FUEL PURCHASED AT EL CABALLO ROADHOUSE DURING FEBRUARY 2016.	-	1,574.78
EFT22554	22/03/2016	A COUNTRY PRACTICE	6 X CAT STERILSATIONS/ MICRO CHIPPING - VOUCHERS.	-	900.00
EFT22555	22/03/2016	ABBOTTS FORGE	ERECT GOAL POSTS ON HENRY STREET OVAL X 4 & MAKE UP FRAME FOR PLANTER BOX	-	760.00
EFT22556	22/03/2016	AE HOSKINS & SONS	MORBY COTTAGE. REMEDIAL DRILLING AND STICHINGWITH STAINLESS STEEL RODS OF STONE CHIMNEY AS PER QUOTE.	-	3,833.78
EFT22557	22/03/2016	AJ & SG FOWLER	GRAVEL FOR SHOULDER WORKS ON JENNAPULLIN ROAD	-	2,730.00
EFT22558	22/03/2016	ANDY'S PLUMBING SERVICE	REPAIR PUBLIC TOILETS AT VISITORS CENTRE.	-	704.00
EFT22559	22/03/2016	APPLIED INDUSTRIAL TECHNOLOGIES T/A NORTHAM BEARINGS	PVC HOSE AND CONNECTIONS FOR SPRAY TRUCK	-	152.06
EFT22560	22/03/2016	AUSTRALIA POST	POSTAGE FOR LIBRARY, ADMIN, KILLARA & POST OFFICE BOX FOR SES FOR MONTH OF FEBRUARY 2016.	-	2,624.24
EFT22561	22/03/2016	AUTOPRO NORTHAM	REPLACEMENT OF STOLEN RADIO FROM FIRETRUCK & NEW BATTERY FOR SHIRE VEHICLE.	-	588.86
EFT22562	22/03/2016	AVON VALLEY BAKERY	500 X HOTDOG ROLLS FOR AUSTRALIA DAY CELEBRATIONS SAUSAGE SIZZLE	-	350.00
EFT22563	22/03/2016	AVON VALLEY MOWER & CHAINSAW CENTRE	CHEMICALS FOR WUNDOWIE SWIMMING POOL.	-	324.95
EFT22564	22/03/2016	AVON VALLEY STOCK FEED & GARDEN SUPPLIES	TRENCHER HIRE FOR DINGO.	-	340.00
EFT22565	22/03/2016	AVON WASTE	DOMESTIC & COMMERCIAL RUBBISH COLLECTION FOR THE FORTNIGHT ENDING 04/03/2016.	-	33,850.87

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EFT22566	22/03/2016	AVW ELECTRICAL	WUNDOWIE POOL. REPAIRS TO CHLORINE DOSING PUMP.	-	404.80
EFT22567	22/03/2016	BLACKWELL PLUMBING PTY LTD	WUNDOWIE POOL. EMERGENCY REPAIRS OF CORRODED WATER MAIN.	-	432.80
EFT22568	22/03/2016	BOEKEMAN MACHINERY	HOSE FITTING AND FERRULE FOR DUAL CAB GREASE.	-	15.95
EFT22569	22/03/2016	BOYD KICKETT	SITTING FEES - MAALI CIRCLE OF ELDERS 01/01/2016 TO 30/06/2016 - ABORIGINAL & ENVIROMENTAL INTERPRETIVE CENTRE.	-	300.00
EFT22570	22/03/2016	CENTRAL MOBILE MECHANICAL REPAIRS	REPAIRS TO VARIOUS SHIRE VEHICLES.	-	10,917.31
EFT22571	22/03/2016	CHERYL FAY GREENOUGH	TRELLIS TRAINING IN PERTH.	-	193.37
EFT22572	22/03/2016	CLACKLINE/TOODYAY KARATE CLUB INC	KIDSPORT FUNDING FOR EILEESHA HANRATTY.	-	200.00
EFT22573	22/03/2016	COUNTRY COPIERS NORTHAM	COLOUR COPIER SERVICE/ METER READING - KILLARA COPIER	-	390.48
EFT22574	22/03/2016	COURIER AUSTRALIA	FREIGHT CHARGES FOR DEPOT W/E 19/2/2016.	-	9.32
EFT22575	22/03/2016	DRACO AIR PTY LTD	SENIORS MEMORIAL HALL. REPAIR SPLIT SYSTEM AIR CONDITIONER IN RSL ROOMS.	-	214.50
EFT22576	22/03/2016	E FIRE & SAFETY	ROUTINE MAITENANCE OF FIRE EQUIPMENT.	-	1,504.02
EFT22577	22/03/2016	FAIRFAX BUSINESS MEDIA	ADS IN SENIOR TRAVEL FEATURES	-	218.08
EFT22578	22/03/2016	FRONTLINE FIRE & RESCUE EQUIPMENT	SOUTHERN BROOK 1.4 (INSURANCE CLAIM) AS PER QUOTE 41246 FOR STOLEN ITEMS & FITTINGS FOR STANDPIPES & IRISHTOWN 2.4 - REPLACEMENT DRIP TORCH.	-	4,165.28
EFT22579	22/03/2016	GLENN STUART BEVERIDGE	REPAIRS TO VARIOUS SHIRE BUILDINGS	-	3,952.00
EFT22580	22/03/2016	GRAFTON ELECTRICS	REPAIRS TO VARIOUS SHIRE BUILDINGS	-	7,815.72
EFT22581	22/03/2016	GREAT EASTERN COUNTRY ZONE WALGA	WHEATBELT CONFERENCE 2016 CR WILLIAMS, CR POLLARD.	-	910.00
EFT22582	22/03/2016	HOLCIM AUSTRALIA PTY LTD	2M3 OF CONCRETE DELIVERED TO KATRINE ROAD	-	580.80
EFT22583	22/03/2016	HOST AUTO REPAIRS	REPAIRS TO FIRE TRUCK 1BMR091.	-	867.40
EFT22584	22/03/2016	INLAND PLUMBING & TOTAL RETICULATION	RETICULATION PARTS FOR VARIOUS SHIRE BUILDINGS.	-	1,996.90
EFT22585	22/03/2016	INSTANT WEIGHING	TRAVEL TO SHIRE DEPOT INSTALL A TRADE APPROVED COMPULOAD 4000 DIGITAL SCALE WITH PRINTER AND THE HIRE OF MACHINE UNTIL NEXT BUDGET.	-	8,367.00
EFT22586	22/03/2016	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA - WA DIVISION	STATE NETWORK CONFERENCE 1 DAY - 10 MARCH 2016	-	1,900.00
EFT22587	22/03/2016	INVISION SIGNS AND DESIGNS	SUPPLY & INSTALL SIGNANGE TO WATER TRUCK & RESKIN DEPOT SIGN AS PER ARTWORK & LETTER STICKERS FOR FLEET.	-	1,372.80

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EFT22588	22/03/2016	IREDALE PEDERSEN HOOK ARCHITECTS	ARCHITECTURAL DESIGN SERVICES FOR ABORIGINAL & ENVIRONMENTAL INTERPPRETIVE CENTRE.	-	10,318.02
EFT22589	22/03/2016	IT VISION	STAFF TRAINING - RATES AND PROPERTY ESSENTIALS - 18/2/16 & 19/2/16 - PAYROLL OFFICER & SENIOR FINANCE OFFICER.	-	1,859.00
EFT22590	22/03/2016	IW PROJECTS	LANDFILL STORMWATER DRAIN LAYOUT. SITE VISIT. MARK UP OF STORMWATER DRAIN LAYOUT ON SURVEY PLAN..	-	1,674.75
EFT22591	22/03/2016	IXOM OPERATIONS PTY LTD	920KG BOTTLE OF CHLORINE TO BE DELIVERED TO THE NORTHAM WASTE WATER TREATMENT PLANT WITH FRONT HIAB.	-	2,691.70
EFT22592	22/03/2016	JAYNE MCINNES	SENIORS MEMORIAL HALL. CLEANING FROM 14/1/2016 TO 10/3/16.	-	1,260.00
EFT22593	22/03/2016	JL PAVING & RENOVATIONS	30M2 SQUARE METRES OF INSTALLING 1100MM WIDE PATHWAYS INCLUDING MATERIALS FOR PAVERS.	-	5,432.00
EFT22594	22/03/2016	KATHY DAVIS	SITTING FEES - MAALI CIRCLE OF ELDERS 01/01/2016 TO 30/06/2016 - ABORIGINAL & ENVIROMENTAL INTERPRETIVE CENTRE.	-	300.00
EFT22595	22/03/2016	KERBTECH P/L T/A GDR CIVIL CONTRACTING	SUPPLY AND DELIVERY OF SAND & GRAVEL & PICKUP VARIOUS SHIRE VEHICLES & MATERIALS.	-	15,340.88
EFT22596	22/03/2016	KEVIN JOHN LANGILLE	VACCINATIONS REQUIRED FOR WORKING WITH TREATED WASTE WATER - KEVIN LANGILLE.	-	80.00
EFT22597	22/03/2016	LANDGATE	SLIP NON COMMERCIAL SUBSCRIBER 1 TO 2 SEATS FOR PERIOD OF 10/11/2015 TO 9/11/2016.	-	1,398.80
EFT22598	22/03/2016	LOUI'S PLANT HIRE	DIG OUT & RE-INSTATE DRAINS TO BAKERS HILL AFTER STORMS.	-	4,950.00
EFT22599	22/03/2016	MARK DAVIS	SITTING FEES - MAALI CIRCLE OF ELDERS 01/01/2016 TO 30/06/2016 - ABORIGINAL & ENVIROMENTAL INTERPRETIVE CENTRE.	-	300.00
EFT22600	22/03/2016	MARKETFORCE	ADVERTISING FOR FEBRUARY 2016.	-	5,997.11
EFT22601	22/03/2016	MCLEODS BARRISTERS & SOLICITORS	ADVICE RE BOND CONDITION FOR TRANSPORTABLE BUILDINGS	-	1,168.07
EFT22602	22/03/2016	METRO BEVERAGE CO PTY LTD	STOCK PURCHASES FOR REC CENTRE.	-	239.05
EFT22603	22/03/2016	MIDLAND MOWERS	DRIVE BELTS FOR MOWERS.	-	160.20
EFT22604	22/03/2016	NORTHAM & DISTRICTS GLASS SERVICE	REPAIR VARIOUS BROKEN WINDOWS.	-	427.90
EFT22605	22/03/2016	NORTHAM BETTA HOME LIVING	SUNBEEM SANDWICH PRESS - CAFE CONTACT GRILL & SANDWICH PRESS.	-	99.00
EFT22606	22/03/2016	NORTHAM CENTRAL NEWSAGENCY	DELIVERIES OF NEWSPAPERS FOR THE PERIOD 01/02/2016 TO 29/02/2016.	-	120.65
EFT22607	22/03/2016	NORTHAM FAMILY PRACTICE	PRE-EMPLOYMENT MEDICAL FOR (CDO).	-	236.50

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EFT22608	22/03/2016	NORTHAM SUB BRANCH RETURNED & SERVICES LEAGUE	SUPPLY OF WREATH FOR ANZAC DAY 2016	-	65.00
EFT22609	22/03/2016	NORTHAM VETERINARY CENTRE	EUTHANASIA OF DOGS	-	589.08
EFT22610	22/03/2016	OXTER SERVICES	CARRY BAGS WITH PAPER TWIST HANDLES & PAPER FOR GLASS CLEANER.	-	268.45
EFT22611	22/03/2016	PANDA CHINESE RESTAURANT & TAKEAWAY	CATERING OF COUNCIL MEETING 16/03/2016.	-	244.00
EFT22612	22/03/2016	PAT DAVIS	SITTING FEES - MAALI CIRCLE OF ELDERS 01/01/2016 TO 30/06/2016 - ABORIGINAL & ENVIROMENTAL INTERPRETIVE CENTRE.	-	300.00
EFT22613	22/03/2016	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SOLUTIONS FOR VARIOUS SHIRE BUILDINGS.	-	3,407.50
EFT22614	22/03/2016	PERTH ENERGY PTY LTD	ELECTRICITY FOR THE POP UP SHOP FOR PERIOD 15/02/2016 TO 14/03/2016.	-	325.08
EFT22615	22/03/2016	PHILIP JOHN ROBINSON	SOUTHERN BROOK HALL. REMOVE ASBESTOS AND REPLACE SHEETING ON ROOF.	-	884.40
EFT22616	22/03/2016	PROTRON TV AND VIDEO SERVICES	NORTHAM SHIRE ADMIN BUILDING. INVESTIGATE FAULT OF TELEVISION IN COUNCIL CHAMBERS.	-	176.00
EFT22617	22/03/2016	RADIOWEST BROADCASTERS PTY LTD	ADVERTISING FOR FEBRUARY 2016.	-	2,950.20
EFT22618	22/03/2016	RETAIL DECISIONS (COLES)	COLES ACCOUNT FOR FEBRUARY 2016 - NICOLE HAMPTON, SUSAN BURLEY, BEV BULL, ALISON ROWLAND, COLIN HASSELL, CHRISTINE WATERS, VICTORIA JONES, KRISTY ROBINSON, GAIL PIETERSIE, ALYSHA MAXWELL, WENDY SOFOULIS.	-	1,945.01
EFT22619	22/03/2016	ROAD SIGNS AUSTRALIA	SIGNS FOR VARIOUS SHIRE BUILDINGS.	-	1,762.42
EFT22620	22/03/2016	ROADS2000	SUPPLY AND DELIVER 7MM LATERITE RED ASPHALT DENSE GRADE 1% OXIDE PER TONNE RATE FOR ROUNDABOUT AT WELLINGTON & GORDON STREET.	-	2,200.00
EFT22621	22/03/2016	SHIRE OF MUKINBUDIN	LONG SERVICE LEAVE CLAIM STUART BILLINGHAM.	-	7,150.01
EFT22622	22/03/2016	SLOAN EARTHMOVING	INKPEN FIRE SERVICES BUILDING. EARTHWORKS, COMPACTED SAND PAD AND SEPTIC SYSTEM AS PER SPECIFICATIONS.	-	8,597.60
EFT22623	22/03/2016	SPECIALISED TREE SERVICE	STREET TREE PRUNING AS PER WESTERN POWER NOTIFICATIONS	-	6,320.00
EFT22624	22/03/2016	ST JOHN AMBULANCE AUSTRALIA	FIRST AID TRAINING ALISON DOWELL,ROSS DOWELL,BEVERLY BULL, SUSAN DAWSON,ROBYN CRAGEN, GAI MARTIN, KENNETH MARTIN, SUSAN LOGAN,WENDY SOFOULIS, GAIL PIETERSIE,JOANNE FRENCH, NICOLE	-	2,304.00

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			HAMPTON, KIM MURCUTT, SHANE GOODWIN, JENNIFER GILLON, GLENDA SINCLAIR.	
EFT22625	22/03/2016	ST JOHN AMBULANCE AUSTRALIA (WA) INC.	FIRST AID SERVICES AT BERNARD PARK 04/03/2016 FOR MOVIE BY TWILIGHT FROM 1900-2100HRS	- 168.20
EFT22626	22/03/2016	STATE LAW PUBLISHER	GOVERNMENT GAZETTE ADVERTISEMENT FOR SHIRE OF NORTHAM CHANGING LAND USE AS APPROVED BY THE MINISTER FOR LOCAL GOVERNMENT.	- 417.60
EFT22627	22/03/2016	THE FARM SHOP	NEW PUMP UNIT FOR SPRAY TRUCK.	- 196.15
EFT22628	22/03/2016	THE WORKWEAR GROUP	UNIFORM FOR STAFF & COUNCILLORS	- 3,184.82
EFT22629	22/03/2016	THYLACINE DESIGN & PROJECT MANAGEMENT	PROVISION OF INTERPRETIVE DEVELOPMENT & DESIGN SERVICES FOR FOR ABORIGINAL & ENVIRONMENTAL INTERPRETIVE CENTRE	- 11,572.00
EFT22630	22/03/2016	TRISLEY'S HYDRAULIC SERVICES PTY LTD	SODA ASH DOSING SYSTEM REPAIRS.	- 297.00
EFT22631	22/03/2016	TYREPOWER	REPAIR 2 X TYRES OFF EDGER 15 MARCH 2016	- 96.80
EFT22632	22/03/2016	VINCELEC	NORTHAM ADMIN. INSTALL POWER POINT FOR WATER COOLER.	- 1,322.96
EFT22633	22/03/2016	WA CONTRACT RANGER SERVICES	CAT IMPOUNDING FOR MONTH OF FEBRUARY	- 495.00
EFT22634	22/03/2016	WAY OUT WEST CINEMA	MOVIE HIRE FOR FOR MOVIES BY TWILIGHT SERIES 2016 AT BAKERS HILL REC CENTRE.	- 844.80
EFT22635	22/03/2016	WBS GROUP PTY LTD	INKPEN FIRE SERVICES BUILDING. VARIATION 01 WATER TANK & INKPEN FIRE SERVICES BUILDING. VARIATION 02. VINYL PLANK FLOORING.	- 8,647.09
EFT22636	22/03/2016	WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	REPAIRS TO VARIOUS SHIRE VEHICLES.	- 2,153.00
EFT22637	22/03/2016	WHEATBELT SAFETYWEAR	PPE EQUIPMENT FOR DEPOT.	- 90.00
EFT22638	22/03/2016	YVONNE KICKETT	SITTING FEES - MAALI CIRCLE OF ELDERS 01/01/2016 TO 30/06/2016 - ABORIGINAL & ENVIROMENTAL INTERPRETIVE CENTRE.	- 300.00
EFT22639	23/03/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	- 25.80
EFT22640	23/03/2016	AUSTRALIAN TAXATION OFFICE - PAYG	PAYG PAY RUN WEEK END 22/3/2016.	- 53,760.00
EFT22641	23/03/2016	AVON CONCRETE	REPLACEMENT OF BRIDGE 5029 - SPENCERS BROOK ROAD,	- 67,446.72
EFT22642	23/03/2016	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	- 815.02
EFT22643	23/03/2016	MAXXIA PTY LTD	PAYROLL DEDUCTIONS	- 514.32

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			SUB-TOTAL EFT MUNICIPAL	- 726,538.09
34452	04/03/2016	PETTY CASH	PETTY CASH RECOUP FOR LIBRARY.	- 97.55
34453	04/03/2016	SYNERGY	ELECTRICITY ACCOUNTS FOR VARIOUS SHIRE PROPERTIES.	- 4,073.85
34454	04/03/2016	WATER CORPORATION	WATER ACCOUNTS FOR VARIOUS SHIRE PROPERTIES.	- 5,179.94
34455	14/03/2016	LOCAL GOVERNMENT AND RACECOURSE EMPLOYEES UNION	PAYROLL DEDUCTIONS	- 41.00
34456	14/03/2016	LUCY'S TEAROOMS	LUNCH FOR REGIONAL ROAD GROUP MEETING 22 FEBRUARY 2016.	- 352.50
34457	14/03/2016	SHIRE OF NORTHAM	PAYROLL DEDUCTIONS	- 1,410.00
34458	14/03/2016	SYNERGY	ELECTRICITY ACCOUNTS FOR VARIOUS SHIRE PROPERTIES.	- 1,072.10
34459	14/03/2016	TELSTRA CORPORATION	TELEPHONE ACCOUNTS FOR VARIOUS SHIRE BUILDINGS	- 1,885.79
34460	14/03/2016	WATER CORPORATION	WATER ACCOUNTS FOR VARIOUS SHIRE PROPERTIES.	- 3,246.56
34461	22/03/2016	NA GRASS VALLEY PROGRESS ASSOCIATION	PROGRESS ASSOCIATIONS ANNUAL ALLOCATION 2015/2016.	- 4,400.00
34462	22/03/2016	SYNERGY	ELECTRICITY ACCOUNTS FOR VARIOUS SHIRE PROPERTIES.	- 933.60
34463	22/03/2016	TELSTRA CORPORATION	TELEPHONE ACCOUNTS FOR VARIOUS SHIRE BUILDINGS	- 5,324.81
34464	22/03/2016	WATER CORPORATION	WATER ACCOUNTS FOR VARIOUS SHIRE PROPERTIES.	- 17,562.69
34465	23/03/2016	LOCAL GOVERNMENT AND RACECOURSE EMPLOYEES UNION	PAYROLL DEDUCTIONS	- 41.00
34466	23/03/2016	SHIRE OF NORTHAM	PAYROLL DEDUCTIONS	- 30.00
			TOTAL CHEQUES MUNICIPAL	- 45,651.39
DD9620.1	04/03/2016	TENNANT AUSTRALIA	LEASE FEE CLEANING EQUIPMENT MARCH 2016	- 1,067.00
DD9632.1	08/03/2016	WA SUPER	PAYROLL DEDUCTIONS	- 25,946.29
DD9632.2	08/03/2016	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	- 226.52
DD9632.3	08/03/2016	AMG UNIVERSAL SUPER	SUPERANNUATION CONTRIBUTIONS	- 344.42
DD9632.4	08/03/2016	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	- 82.44
DD9632.5	08/03/2016	QSUPER	SUPERANNUATION CONTRIBUTIONS	- 180.17
DD9632.6	08/03/2016	CHRISTIAN SUPER	SUPERANNUATION CONTRIBUTIONS	- 163.46
DD9632.7	08/03/2016	AUSTRALIAN SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	- 1,856.60
DD9632.8	08/03/2016	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	- 477.60
DD9632.9	08/03/2016	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	- 186.39
DD9646.1	08/03/2016	BANKWEST	CEO - MASTERCARD 22/1/16 TO 19/2/16	- 61.16
DD9646.1	08/03/2016	BANKWEST	EMDS - MASTERCARD 22/1/16 TO 19/2/16	- 223.04

SHIRE OF NORTHAM
AGENDA
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DD9646.1	08/03/2016	BANKWEST	EMCS - MASTERCARD 22/1/16 TO 19/2/16	-	470.16
DD9646.1	08/03/2016	BANKWEST	EMES - MASTERCARD 22/1/16 TO 19/2/16	-	3,801.21
DD9691.1	22/03/2016	WA SUPER	PAYROLL DEDUCTIONS	-	24,896.89
DD9691.2	22/03/2016	EWRAP SUPER	SUPERANNUATION CONTRIBUTIONS	-	114.11
DD9691.3	22/03/2016	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	-	226.52
DD9691.4	22/03/2016	AMG UNIVERSAL SUPER	SUPERANNUATION CONTRIBUTIONS	-	344.76
DD9691.5	22/03/2016	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	-	71.37
DD9691.6	22/03/2016	QSUPER	SUPERANNUATION CONTRIBUTIONS	-	180.80
DD9691.7	22/03/2016	CHRISTIAN SUPER	SUPERANNUATION CONTRIBUTIONS		33.77
DD9691.8	22/03/2016	HESTA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-	52.48
DD9691.9	22/03/2016	AUSTRALIAN SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-	1,853.36
DD9698.1	22/03/2016	CHRISTIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-	33.77
DD9632.10	08/03/2016	ZURICH AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	-	244.42
DD9632.11	08/03/2016	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-	541.79
DD9632.12	08/03/2016	(THE QUEENSLAND LOCAL GOVERNMENT SUPERANNUATION BOARD) LG SUPER	SUPERANNUATION CONTRIBUTIONS	-	238.65
DD9632.13	08/03/2016	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	-	493.74
DD9632.14	08/03/2016	EWRAP SUPER	SUPERANNUATION CONTRIBUTIONS	-	170.53
DD9691.10	22/03/2016	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	-	482.79
DD9691.11	22/03/2016	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-	186.96
DD9691.12	22/03/2016	ZURICH AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	-	244.42
DD9691.13	22/03/2016	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-	541.79
DD9691.14	22/03/2016	(THE QUEENSLAND LOCAL GOVERNMENT SUPERANNUATION BOARD) LG SUPER	SUPERANNUATION CONTRIBUTIONS	-	238.65
DD9691.15	22/03/2016	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	-	493.74
			TOTAL DIRECT DEBITS	-	66,704.23
PAYROLL	09/03/2016	SHIRE OF NORTHAM MAIN PAY RUN	SHIRE OF NORTHAM EMPLOYEES PAYROLL	-	204,819.98
PAYROLL	23/03/2016	SHIRE OF NORTHAM MAIN PAY RUN	SHIRE OF NORTHAM EMPLOYEES PAYROLL	-	196,499.22
			TOTAL PAYROLL	-	401,319.20
			TOTAL CHEQUES TRUST	-\$	15,977.68
			TOTAL EFT TRUST	-\$	6,500.00
			TOTAL EFT MUNICIPAL	-\$	813,216.96
			TOTAL CHEQUE MUNICIPAL	-\$	45,651.39
			TOTAL DIRECT DEBITS	-\$	66,704.23

SHIRE OF NORTHAM

AGENDA

ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

			TOTAL PAYROLL	-\$ 401,319.20
			TOTAL	-\$ 1,349,369.46

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

The payment of cheque numbers 34452 to 34466 from Municipal Fund (dated 1st March 2016 to 31st March 2016), the payment of trust cheque numbers 1948 to 1950 from the Trust Fund and the payment of Electronic Funds Transfer numbers EFT22387 to EFT22460 and EFT22466 to EFT22643 (dated 1st March 2016 to 31st March 2016). EFT Trust Fund EFT22461 to EFT22465 and Direct Debits 9620.1 to 9620.1 and 9632.1 to 9632.14 and 9646.1 and 9691.1 to 9691.15 and 9698.1 and have been made in accordance with delegated authority reference number (M/F/F/Regs LGA 1995 S5.42)

Municipal Bank Vouchers 34452 to 34466	\$ 45,651.39
Trust Bank Vouchers 1948 to 1950	\$ 15,977.68
Municipal Bank Electronic Fund Transfer EFT22387 to EFT22460 and EFT22466 to EFT22643	\$ 813,216.96
Trust Bank Electronic Fund Transfer EFT22461 to EFT22465	\$ 6,500.00
Direct Debit Fund Transfer 9620.1 to 9620.1 and 9632.1 to 9632.14 and 9646.1 and 9691.1 to 9691.15 and 9698.1	\$ 66,704.23
Municipal Bank Electronic Fund Transfer Payroll 09/03/2016	\$ 184,306.38
Municipal Bank Electronic Fund Transfer Payroll 23/03/2016	\$ 194,441.32
 TOTAL	 \$1,349,369.46

CERTIFICATION OF THE PRESIDENT

I hereby certify that this schedule of account covering Vouchers and Electronic Funds Transfer payments as per above and totalling \$1,349,369.46 was submitted to the Ordinary Meeting of Council on Wednesday, 20 April 2016.

_____ CERTIFICATION OF THE PRESIDENT

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts paid covering Vouchers and Electronic Funds Transfer payments as per above and totalling \$1,349,369.46 was submitted to each member of the Council on Wednesday, 20 April 2016, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

_____ CHIEF EXECUTIVE OFFICER

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

13.4.2 FINANCIAL STATEMENTS TO 29 FEBRUARY 2016

Name of Applicant:	Internal Report
File Ref:	2.1.3.4
Officer:	Zoe Macdonald / Colin Young
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

The Statement of Financial Activity for the period ending 29 February 2016 is included as a separate attachment to this Agenda and includes the following reports:

- Statement of Financial Activity;
- Acquisition of Assets;
- Disposal of Assets;
- Information on Borrowings;
- Reserves;
- Net Current Assets;
- Rating Information;
- Trust Funds;
- Operating Statements;
- Balance Sheet;
- Financial Ratio;
- Budget to Actual Material Variance; and
- Bank Reconciliation

RECOMMENDATION

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 29 February 2016.

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



SHIRE OF NORTHAM
MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 29 FEBRUARY 2016

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SHIRE OF NORTHAM

AGENDA

ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



SHIRE OF NORTHAM STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 29 FEBRUARY 2016

	NOTE	15/16 Budget \$	Ytd Budget \$	Ytd Actual \$	Variance Actuals to Budget \$	Variance Actuals to Budget %
Operating						
Revenues	8					
Governance		72,153	64,921	59,409	(5,512)	(8.49%)
General Purpose Funding Other		2,229,224	1,579,264	1,394,210	(185,054)	(11.72%)
General Purpose Funding Rates		8,582,323	8,616,323	8,644,989	28,666	0.33%
Law, Order, Public Safety		1,113,262	261,090	270,113	9,023	3.46%
Health		50,000	33,328	35,250	1,922	5.77%
Education and Welfare		1,352,833	901,856	1,011,493	109,637	12.16%
Housing		46,465	30,960	23,868	(7,072)	(22.84%)
Community Amenities		2,513,390	2,201,694	2,158,209	(45,485)	(2.07%)
Recreation and Culture		3,075,744	1,940,724	362,908	(1,577,816)	(81.30%)
Transport		2,294,267	1,369,247	1,456,297	87,050	6.36%
Economic Services		563,851	377,453	317,493	(59,960)	(15.89%)
Other Property and Services		84,348	71,260	78,552	7,292	10.23%
Total Operating Revenue		21,977,660	17,448,120	15,810,810	(1,637,310)	(9.38%)
Expenses	8					
Governance		(1,255,590)	(817,537)	(781,817)	35,720	4.37%
General Purpose Funding		(364,868)	(170,500)	(148,866)	21,634	12.69%
Law, Order, Public Safety		(1,173,368)	(771,914)	(708,062)	63,852	8.27%
Health		(308,419)	(195,849)	(233,445)	(37,596)	(19.20%)
Education and Welfare		(1,502,295)	(1,010,103)	(893,752)	118,351	11.52%
Housing		(105,856)	(71,509)	(63,489)	8,020	11.22%
Community Amenities		(3,438,827)	(2,128,841)	(1,703,898)	424,973	19.96%
Recreation & Culture		(5,001,938)	(3,346,460)	(3,131,351)	215,109	6.43%
Transport		(7,831,220)	(5,209,976)	(5,256,898)	(47,022)	(0.90%)
Economic Services		(2,036,106)	(1,386,158)	(1,196,179)	189,979	13.71%
Other Property and Services		(93,608)	(93,532)	(229,811)	(136,279)	(145.70%)
Total Operating Expenses		(23,112,095)	(15,202,379)	(14,347,638)	864,741	(5.62%)
Removal of Non-Cash Items						
(Profit)/Loss on Asset Disposals	2	144,029	96,019	48,614	(47,405)	49.37%
Movement in Employee Benefit Provisions		0	0	(148,388)	(148,388)	0.00%
Depreciation on Assets		6,977,994	4,651,928	4,965,557	303,629	(6.53%)
Non Operating Items						
Purchase Land and Buildings	1	(3,476,168)	(280,744)	(75,371)	205,373	73.15%
Purchase Plant and Equipment	1	(1,194,897)	(841,695)	(602,076)	239,619	28.47%
Purchase Bush Fire Equipment	1	(460,000)	(306,664)	0	306,664	100.00%
Purchase Infrastructure Assets - Roads	1	(3,360,383)	(2,377,563)	(1,119,583)	1,257,980	52.91%
Purchase Infrastructure Assets - Bridges	1	(532,512)	(231,000)	(231,307)	(307)	
Purchase Infrastructure Assets - Footpaths	1	(557,315)	(371,496)	(559,360)	(187,864)	(50.57%)
Purchase Infrastructure Assets - Drainage	1	(2,292,624)	(1,443,068)	(408,897)	1,034,171	0.00%
Purchase Infrastructure Assets - Parks & Ovals	1	(649,264)	(432,800)	(441,851)	(9,051)	(2.09%)
Purchase Infrastructure Assets - Streetscape	1	(264,371)	(176,232)	(173,980)	2,252	1.28%
Purchase Infrastructure Assets - Other	1	(451,519)	(308,847)	(205,943)	102,904	33.32%
Proceeds from Disposal of Assets	2	344,642	229,761	77,591	(152,170)	66.23%
Repayment of Debentures	3	(210,154)	(140,080)	(155,444)	(15,364)	(10.97%)
Self-Supporting Loan Principal Income	3	30,099	20,068	14,821	(5,245)	0.00%
Transfers to Restricted Assets (Reserves)	4	(1,063,385)	(1,063,385)	(82,961)	980,424	92.20%
Transfers from Restricted Asset (Reserves)	4	2,240,871	2,240,871	0	(2,240,871)	0.00%
ADD Net Current Assets July 1 B/Fwd	5	5,919,675	5,906,402	5,906,402	0	0.00%
LESS Net Current Assets Year to Date	5	0	0	8,436,647	8,436,647	
Surplus		0	7,417,214	(175,650)	(7,592,864)	(102.37%)

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF NORTHAM

AGENDA

ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

1. ACQUISITION OF ASSETS	15/16 Budget \$	Ytd Actual \$
The following assets have been acquired during the period under review:		
<u>By Program</u>		
Governance		
CEO Vehicle	55,000	0
Admin Building	23,431	
Law, Order & Public Safety		
CESM Vehicle	31,454	33,115
Brigade Appliance -3.4 Grass Valley	335,000	0
Brigade Appliance - Light Tanker Irishtown BFB	125,000	0
Inkpen Fireshed	280,851	0
Clackline/Muresk Fire Shed	51,975	41,165
Electronic Conversion of Standpipe	12,500	0
Ranger Vehicle	45,000	0
Ranger Vehicle	25,000	0
Dog Pound	10,000	0
CCTV - Fitzgerald St & Peel Tce	24,200	2,473
Health		
Snr EHO Vehicle	35,000	0
Education & Welfare		
NRCP Vehicle	33,889	31,454
Fluffy Ducks Patio & Power Relocation	10,455	0
Land & Buildings - Respite Centre Construction	19,852	20,256
Kuringal Village Long Term Mtc	24,890	0
Community Amenities		
Gate House - Inkpen Landfill	20,000	0
Urban Drainage	0	5,641
Drainage - Town Centre Stage 2	0	0.0
Area Drainage	1,824,747	88,641.8
Drainage CLGF 12/13		0
Aerators - Supertowns	241,123	79,224
Snr EHO Vehicle	35,000	40,271
Avon Mall Streetscaping	148,138	47,082
Buildings Cemetery	0	0
Cemetery Drainage	12,769	0
Cemetery Lot Development	18,600	0

SHIRE OF NORTHAM
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SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

1. ACQUISITION OF ASSETS (Continued)	15/16 Budget \$	2016 Actual \$
<u>By Program (Continued)</u>		
Recreation and Culture		
Land & Building - Replace Balcony	178,200	0
Northam Pool Bowl Tiles	14,000	18,961
Filter - Wundowie Pool	24,600	0
Rec Centre Air Conditioning	505,000	10,200
Rec Centre Additional Exit Doors	25,000	2,500
Bakers Hill Golf & Tennis - Kitchen	60,365	0
EMCommS Vehicle	40,000	39,482
Playground Improvements	263,964 *	235,679
Play Equipment Wundowie	9,796	0
Play Equipment Jubilee Oval	0	855
Install Cricket Pitch - Jubilee Oval	27,000	13,360
Henry Street Oval Fencing WAFL Grant	3,223	0
Free Standing Stackable Seating	3,580	0
BMX Lighting	20,000	0
Bert Hawke Drainage	40,000	0
Bert Hawke Lighting	20,000	0
Wundowie Skate Park	194,032	171,948
Henry Street Oval Drainage	6,780	0
Parks Seating & Play Equipment	40,000	5,757
Retic Wundowie Oval	20,889	14,252
Drink Fountain - Rec Centre	5,500	5,280
Library Furniture & Equipment	10,483	0
Railway Precinct Upgrade	49,284	0
AVVVA - Building Renewal	42,000	0
AVVVA - Kitchen Refurbishment	36,365	0
Aboriginal & Environmental Building	2,100,000	0
Carpark/ Drop Zone Old Railway Station	70,376	84,262

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SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

1. ACQUISITION OF ASSETS (Continued)	15/16 Budget \$	2016 Actual \$
<u>By Program (Continued)</u>		
Transport		
Northam Depot Relocation Feasibility	10,000	0
Footpath Construction	557,315	559,360
Rural Drainage	106,570	0
GEH Deproclamation Funds	60,726	5,068
Southern Brook Road RRG 15/16	249,244	147,932
Jennapullin Road RRG 15/16	82,067	74,599
Roadworks - General Construction	596,917	312,259
Bridge Construction	532,512	231,307
Roadworks - Roads to Recovery	1,168,217	325,499
Roadworks - Supplementary Funding	237,917	566
Laneway Land Acquisition	28,500	1,250
Roadworks - Blackspot Funding	223,556	6,244
Infra Development - Super Towns	14,962	0
Roadworks - Gravel Sheeting	619,203	205,237
Kerb Renewal	107,574	29,504
Culvert Renewal	46,018	12,674
Plant & Equipment - Road Plant Purchases	834,554	457,755
Economic Services		
Christmas Decorations	17,436	17,064
Information Bays	35,857	42,636
Signs Tower - GEH	10,000	0
Building Services Plant & Equipment	60,000	0
Bakers Hill & Wundowie Water Project	315,289	314,614
Car Park Medical Centre	80,791	82,941
	<u>13,249,536</u>	<u>3,818,368</u>

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016

SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

1. ACQUISITION OF ASSETS (Continued)	15/16 Budget \$	2016 Actual \$
<u>By Class</u>		
Land Held for Resale	0	0
Land and Buildings	3,476,168	75,371
Plant and Equipment	1,194,897	602,076
Furniture and Equipment	10,483	0
Bush Fire Equipment	460,000	0
Playground Equipment	0	0
Infrastructure Assets - Roads	3,360,383	1,119,583
Infrastructure Assets - Footpaths	557,315	559,360
Infrastructure Assets - Bridges & Culverts	532,512	231,307
Infrastructure Assets - Drainage	2,292,624	408,897
Infrastructure Assets - Parks & Ovals	649,264	441,851
Infrastructure Assets - Airfields	0	0
Infrastructure Assets - Streetscape	264,371	173,980
Infrastructure Assets - Other	451,519	205,943
	<u>13,249,536</u>	<u>3,818,368</u>

SHIRE OF NORTHAM
AGENDA
ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

2. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Written Down Value		Sale Proceeds		Profit(Loss)	
	15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$
Governance						
PN1315 CEO Vehicle (N4082) MV1315	46,647	0.00	29,000	0.00	(17,647)	0.00
Law, Order, Public Safety						
PN1315 CESM Vehicle (N4056) MV1303	25,001	23,134	10,000	9,091	(15,001)	(14,043)
PN1223 Ranger Vehicle (N4021) MV1228	20,019	0.00	10,000	0.00	(10,019)	0.00
PN1304 Ranger Vehicle (N4057) MV1304	21,552	0.00	10,000	0.00	(11,552)	0.00
Health						
PN1215 SEHO Vehicle (N10734) MV1218	15,995	0.00	13,000	0.00	(2,995)	0.00
Community Amenities						
PN1208 Snr Planner Vehicle (N10714) MV1208	12,000	0.00	12,000	0.00	0	0.00
PN1301 SV6 Commodore Sedan (N4030) MV1302	24,726	23,101	20,000	17,727	(4,726)	(5,374)
Recreation & Culture						
PN1306 EMComMS Vehicle (N4092) MV1305	29,437	27,550	20,000	21,364	(9,437)	(6,186)
Transport						
PN0812 Wundowie Truck (N3647) 9216	25,000	25,000.00	31,045	20,909.09	6,045	(4,090.91)
PN1201 Flocon (N008) MV1201 & MV1202	90,751	0.00	73,427	0.00	(17,324)	0.00
P5029 Quad Bike (N5173) 9029	7,417	0.00	7,276	0.00	(141)	0.00
PN0905 Ride on Mower (N3779) 9240	22,169	6,834.04	8,211	1,500.00	(13,958)	(5,334.04)
P5017 Dynapac Vibrating Roller (N9166) 9017	3,794	20,586.62	3,047	7,000.00	(747)	(13,586.62)
PN1009 Two Way Tip Truck (N3885) RP1009	111,342	0.00	50,000	0.00	(61,342)	0.00
PN1205 Reticulation Utility (N10709) MV1206	8,635	0.00	12,636	0.00	4,001	0.00
Flail Mower Wundowie	0	0.00	5,000	0.00	5,000	0.00
Other Economic Services						
PN1221 Building Mtc Vehicle (N10728) MV1213	11,752	0.00	10,000	0.00	(1,752)	0.00
PN1219 Snr Building Surveyor Vehicle (N3433) MV1224	12,434	0.00	20,000	0.00	7,566	0.00
	488,671	126,205	344,642	77,591	(144,029)	(48,614)

SHIRE OF NORTHAM

AGENDA

ORDINARY COUNCIL MEETING TO BE HELD ON 20 APRIL 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

2. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

By Class	Written Down Value		Sale Proceeds		Profit(Loss)	
	15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$
Plant & Equipment						
PN1315 CEO Vehicle (N4082) MV1315	46,647	0	29,000	0	(17,647)	0
PN1315 CEM Vehicle (N4056) MV1303	25,001	23,134	10,000	9,091	(15,001)	(14,043)
PN1223 Ranger Vehicle (N4021) MV1228	20,019	0	10,000	0	(10,019)	0
PN1304 Ranger Vehicle (N4057) MV1304	21,552	0	10,000	0	(11,552)	0
PN1215 SEHO Vehicle (N10734) MV1218	15,995	0	13,000	0	(2,995)	0
PN1208 Snr Planner Vehicle (N10714) MV1208	12,000	0	12,000	0	0	0
PN1306 EMCommS Vehicle (N4092) MV1305	29,437	27,550	20,000	21,364	(9,437)	(6,186)
PN0812 Wundowie Truck (N3647) 9216	25,000	25,000	31,045	20,909	6,045	(4,091)
PN1201 Flocon (N008) MV1201 & MV1202	90,751	0	73,427	0	(17,324)	0
P5029 Quad Bike (N5173) 9029	7,417	0	7,276	0	(141)	0
PN0905 Ride on Mower (N3779) 9240	22,169	6,834	8,211	1,500	(13,958)	(5,334)
P5017 Dynapac Vibrating Roller (N9166) 9017	3,794	20,587	3,047	7,000	(747)	(13,587)
PN1009 Two Way Tip Truck (N3885) RP1009	111,342	0	50,000	0	(61,342)	0
PN1205 Reticulation Utility (N10709) MV1206	8,635	0	12,636	0	4,001	0
Flail Mower Wundowie	0	0	5,000	0	5,000	0
PN1301 SV6 Commodore Sedan (N4030) MV1302	24,726	23,101	20,000	17,727	(4,726.00)	(5,374)
PN1221 Building Mtc Vehicle (N10728) MV1213	11,752	0	10,000	0	(1,752)	0
PN1219 Snr Building Surveyor Vehicle (N3433) MV1224	12,434	0	20,000	0	7,566	0
	488,671	126,205	344,642	77,591	(144,029)	(48,614)

Summary

Profit on Asset Disposals
Loss on Asset Disposals

15/16 Budget \$	Ytd Actual \$
22,612	0
(166,641)	(48,614)
<u>(144,029)</u>	<u>(48,614)</u>

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3. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-15	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$	15/16 Budget \$	Ytd Actual \$
Recreation & Culture									
Loan 208 - Northam Country Club **	25,270	0	0	4,919	2,414	20,351	22,856	1,938	1,021
Loan 219 - Northam Bowling Club **	94,923	0	0	25,180	12,407	69,743	82,516	5,752	3,089
Loan 223 - Recreation Facilities	579,122	0	0	102,423	102,423	476,699	476,699	37,485	35,736
Loan 224 - Recreation Facilities	976,294	0	0	36,236	17,829	940,058	958,465	69,264	35,023
Transport									
Loan 221 - Airstrip Upgrade	37,519	0	0	11,749	5,784	25,770	31,735	2,435	1,320
Economic Services									
Loan 225 - Victoria Oval Purchase	798,785	0	0	29,647	14,587	769,138	784,198	56,671	28,655
	2,511,913	0	0	210,154	155,444	2,301,759	2,356,469	173,545	104,844

Note: ** indicates self - supporting loans

All other debenture repayments are to be financed by general purpose revenue.

Loan 221 - No longer a self supporting loan to Northam Aero Club now financed by general purpose revenue.

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	15/16 Budget				Ytd Actual					
	Opening Bal	Interest	Tfr To Reserve	Tfr From Reserve	Total	Opening Bal	Interest	Tfr To Reserve	Tfr From Reserve	Total
4. RESERVES - CASH BACKED										
Aged Accomodation Reserve	255,465	6,324	15,900	(59,770)	217,919	255,465	3,441	-	-	258,906
Employee Liability Reserve	494,602	12,213	-	(35,500)	471,315	494,602	6,662	-	-	501,264
Housing Reserve	242,782	5,995	-	-	248,777	242,782	3,270	-	-	246,052
Reticulation Scheme Reserve	48,750	1,204	40,000	-	89,954	48,750	657	-	-	49,407
Office Equipment Reserve	122,458	3,024	-	-	125,482	122,458	1,649	-	-	124,107
Plant & Equipment Reserve	600,754	15,999	588,965	(678,212)	527,506	600,754	8,091	-	-	608,845
Recreation Reserve	18,131	448	-	(18,579)	-	18,131	244	-	-	18,375
Road & Bridgeworks Reserve	547,453	13,479	10,000	(459,692)	111,240	547,453	7,374	-	-	554,827
Refuse Site Reserve	228,756	5,649	150,105	(20,000)	364,510	228,755	3,081	-	-	231,836
Regional Development Reserve	873,646	21,573	-	(80,000)	815,219	873,646	11,767	-	-	885,413
Speedway Reserve	134,968	3,333	-	-	138,301	134,967	1,818	-	-	136,785
Community Bus Replacement Reserve	31,139	769	-	-	31,908	31,138	419	-	-	31,557
Septage Pond Reserve	324,006	8,001	26,415	-	358,422	324,006	4,364	-	-	328,370
Killara Reserve	154,372	7,000	-	(30,000)	131,372	168,620	2,271	-	-	170,891
Stormwater Drainage Projects Reserve	27,441	1,067	-	-	28,508	27,441	370	-	-	27,811
Recreation and Community Facilities Reserve	810,813	20,022	-	(431,296)	399,539	810,814	10,921	-	-	821,735
Administration Office Reserve	671,050	16,570	-	(23,431)	664,189	671,050	9,038	-	-	680,088
Council Buildings & Amenities Reserve	130,203	3,215	-	(100,000)	33,418	130,204	1,754	-	-	131,958
River Town Pool Dredging Reserve	283,686	7,005	-	(223,600)	67,091	283,686	3,821	-	-	287,507
Parking Facilities Construction Reserve	123,582	3,586	75,000	(80,791)	121,377	123,583	1,665	-	-	125,248
Art Collection Reserve	21,219	524	-	-	21,743	21,219	286	-	-	21,505
Total Cash Backed Reserves	6,145,276	157,000	906,385	(2,240,871)	4,967,790	6,159,524	82,963	-	-	6,242,487

Total Interest

82,963

All of the above reserve accounts are to be supported by money held in financial institutions.

Profit on Asset Disposals
Loss on Asset Disposals

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4 RESERVES (Continued)

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Aged Accommodation Reserve

Provision of future capital works requirements for aged units at Kuringal Village, Wundowie, and other sites within the Shire of Northam.

Employee Liability Reserve

Provision for employees future liability commitments, ie annual leave, long service leave requirements and negotiated gratuities and sickness payouts.

Housing Reserve

Reserve established for future construction of Community Housing in Wundowie.

Reticulation Scheme Reserve

Provision for future replacement/upgrading of water reuse and reticulation infrastructure. Funds not expected to be used in a set period as further transfer to the reserve account are expected as funds are utilised.

Office Equipment Reserve

Acquisition and upgrading of Council offices, furniture, computers and general equipment. Funds not expected to be used in a set period as further transfer to the reserve account are expected as funds are utilised.

Plant & Equipment Reserve

Acquisition and upgrading of Council works plant and general equipment in accordance with plant replacement program. Funds not expected to be used in a set period as further transfer to the reserve account are expected as funds are utilised.

Recreation Reserve

Purpose - Development and improvement of recreation and sporting facilities within the Shire of Northam. It is anticipated that this reserve will be fully utilised in 2015/16.

Road & Bridgeworks Reserve

Provision for upgrading of road and bridge infrastructure within the Shire of Northam. Funds not expected to be used in a set period as further transfer to the reserve account are expected as funds are utilised.

Refuse Site Reserve

Purpose - Development of Refuse Sites and related infrastructure and equipment, including provision for future replacement facility and/or site. Funds are not expected to be used in a set period as further transfers to the reserve account are anticipated.

Regional Development Reserve

Purpose - To provide for future projects whereby a broader range of development ideas may be required to be encouraged on a regional basis, in consultation with other stakeholders and/or Local Governments. Funds are not expected to be used in a set period as further transfers to the reserve account are anticipated.

Speedway Reserve

Purpose - To provide funds for possible future rehabilitation works required at the Northam Speedway site on Fox Road Northam. No date has been specified for the use of this Reserve.

Community Bus Replacement Reserve

Purpose - To provide funds for future replacement of the Shire of Northam Community Buses. Funds are not expected to be used in a set period as further transfers to the reserve account are anticipated.

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RESERVES (Continued)

Septic Pond Reserve

Purpose - To provide for funds for future upgrades and maintenance to septic ponds and related infrastructure. Funds are not expected to be used in a set period as further transfers to the reserve account are anticipated.

Killara Reserve

Purpose - To provide a fund for surplus funds from Killara Operations and a restricted cash for and unspent Killara Grants. No date has been specified for the use of this Reserve.

Storm Water Drainage Projects Reserve

Purpose - To provide funds for stormwater drainage projects. No date has been specified for the use of this Reserve.

Recreation and Community Facilities Reserve

Purpose - To provide fund for Recreation and Public Facilities within the Shire of Northam. No date has been specified for the use of this Reserve. 2% of net rates levied each year set aside for the provision of recreation and sport facilities.

Administration Office Reserve

Purpose - To provide a fund for the expansion or relocation of the Shire of Northam Administration Centre. No date has been specified for the use of this Reserve.

Council Buildings & Amenities Reserve

Purpose - Provision for maintenance and upgrading of Council buildings and amenities. Funds not expected to be used in a set period as further transfer to the reserve account are anticipated.

River Town Pool Dredging Reserve

Purpose - Provision for dredging and maintenance of the River Town Pool. Funds not expected to be used in a set period as further transfers to the reserve account are anticipated.

Parking Facilities Construction Reserve

Purpose - Provision for future car parking facilities. Funds are not expected to be used in a set period as further transfers to the reserve account are anticipated.

Art Collection Reserve

Purpose - Provision for the care and maintenance of the Shire of Northam's art collection, including acquisitions and disposal. Funds are not expected to be used in a set period as further transfers to the reserve account are anticipated.

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	15/16 Budget	Ytd Actual	2014/2015 Financial Report
	\$	\$	\$
5. NET CURRENT ASSETS			
Composition of Estimated Net Current Asset Position			
CURRENT ASSETS			
Cash - Unrestricted	200,000	4,998,603	3,118,600
Cash - Restricted Unspent Grants	0	1,657,617	2,107,310
Cash - Restricted Unspent Loans	0	0	0
Cash - Restricted Reserves	5,250,600	6,242,485	6,159,524
Self Supporting Loan		15,277	(5,322)
Sundry Debtors	1,141,850	180,581	1,277,154
Rates - Current	0	2,406,275	1,136,116
Pensioners Rates Rebate	0	23,643	16,222
Provision for Doubtful Debts	0	(124,729)	(124,729)
GST Receivable	0	0	175,694
Accrued Income/Prepayments	0	0	11,693
Inventories	10,000	0	30,222
	<u>6,602,450</u>	<u>15,399,752</u>	<u>13,902,483</u>
LESS: CURRENT LIABILITIES			
Sundry Creditors	(2,159,557)	(529,180)	(1,207,536)
Rates Income in Advance	0	(89,178)	0
GST Payable	0	0	(104,067)
Accrued Salaries & Wages	0	0	0
Accrued Interest on Debentures	0	(35,862)	(35,862)
Payroll Creditors	0	0	(202,109)
Accrued Expenditure	0	0	0
Withholding Tax Payable	0	0	0
Payg Payable	0	39,386	(26,147)
Loan Liability		(54,707)	(210,153)
Provision for Annual Leave		(409,170)	(534,837)
Provision for Long Service Leave		(297,881)	(320,601)
Other Payables	0	0	0
	<u>(2,159,557)</u>	<u>(1,376,592)</u>	<u>(2,641,312)</u>
NET CURRENT ASSET POSITION	4,442,893	14,023,160	11,261,171
Less: Cash - Reserves - Restricted	(5,250,600)	(6,242,485)	(6,159,524)
Less: Cash - Unspent Grants - Restricted	0	0	0
Add: Current Loan Liability	223,416	54,707	210,153
Add: Leave Liability Reserve	488,315	501,264	494,602
Add: Budgetted Leave	100,000	100,000	100,000
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD	<u>4,024</u>	<u>8,436,647</u>	<u>5,906,402</u>

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6. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Ytd Total Revenue \$	15/16 Budget \$
General Rate								
00 Non-Rateable	0.0000	700	3,343,912	0	(1,743)	0	(1,743)	0
01 GRV-Townsites Residential	10.5571	2,988	37,552,380	3,964,443	1,182	0	3,965,625	3,981,043
02 GRV-Northam Commercial/Indu	11.6252	248	11,255,466	1,308,470	0	0	1,308,470	1,309,570
05 Agricultural Local	0.5679	519	160,924,000	913,888	93,374	(12)	1,007,251	918,988
06 Agricultural Regional	0.4706	208	111,632,000	525,340	0	0	525,340	530,440
07 Rural Small Holdings	0.6474	546	95,829,000	620,397	0	0	620,397	623,497
Sub-Totals		5,209	420,536,758	7,332,538	92,813	(12)	7,425,339	7,363,538
Minimum Rates	Minimum \$							
01 GRV-Northam Town Gen	865	914	4,211,349	791,475	0	0	791,475	790,610
02 GRV-Northam Town Diff	865	48	185,998	41,520	0	0	41,520	41,520
05 Agricultural Local	865	136	11,523,418	117,640	0	0	117,640	117,640
06 Agricultural Regional	865	205	23,189,539	177,325	0	0	177,325	177,325
07 Rural Small Holdings	865	106	13,223,000	91,690	0	0	91,690	91,690
Sub-Totals		1,409	52,333,304	1,219,650	0	0	1,219,650	1,218,785
							8,644,989	8,582,323
Ex-Gratia Rates							0	12,900
Excess Rate Receipts							(158,077)	0
Totals				8,552,188	92,813	(12)	8,486,912	8,595,223

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7. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in this statement are as follows:

Detail		Balance 01-Jul-15 \$	Amounts Received \$	Amounts Paid (\$)	Balance \$
Town Hall Bond	1	1,500	2,700	(1,000)	3,200
Lesser Hall Bond	2	900	2,000	(1,500)	1,400
Nomination Deposits	4	0	640	(640)	0
Library Deposits & Income	5	0	0	0	0
POS - Cash in Lieu	6	338,929	5,375	0	344,304
Bonds - Building	7	34,500	0	0	34,500
Crossovers - Bond	9	86,392	0	0	86,392
Recreation Centre Bond	11	400	2,500	(2,000)	900
Facilities - Bonds	18	200	0	0	200
Footpath/Kerbing Deposit	22	96,500	12,000	(11,500)	97,000
Retentions	26	169,175	30,431	(73,182)	126,424
Sundry Trust	27	13,310	0	0	13,310
Building & Construction (BCITF)	29	0	35,067	(26,264)	8,803
Builders Reg Board Levy	30	0	31,060	(23,885)	7,175
Standpipe Key	31	6,900	500	(150)	7,250
Resited Dwellings	32	37,200	577	0	37,777
Deposits-Extractive Industries	33	261,548	4,549	0	266,097
Other	34	15,747	1,206	(100)	16,853
Other - Rental Bond	35	200	0	(200)	0
Bonds - Animal Traps	36	130	167	(167)	130
Storm Damage Donations	38	175	0	0	175
		<u>1,063,706</u>	<u>128,772</u>	<u>(140,588)</u>	<u>1,051,890</u>

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8. OPERATING STATEMENT

	15/16 Budget \$	Ytd Budget	Ytd Actual \$	Variances Actuals to Budget \$	Variances Actual to Budget %
OPERATING REVENUES					
Rates	8,657,223	8,595,223	8,472,160	(123,063)	-1%
Operating Grants Subsidies and Contributions	3,408,645	3,300,636	2,704,990	(595,646)	-18%
Fees and Charges	3,670,091	3,664,393	2,873,097	(791,296)	-22%
Service Charges	0	0	0	0	
Interest Earnings	385,500	385,500	238,099	(147,401)	-38%
Other Revenue	772,953	671,122	425,887	(245,235)	-37%
TOTAL OPERATING REVENUE	16,894,412	16,616,874	14,714,233	(1,902,641)	-11%
OPERATING EXPENSES					
Employee Costs	(7,002,731)	(7,479,223)	(4,435,499)	3,043,724	41%
Materials and Contracts	(6,981,182)	(6,642,417)	(3,362,681)	3,279,736	49%
Utility Charges	(762,396)	(762,396)	(526,478)	235,918	31%
Depreciation of Non Current Assets	(6,897,607)	(3,263,710)	(4,897,923)	(1,634,213)	-50%
Interest Expenses	(173,545)	(173,545)	(444,006)	(270,461)	-156%
Insurance Expenses	(432,268)	(432,268)	(104,844)	327,424	76%
Other Expenditure	(695,725)	(210,683)	(506,892)	(296,209)	-141%
TOTAL OPERATING EXPENSE	(22,945,454)	(18,964,242)	(14,278,323)	4,685,919	-25%
Non Operating Grants Subsidies and Contributions	5,060,836		1,075,877	1,075,877	#DIV/0!
Profit on Asset Disposals	22,612		0	0	#DIV/0!
Loss on Asset Disposals	(166,641)		(48,614)	(48,614)	#DIV/0!
RESULTING FROM OPERATIONS	(1,134,235)	(2,347,368)	1,463,172	3,810,540	-162%

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9. BALANCE SHEET

	Ytd Actual \$	Actuals to Actual \$
CURRENT ASSETS		
Cash Assets	12,898,705	11,385,434
Receivables	2,501,048	2,633,780
Inventories	0	30,221
TOTAL CURRENT ASSETS	15,399,753	14,049,435
NON-CURRENT ASSETS		
Receivables	400,038	435,458
Inventories	0	0
Land and Buildings	16,575,350	16,574,100
Property, Plant and Equipment	40,348,934	40,558,374
Infrastructure	189,571,416	190,623,664
TOTAL NON-CURRENT ASSETS	246,895,738	248,191,596
TOTAL ASSETS	262,295,491	262,241,031
CURRENT LIABILITIES		
Payables	614,836	1,722,670
Interest-bearing Liabilities	54,707	207,198
Provisions	707,051	855,439
TOTAL CURRENT LIABILITIES	1,376,594	2,785,307
NON-CURRENT LIABILITIES		
Interest-bearing Liabilities	2,301,760	2,301,760
Provisions	158,484	158,484
TOTAL NON-CURRENT LIABILITIES	2,460,244	2,460,244
TOTAL LIABILITIES	3,836,838	5,245,551
NET ASSETS	258,458,653	256,995,480
EQUITY		
Retained Surplus	81,296,055	79,915,843
Reserves - Cash Backed	6,242,485	6,159,524
Reserves - Asset Revaluation	170,920,113	170,920,113
TOTAL EQUITY	258,458,653	256,995,480

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FOR THE PERIOD ENDING 29 FEBRUARY 2016

10. FINANCIAL RATIO

	2016 YTD	2015	2014	2013
Current Ratio	8.57	2.08	1.43	1.82

The above rates are calculated as follows:

Current Ratio equals
$$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

SHIRE OF NORTHAM

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**SHIRE OF NORTHAM
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 29 FEBRUARY 2016**

<u>Operating</u>	NOTE	15/16 Budget \$	Ytd Budget \$	Ytd Actual \$	Variances Actuals to Budget Ytd \$	Variances Actual Budget to Ytd %	
Revenues/Sources	8						
Governance		72,153	64,921	59,409	(5,512)	(8.49%)	
General Purpose Funding Other		2,229,224	1,579,264	1,394,210	(185,054)	(11.72%)	Grants Commission Funding timing
General Purpose Funding Rates		8,582,323	8,616,323	8,644,989	28,666	0.33%	
Law, Order, Public Safety		1,113,262	261,090	270,113	9,023	3.46%	Timing additional BFB Funding
Health		50,000	33,328	35,250	1,922	5.77%	
Education and Welfare		1,352,833	901,856	1,011,493	109,637	12.16%	NRCP & HAC Additional Funding
Housing		46,465	30,960	23,888	(7,072)	(22.84%)	
Community Amenities		2,513,390	2,201,694	2,156,209	(45,485)	(2.07%)	Septage Disposal Fee Shortfall
Recreation and Culture		3,075,744	1,940,724	362,908	(1,577,816)	(81.30%)	Timing on grant income AVVA, Lotterieswest NSRF Fundine Delay to 2016/17
Transport		2,294,267	1,369,247	1,456,297	87,050	6.36%	Timing on grant income MRWA
Economic Services		563,851	377,453	317,493	(59,960)	(15.89%)	Additional revenue for the Avon Festival, water charges Racing Club
Other Property and Services		84,348	71,260	78,552	7,292	10.23%	
		<u>21,977,860</u>	<u>17,448,120</u>	<u>15,810,810</u>	<u>(1,637,310)</u>	<u>(9.38%)</u>	
(Expenses)/(Applications)	8						
Governance		(1,255,590)	(817,537)	(781,817)	35,720	4.37%	
General Purpose Funding		(364,868)	(170,500)	(148,866)	21,634	12.69%	
Law, Order, Public Safety		(1,173,368)	(771,914)	(708,062)	63,852	8.27%	
Health		(308,419)	(195,849)	(233,445)	(37,596)	(19.20%)	Internal jnl allocation to Community Amenities
Education and Welfare		(1,502,295)	(1,010,103)	(893,752)	116,351	11.52%	Timing of Community sponsorship, higher depreciation charges
Housing		(105,856)	(71,509)	(63,489)	8,020	11.22%	
Community Amenities		(3,438,827)	(2,128,841)	(1,703,868)	424,973	19.96%	
Recreation & Culture		(5,001,938)	(3,346,460)	(3,131,351)	215,109	6.43%	
Transport		(7,831,220)	(5,209,976)	(5,256,998)	(47,022)	(0.90%)	Additional depreciation expenses
Economic Services		(2,036,106)	(1,386,158)	(1,196,179)	189,979	13.71%	
Other Property and Services		(93,608)	(93,532)	(229,811)	(136,279)	(145.70%)	Internal jnl for recovery to be done
		<u>(23,112,095)</u>	<u>(15,202,379)</u>	<u>(14,347,638)</u>	<u>854,741</u>	<u>(5.62%)</u>	
Adjustments for Non-Cash (Revenue) and Expenditure							
(Profit)/Loss on Asset Disposals	2	144,029	96,019	48,614	(47,405)	49.37%	Timing of Asset disposals
Movement in Employee Benefit Provisions		0	0	(148,388)	(148,388)	0.00%	
Depreciation on Assets		6,977,994	4,651,928	4,955,557	303,629	(6.53%)	Fair Valuation increased the value of the assets and thus annual depreciation charges. The budget review will amend this.

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SHIRE OF NORTHAM STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 29 FEBRUARY 2016

<u>Operating</u>	NOTE	15/16 Budget \$	Ytd Budget \$	Ytd Actual \$	Variances Actuals to Budget Ytd \$	Variances Actual Budget to Ytd %	
<u>Capital Revenue and (Expenditure)</u>							
Purchase Land and Buildings	1	(3,476,168)	(280,744)	(75,371)	205,373	73.15%	Timing on building works
Purchase Plant and Equipment	1	(1,194,897)	(841,695)	(602,076)	239,619	28.47%	Timing on plant purchases
Purchase Bush Fire Equipment	1	(460,000)	(306,664)	0	306,664	100.00%	Timing unknown for supply by DFES
Purchase Infrastructure Assets - Roads	1	(3,360,383)	(2,377,563)	(1,119,583)	1,257,980	52.91%	Timing on budget allocations
Purchase Infrastructure Assets - Bridges	1	(532,512)	(231,000)	(231,307)	(307)	(0.13%)	Quotes obtained - project to be carried forward
Purchase Infrastructure Assets - Footpaths	1	(557,315)	(371,496)	(559,360)	(187,864)	(50.57%)	Timing on budget allocations
Purchase Infrastructure Assets - Drainage	1	(2,292,624)	(1,443,068)	(408,897)	1,034,171	71.66%	Timing on budget allocations
Purchase Infrastructure Assets - Parks & Ovals	1	(649,264)	(432,800)	(441,851)	(9,051)	(2.09%)	Timing on budget allocations
Purchase Infrastructure Assets - Airfields	1	0	0	0	0	0.00%	
Purchase Infrastructure Assets - Streetscape	1	(264,371)	(176,232)	(173,980)	2,252	1.28%	
Purchase Infrastructure Assets - Other	1	(451,519)	(308,847)	(205,943)	102,904	33.32%	Timing on budget allocations
Proceeds from Disposal of Assets	2	344,642	229,761	77,591	(152,170)	66.23%	Assets not disposed of
Repayment of Debentures	3	(210,154)	(140,080)	(155,444)	(15,364)	(10.97%)	
Proceeds from New Debentures	3	0	0	0	0	0.00%	
Advances to Community Groups		0	0	0	0	0.00%	
Self-Supporting Loan Principal Income	3	30,099	20,066	14,821	(5,245)	26.14%	
Transfers to Restricted Assets (Reserves)	4	(1,063,385)	(1,063,385)	(82,962)	980,423	92.20%	
Transfers from Restricted Asset (Reserves)	4	2,240,871	2,240,871	0	(2,240,871)	100.00%	
Transfers from Restricted Asset (Other)		0	0	0	0	0.00%	
ADD Net Current Assets July 1 B/Fwd	5	5,919,675	5,906,402	5,906,402	0	0.00%	
LESS Net Current Assets Year to Date	5	<u>0</u>	<u>0</u>	<u>8,436,647</u>	<u>8,436,647</u>	<u>#DIV/0!</u>	
Surplus	6	<u>0</u>	<u>7,417,214</u>	<u>(175,651)</u>	<u>(7,592,865)</u>	<u>(102.37%)</u>	

This statement is to be read in conjunction with the accompanying notes.

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NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 29 FEBRUARY 2016

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

(a) Basis of Accounting

The financial report is a general purpose financial report which has been prepared in accordance with applicable Australian Accounting Standards and the Local Government Act 1995 (as amended) and accompanying regulations (as amended). The report has also been prepared on the accrual basis under the convention of historical cost accounting.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 7.

(c) 2009/10 Actual Balances

Balances shown in this budget as 2009/10 Actual are as forecast at the time of budget preparation and are subject to final adjustments.

(d) Rounding Off Figures

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

(e) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(f) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(g) Cash and Cash Equivalents

Cash and cash equivalents comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities.

(h) Trade and Other Receivables

Trade receivables, which generally have 30 - 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectibility of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

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NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 29 FEBRUARY 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(i) Inventories

General

Inventories are valued at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.

Land Held for Resale

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred during of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(j) Fixed Assets

Initial Recognition

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed includes the cost of all materials, direct labour and variable and fixed overheads.

Revaluation

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on a basis to reflect the already consumed or expired future economic benefits.

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ significantly from that determined using fair value at reporting date.

Land under Roads

Land under roads is excluded from infrastructure in accordance with the transition arrangements available under AASB 1045 and in accordance with legislative requirements.

In Western Australia, all land under roads is Crown Land, the responsibility of managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst this treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

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1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	50 years
Furniture and Equipment	5 years
Computer Hardware/Software	4 years
Tools	4 years
Cars	20 years
Utilities	4 years
Heavy Vehicles-	
-Trucks	5 years
-Graders, Loaders, & Heavy Equipment	10 years
Other Plant and Equipment	10 years
Sealed Roads and Streets	
Construction-Road Reconstruction	50 years
original surfacing and major re-surfacing	
- bituminous seals	15 years
- asphalt surfaces	20 years
Car Parks (Sealed)	40 years
Unsealed Gravel Roads	
construction/road base/sub grade	50 years
gravel sheet/resheet	10 years
Reserves/Playground Equipment	10 years
Bridges & Culverts	
-timber	50 years
-concrete	100 years
Footpaths	
-insitu concrete and slabs	40 years
-asphalt, bitumen surfaces	20 years
Kerbing	
- concrete	40 years
Street lighting	25 years
Sewerage piping	60 years
Water supply piping	60 years
Parks & Reserves	50 years
Main Drains & Water Retarding Basins	85 years

(l) Investments and Other Financial Assets

Classification

Council classifies its investments in the following categories: financial assets at fair value through profit or loss, loans and receivables, held-to-maturity investments and available-for-sale financial assets. The classification depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and, in the case of assets classified as held-to-maturity, re-evaluates this designation at each reporting date.

(i) Financial assets at fair value through profit and loss

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.

(ii) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for those with maturities greater than 12 months after the balance sheet date which are classified as non-current assets. Loans and receivables are included in trade and other receivables in the balance sheet.

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(I) Investments and Other Financial Assets (Continued)

Classification (Continued)

(iii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that the Council's management has the positive intention and ability to hold to maturity. If Council were to sell other than an insignificant amount of held-to-maturity financial assets, the whole category would be tainted and reclassified as available-for-sale. Held-to-maturity financial assets are included in non-current assets, except for those with maturities less than 12 months from the reporting date, which are classified as current assets.

(iv) Available-for-sale financial assets

Available-for-sale financial assets, comprising principally marketable equity securities, are non-derivatives that are either designated in this category or not classified in any of the other categories. They are included in non-current assets unless management intends to dispose of the investment within 12 months of the balance sheet date. Investments are designated as available-for-sale if they do not have fixed maturities and fixed or determinable payments and management intends to hold them for the medium to long term.

Recognition and derecognition

Regular purchases and sales of financial assets are recognised on trade-date – the date on which Council commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed in the income statement. Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and Council has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the income statement as gains and losses from investment securities.

Subsequent measurement

Loans and receivables and held-to-maturity investments are carried at amortised cost using the effective interest method.

Available-for-sale financial assets and financial assets at fair value through profit and loss are subsequently carried at fair value. Gains or losses arising from changes in the fair value of the financial assets at fair value through profit or loss category are presented in the income statement within other income or other expenses in the period in which they arise. Dividend income from financial assets at fair value through profit and loss is recognised in the income statement as part of revenue from continuing operations when Council's right to receive payments is established. Changes in the fair value of other monetary and non-monetary securities classified as available-for-sale are recognised in equity.

Impairment

Council assesses at each balance date whether there is objective evidence that a financial asset or group of financial assets is impaired. In the case of equity securities classified as available-for-sale, a significant or prolonged decline in the fair value of a security below its cost is considered as an indicator that the securities are impaired. If any such evidence exists for available-for-sale financial assets, the cumulative loss-measured as the difference between the acquisition cost and the current fair value, less any impairment loss on that financial asset previously recognised in profit or loss – is removed from equity and recognised in the income statement. Impairment losses recognised in the income statement on equity instruments classified as available-for-sale are not reversed through the income statement.

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1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Estimation of Fair Value

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at the balance sheet date.

The fair value of financial instruments that are not traded in an active market is determined using valuation techniques. Council uses a variety of methods and makes assumptions that are based on market conditions existing at each balance date. These include the use of recent arm's length transactions, reference to other instruments that are substantially the same, discounted cash flow analysis, and option pricing models making maximum use of market inputs and relying as little as possible on entity-specific inputs.

Quoted market prices or dealer quotes for similar instruments are used for long-term debt instruments held. Other techniques, such as estimated discounted cash flows, are used to determine fair value for the remaining financial instruments.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate their fair values. The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the Council for similar financial instruments.

(n) Impairment

In accordance with Australian Accounting Standards the Shire's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 "Impairment of Assets" and appropriate adjustments made.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the Income Statement.

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

At the time of adopting the budget, it is not possible to estimate the amount of impairment losses (if any) as at 30 June 2009.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on this budget document.

(o) Trade and Other Payables

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Municipality prior to the end of the financial year that are unpaid and arise when the Municipality becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

(p) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

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1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Employee Benefits (Continued)

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

(ii) Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where Council does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(q) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(r) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

(s) Superannuation

The Council contributes to the Local Government Superannuation Scheme and the Occupational Superannuation Fund. Both Funds are defined contribution schemes.

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent a cash refund or a reduction in the future payments is available.

(t) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on Council's intentions to release for sale.

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2. STATEMENT OF OBJECTIVE

The Shire of Northam is dedicated to providing high quality services to the community through the various service orientated programs which it has established.

GOVERNANCE

Administration and operation of facilities and services to members of Council, other costs that relate tasks of assisting elected members and rate payers on matters which do not concern specific Council services.

GENERAL PURPOSE FUNDING

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY

Supervision of various local laws, fire prevention, emergency services and animal control.

HEALTH

Food quality and pest control, immunisation services and inspection of abattoirs.

EDUCATION AND WELFARE

Assistance to playgroups and other voluntary services.

HOUSING

Maintenance of rental housing (including aged accommodation).

COMMUNITY AMENITIES

Rubbish collection services, operation of tips, noise control, administration of town planning scheme, maintenance of cemeteries, community and environmental services.

RECREATION AND CULTURE

Maintenance of community halls and facilities, the Wundowie swimming pool, Wundowie library and various reserve, parks and recreation grounds.

TRANSPORT

Construction and maintenance of roads, bridges, drainage works, footpaths, parking facilities, traffic and street cleaning. Licensing transactions on behalf of the Department of Transport.

ECONOMIC SERVICES

The regulation and provision of tourism, area promotion, building control, saleyards, noxious weed control, plant nursery and standpipes.

OTHER PROPERTY & SERVICES

Private works operations, plant repairs and operations costs.

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13.4.3 ADOPTION OF THE SHIRE OF NORTHAM CUSTOMER SERVICE CHARTER

Name of Applicant:	Internal
Name of Owner:	Shire of Northam
File Ref:	1.4.4.7
Officer:	Cheryl Greenough / Colin Young
Officer Interest:	N/A
Policy:	N/A
Voting:	Simple Majority

PURPOSE

For Council to approve the Customer Service Charter for the Shire of Northam.

BACKGROUND

In 2010 the Shire conducted a survey which included a component on customer service. The main issues raised in that survey related to:

1. The time it takes at Licencing;
2. Improve queue waiting times;
3. No acknowledgement of emails or letters;
4. The website not being user friendly or have enough information; and
5. Staff not being friendly and smiling.

In February-March 2015, the Shire of Northam hired CATALYSE® to carry out the Community Perceptions Survey with the following results:

1. Please acknowledge emails that have been sent to the Shire Office.
2. Customer service in all aspects.
3. Eliminate defensive responses when challenged on issues.
4. Prompt attention to ratepayer's complaints, especially when it is a safety issue.

STATUTORY IMPACTS

N/A

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

OBJECTIVE G3: Provide efficient and effective corporate management

STRATEGY G3.1 Provide responsive high level customer service

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FINANCIAL IMPLICATIONS

N/A

OFFICER'S COMMENT

The Shire of Northam has taken very seriously the results of both surveys and has made a commitment to the community to improve customer service in all areas.

The shire aims to reduce waiting time as much as possible; improve the response time to letters and emails and overall improve the customer service experience both internally and externally.

Respect plays a large factor in the Customer Service Charter and includes staff respect for customers and each other as well as customers respecting the staff.

The Charter provides a guideline for staff with measurable Key Performance Indicators which are crucial to gauge or compare performance in terms of meeting our strategic and operational goals for the Shire of Northam.

RECOMMENDATION

That Council approve the attached Customer Service Charter.

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ATTACHMENT 1



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INTRODUCTION

This Customer Service Charter outlines the Shire of Northam's commitment to providing you (the community) with quality services and includes a clear guide to measure our performance. The Charter sets the minimum standards our employees should adhere to.

OUR VISION

Is for a vibrant growing community that is safe, caring and inclusive. A community that values our heritage, preserves our environment and promotes our commerce.

In order to achieve this Vision, the Council will commit to display:

- **LEADERSHIP**
 - *to recognise the community's expectations to provide leadership*
- **RESPECT**
 - *to respect difference in age, culture, values and opinion*
- **TEAMWORK**
 - *to achieve through the efforts of the team*
- **EXCELLENCE**
 - *to aspire to one standard*
- **OPENNESS**
 - *to engender trust through openness*

OUR MISSION



Our cultural change emblem which includes an acronym of the values and behaviours we want embedded in our culture will remind us to soar high in our aspirations and work together as an organisation to achieve them.

To deliver responsive, sustainable services in a manner that preserves and enhances our environment and lifestyle whilst respecting our heritage and facilitating economic growth.

In order to achieve this Mission, the Organisation will commit to being:

- **SAFE**
 - *focus on importance of safety in the organisation*
- **OPEN**
 - *engage in two way communication, with transparency and trust*
- **ACCOUNTABLE**
 - *know what you are responsible for, take ownership and deliver accordingly*
- **RESPECTFUL**
 - *demonstrate respect for other's skills, knowledge and differing value systems*

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SERVICE STANDARDS YOU CAN EXPECT FROM US

As a customer you are entitled to:

- Prompt, courteous, friendly and professional service;
- Be treated with respect;
- Have your concerns addressed promptly;
- Have your business processed in a timely manner;
- Receive accurate and timely information;
- Participate in the community decision making process;
- Access to all services and amenities provided by the Shire; and
- Have your feedback used as an opportunity to improve our services.

OUR STANDARDS

The Shire of Northam's Customer Service Charter requires all officers to be competent, approachable and courteous at all times and we will do this by:

- wearing a name badge when assisting customers;
- ensuring people who have special needs are able to access our services.
- Answering calls in a courteous manner;
- Returning telephone calls within 48 hours;
- responding to all letters within seven (7) working days or providing an acknowledgment and explanation for the delay;
- responding to complaints/concerns within ten (10) working days;
- Officer acknowledgment advising your concerns have been finalised;
- asking for clarification where necessary to ensure community needs are understood and can be met;
- maintaining up-to-date knowledge of services and amenities;
- ensuring staff are familiar with the vision and goals of the Shire's Strategic and Corporate Plans;
- treating all people as individuals, endeavoring to identify them by name;
- ensuring staff are multi-culturally aware;
- being positive, friendly, supportive and helpful;
- listening to people's views and opinions;
- making all attempts to resolve issues to the mutual satisfaction of the person and the Shire;
- referring any enquiry they cannot answer to an appropriate officer;
- ensuring an appropriate message is recorded and delivered;
- ensuring all enquiries where a commitment has been made are followed up and the person is advised of the outcome;
- looking for opportunities to provide better service to the community;
- focusing on what we can do, not what we can't do;
- being driven by principles of quality improvement and by continuously improving and documenting our processes and procedures;
- keeping you informed about the progress of your business with the Council;
- writing our brochures, publications and correspondence in clear language;
- utilising ways of determining community satisfaction such as surveys, focus groups and community liaison;
- providing you with a reference number for all registered enquiries;
- evaluating our performance regularly through a variety of mechanisms and making the information publicly available; and
- welcoming feedback and suggestions for improvement through a Community A Feedback Form.

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YOU CAN ASSIST US BY

- providing accurate and complete details when you contact us with any queries or requests for assistance;
- phoning to make an appointment if you have a complex enquiry or need to see a specific officer;
- phoning the officer nominated on correspondence sent to you and quoting the reference number on the letter;
- being clear and concise with your requests and being prepared with relevant information;
- treating Employees with the same courtesy and respect given to you; and
- acknowledging that the Shire may not have the authority to deal with your request or complaint and may need to refer it to another agency/organisation.

WHAT YOU CAN DO FOR US

You can help us to meet our commitments to you by:

- being courteous, polite and respectful of our employees;
- letting us know when your situation changes, for example; change of address, change of details for your registered animal;
- contacting the shire to make an appointment if you have a complex or technical enquiry, or need to meet with a specific employee;
- working with us to help solve problems; and
- Providing us with feedback/compliments/suggestions to help us improve our services.

WHAT IF YOU DON'T GET THE SERVICE YOU DESERVE?

Council has a designated complaints officer who will be your voice within Council and will endeavour to achieve a satisfactory solution for you. The complaints officer will investigate serious complaints via our Customer Request System and advise you of the progress within ten (10) working days.

YOUR PRIVACY

At all times we will respect your privacy when dealing with us and the confidentiality of the information discussed. We will treat your personal information collected by us in the strictest confidence.

FREEDOM OF INFORMATION (FOI)

The Western Australian *Freedom of Information Act 1992* provides you the right to apply for access to documents held by state public sector agencies, which includes local governments. For further information please contact the Shire on 9622 6100.

CONTACT US

Our office hours are from 08:30 until 4:30pm for Administration. Licencing is from 08:30 to 4:00pm
You may call 9622 6100 or visit our administration centre, recreation centres or libraries to complete a Customer Feedback Form.

You are welcome to attend the office; phone us or email the Shire via: records@northam.wa.gov.au

You can even write to us and address the appropriate officer; records or

Mr Jason Whiteaker
Chief Executive Officer
PO Box 613
NORTHAM WA 6401

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CUSTOMER FEEDBACK FORM

Date: _____ Time: _____ File ref: _____

Customer Contact: (please circle) In person Telephone Written Email

Customer Details (this is you):

NAME _____

ADDRESS _____

TELEPHONE Home _____ Mobile _____

Email _____

If you would like to compliment a staff member, please provide their name and position if known and details of why you would like to compliment them:

If this is a Complaint please supply the following details (this is where the problem is):

Name person (if available) you are complaining about: _____

Address where problem occurring (compulsory): _____

Type of Complaint: Noise Untidy Burning Poultry Other _____

(please circle)

For Summary of feedback/complaint or compliment (give details such as date & time of occurrence or if a complaint, any efforts to discuss with person)

Office Use only

Name of Person taking complaint _____ Department _____

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13.4.4 LEASE FOR NORTHAM SWIMMING CLUB

Name of Applicant:	Northam Swimming Club
Name of Owner:	Shire of Northam
File Ref:	A11581
Officer:	Cheryl Greenough
Officer Interest:	N/A
Policy:	B7.11(2) Management of Council Property Leases
Voting:	Simple Majority

PURPOSE

For Council to approve the Northam Swimming Club to lease the Clubrooms at the Northam Swimming Pool.

BACKGROUND

The Northam Swimming Club originally leased the clubrooms in 2005 for a five year period. In 2010 the lease was renewed for a further one year period, however when the lease expired in 2011 it was never renewed.

The Swimming Club have expressed a desire to rectify the matter and would like to start a new lease for a two year period with a two year renewal.

STATUTORY IMPACTS

Shire of Northam Policy Manual, B7.11(2) Management of Council Property Leases

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

OBJECTIVE C3: Provide active and passive recreation facilities and services.

STRATEGY C3.2 Partner with stakeholders to achieve greater community participation in recreational facilities and service.

FINANCIAL IMPLICATIONS

Nil

OFFICER'S COMMENT

It would be advantageous to ensure the building is leased for a longer term than one year. Even though the club's lease expired in 2011, the lease terms have continued on a month by month basis and the club has continued paying all outgoings.

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The basic principles considered in establishing a standard lease fee reflects a fair and equitable contribution of provision of a facility, the venue's pattern of use, location and the potential to obtain Community Grants assistance, as follows:-

- 2.1 The Shire levy an annual administration rent to all community, sport and recreation groups, which is the equivalent amount of the building insurance applicable to the building and is reviewed annually.
- 2.2 Lessees or Licensees will be responsible for the full cost of the lease document preparation, registration and other costs associated with the execution of the agreement.
- 2.4 The Lessee or Licensee will be responsible for the payment of outgoings, operating costs, and minor maintenance obligations.
- 2.5 The Lessee or Licensee will not be responsible for Shire Rates, apart from rubbish service rates.
- 2.6 The Shire will insure the "Demised Premises" at replacement value and perform any structural repairs, improvements and maintenance in accordance with levels determined within its budget forecast.
- 2.8 The Lessee or Licensee will be responsible for contents insurance for their contents, and also hold public liability for their activities and workers compensation insurance for their employees (if applicable) to the value stipulated in the agreement.
- 2.9 The Lessee or Licensee will be responsible for the cost of repair of any internal damage, vandalism, corrective maintenance or damage to external doors, glass windows, security lighting and any other external facility through misuse by a club representative, member or guest. The Shire may carry out any corrective works and recoup the full cost from the Lessee.
- 2.10 The Lessee or Licensee will be responsible for keeping the building clean and tidy at levels predetermined within the agreement.
- 2.11 The Lessee or Licensee will not incur any costs for property damage excluding contents occasioned by fire, fusion, explosion, lightning, civil commotion, storm, tempest, or earthquake.
- 2.12 On an annual basis, Lessees and Shire representatives will meet to carry out a property inspection to determine the extent to which the Lessee or Licensee have met their lease/licence obligation and to consider any specified building maintenance schedules for the following twelve month period within the Shire's budget parameters.

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RECOMMENDATION

That Council;

- 1. Approve a lease agreement between the Shire of Northam and the Northam Swimming Club for the Clubroom at the Northam pool for a period of two years with a two year extension; and**
- 2. Endorse, in accordance with Council's 2015 Policy Manual, B7.11(2) The financial requirements of the Club include:**
 - a) Reimburse the Shire for the Building Insurance in the form of rent;**
 - b) Pay for the legal fees to draw up the lease;**
 - c) Pay all outgoings, operating costs, and minor maintenance obligations; and**
 - d) Be responsible for Public Liability Insurance and Contents Insurance.**

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13.4.5 ADOPTION OF MANAGEMENT AGREEMENT BETWEEN THE SHIRE OF NORTHAM AND NORTHAM AERO CLUB

Name of Applicant:	Northam Aero Club
Name of Owner:	Shire of Northam
File Ref:	A12838
Officer:	Cheryl Greenough
Officer Interest:	N/A
Policy:	B7.11 Management of Council Property Leases
Voting:	Simple Majority

PURPOSE

For Council to approve a new Management Agreement between the Shire and the Northam Aero Club.

BACKGROUND

In January 1991 the Shire leased the airport land to the Aero Club for 21 years with a term ending in December 2011. The Club had the right to sub-lease portions of the land (hangar sites).

On 26 June 2009 the lease agreement was surrendered and a Management Agreement was put in place for a 5 year period terminating on 30 June 2014. There were no extension options included in the Agreement.

As the Agreement is a Management Agreement and not a lease agreement section 3.58 of the Act does not come in to play.

STATUTORY IMPACTS

N/A

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

OBJECTIVE R1: Provide and support an effective and efficient transport network.

STRATEGY R3: Improve and encourage utilisation of existing airport facilities and associated air service.

FINANCIAL IMPLICATIONS

\$650 for Mayberry Hammond to draw up the agreement and coverage for Public Liability Insurance.

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OFFICER'S COMMENT

The Shire of Northam own the land that houses the Northam Airport and due to the nature of the airport including regulations and requirements it is easier for the Shire to have the airport managed by an Incorporated Club who have a vested interest.

The current Agreement includes a management fee of \$6,000.00 per annum paid by the Shire in two equal portions of \$3,000.00 in March and September of each year to be reviewed annually and to be used for the administration of the responsibilities included but not limited to the scope of works set out in the Schedule.

Prior approval and a purchase order must be obtained from the Shire if any works are to be conducted at the airport.

RECOMMENDATION

That Council;

- 1. Approve a Management Agreement between the Shire of Northam and the Northam Aero Club Inc. for the management of the Northam Airport with an expiry date of 2030 bringing it in line with the lease agreements for the Airport Hangars; and**
- 2. Endorse that the annual Management Fee paid by the Shire should commence at \$6,000 per annum to be reviewed annually.**

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13.4. COMMUNITY SERVICES

Nil.

14. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.1 AGE FRIENDLY COMMUNITY GRANT

MOTION

Moved: Cr Pollard

Seconded:

That the Railway Station footpath project as proposed be rejected by Council and that any grant funding associated with this project be returned to the funder with a notation that Council does not believe that the proposed project will achieve any realistic value for money outcome associated with aged friendly communities.

COMMENT

I would have preferred any number of the alternative projects listed in the audit report to be done, involving improvements to aged/disabled access, however this project would be a "white elephant" and a complete waste of money for all concerned, in my opinion.

STAFF COMMENT

While it is understood the concerns raised staff are of the view that an adjustment to the proposed works can be developed to provide a positive outcome for the community. This would, in the view of staff, entail the removal of the proposed footpath in front of the current Railways Station from the current project schedule, but would remain focused on improving the connectivity between the Central Business District and the Rail Way Station Area. Staff, on developing the program of works, will provide this to Elected Members prior to works commencing.

15. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

15.1. Elected Members

Nil.

15.2. Officers

Nil.

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16. CONFIDENTIAL ITEMS

Nil.

17. DECLARATION OF CLOSURE