



Shire of Northam  
*Heritage, Commerce and Lifestyle*

## **Shire of Northam**

### **Agenda**

### **Special Council Meeting**

**6 July 2023**



**NOTICE PAPER**  
**Special Council Meeting**  
**6 July 2023**

President and Councillors

I inform you that a Special Council Meeting will be held in the Council Chambers, located at 395 Fitzgerald Street, Northam on 6 July 2023 at 5:30 pm.

Yours faithfully



**Jason Whiteaker**  
**Chief Executive Officer**

## **DISCLAIMER**

This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission, statement or intimation occurring during Council or Committee meetings.

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 of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting 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 intimation of approval made by any 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 of approval from the Shire of Northam.

The Shire of Northam advises that anyone who has any application lodged with the Shire of Northam must obtain and should only 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.

The Shire of Northam advises that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

## Contents

1	DECLARATION OF OPENING.....	5
2	ACKNOWLEDGEMENT OF COUNTRY .....	5
3	ATTENDANCE.....	5
3.1	ATTENDEES .....	5
3.2	APOLOGIES .....	5
3.3	APPROVED LEAVE OF ABSENCE.....	5
3.4	ABSENT.....	5
4	DISCLOSURE OF INTERESTS.....	5
5	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION .....	7
6	PUBLIC QUESTIONS.....	7
7	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	7
8	RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS.....	7
8.1	PETITIONS .....	7
8.2	PRESENTATIONS.....	7
8.3	DEPUTATIONS .....	7
9	APPLICATIONS FOR LEAVE OF ABSENCE .....	8
10	CONFIRMATION OF MINUTES .....	8
11	ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY.....	8
12	REPORTS OF COMMITTEE MEETINGS.....	8
13	SPECIAL ITEMS.....	9
13.1	ANNUAL BUDGET OVERVIEW 2023/2024 .....	9
13.2	ENDORSEMENT OF THE DRAFT BUDGET 2023/2024.....	17
13.3	SCHEME AMENDMENT NO. 17 - AVON LOGISTICS HUB.....	28
14	MATTERS BEHIND CLOSED DOORS .....	44
14.1	REQUEST TO LOWER RESERVE PRICE FOR SALE OF LAND - A15549 .....	44
15	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	44
16	URGENT BUSINESS APPROVED BY DECISION .....	44
17	DECLARATION OF CLOSURE .....	44

## 1 DECLARATION OF OPENING

## 2 ACKNOWLEDGEMENT OF COUNTRY

The Shire of Northam would like to acknowledge the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and pay our respects to Elders, past present and emerging.

## 3 ATTENDANCE

### 3.1 ATTENDEES

#### **Council:**

Shire President  
Deputy Shire President  
Councillors

C R Antonio  
M P Ryan  
D J Galloway  
R W Tinetti  
A J Mencshelyi  
M I Girak  
J E G Williams  
D A Hughes  
H J Appleton  
L C Biglin

#### **Staff:**

Chief Executive Officer  
Executive Manager Engineering Services  
Executive Manager Development Services  
Executive Manager Corporate Services  
Governance Coordinator  
Governance Officer

J Whiteaker  
P Devcic  
C B Hunt  
C J Young  
A C McCall  
T P Van Beek

### 3.2 APOLOGIES

Nil.

### 3.3 APPROVED LEAVE OF ABSENCE

Nil.

### 3.4 ABSENT

Nil.

## 4 DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial interest** includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

<b>Item Name</b>	<b>Item No.</b>	<b>Name</b>	<b>Type of Interest</b>	<b>Nature of Interest</b>

## 5 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

## 6 PUBLIC QUESTIONS

## 7 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

## 8 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

### 8.1 PETITIONS

Local Government Act 1995 s6.10

Shire of Northam Standing Orders Amendment Local Law 2018

- (1) A petition is to –
  - (a) be addressed to the President;
  - (b) be made by electors of the district;
  - (c) state the request on each page of the petition;
  - (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
  - (e) contain a summary of the reasons for the request; and Page 13
  - (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the Local Government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause (3).
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless:
  - (a) the matter is the subject of a report included in the agenda; and
  - (b) the Council has considered the issues raised in the petition.

### 8.2 PRESENTATIONS

Local Government Act 1995 s6.11

Shire of Northam Standing Orders Amendment Local Law 2018

- (1) In this clause, a “presentation” means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.
- (2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

### 8.3 DEPUTATIONS

Local Government Act 1995 s6.9

Shire of Northam Standing Orders Amendment Local Law 2018

- (1) Any person or group wishing to be received as a deputation by the Council is to either-
  - (a) apply, before the meeting, to the CEO for approval; or
  - (b) with the approval of the Presiding Member, at the meeting, address the Council.
- (2) The CEO may either-
  - (a) approve the request and invite the deputation to attend a meeting of the Council; or
  - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation.
- (3) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

**9 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**10 CONFIRMATION OF MINUTES**

Nil.

**11 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY**

**12 REPORTS OF COMMITTEE MEETINGS**

Nil.



## 13 SPECIAL ITEMS

### 13.1 Annual Budget Overview 2023/2024

<b>File Reference:</b>	8.2.8.1
<b>Reporting Officer:</b>	Mia Miller (Management Accountant)
<b>Responsible Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority
<b>Press release to be issued:</b>	No

#### BRIEF

To provide information to Elected Members in relation to the budget process and influencing factors.

#### ATTACHMENTS

Nil

#### A. BACKGROUND / DETAILS

The development of the draft budget as presented is the culmination of many months preparatory work undertaken by each individual department, under the guidance of the Executive Manager Corporate Services, Mr Colin Young.

The budget process to date has included the following key elements.

- The Shire's Long Term Financial Plan 2022 – 2033 27 January 2021
- Adoption of the 2023/24 Fees and Charges 17 May 2023
- Endorsement of Footpath Program 12 April 2023
- Endorsement of Council Plan 2023/24 21 June 2023
- Endorsement of draft 1 year road program to occur on 5 July 2023
- Endorsement of the draft plant program to occur on 5 July 2023

Staff have been through a rigorous assessment process to ensure that the departmental and individual item draft budget allocations reflect both the intent of the Council's planning documents and ensure sufficient resources to meet the established objectives. The economic circumstances that have prevailed since adoption of the Long Term Financial Plan (LTFFP) have substantially impacted some of the revenue and expenditure projections.

Inflationary impacts and supply chain issues have had direct and indirect impacts on the Shire's operations.

As Elected Members would be aware, the current adopted LTFP reports on a number of key performance indicators, which are reflective of the Local Government Act 1995 requirements. The following information provides an indication as to how the Council is performing against a number of the key indicators (the advance payment of federal assistance grants has been included in the calculations).

2023/24		
Ratio	LTFP	Draft Budget
Debt Service	6.04	5.17
Operating Surplus	-2.16	-8.5
Own Source Revenue	73.7	73.9%

Current modelling of the long term financial plan indicates that the operating surplus will slowly improve, returning to a positive ration in 2028/29.

### **Debt Service**

Measures the Council's ability to service debt out of its uncommitted or general-purpose funds available for its operations. Councils with a higher proportion of revenue from rates can also effectively operate at lower debt service ratios as they are more able to generate income (through rate increases) to cope with the debt burden.

- If Ratio > 10: Accepted as reasonable.
- If Ratio > 5 and <10: Exercise caution around debt management.
- If Ratio <5: Debt management may be an issue and needs to be considered in context of overall financial position.

The Shire is currently in the mid-range of this ratio where caution should be taken when proposing additional debt. At present the Shire's debt is very manageable and remains in a slightly weaker position than that modelled in the adopted LTFP. Increasing interest rates and its long-term impacts on the Shire should be considered when decisions are made on future debt.

### **Operating Surplus**

Effectively highlights the scale/extent of any operating surplus or deficit in relation to the overall size of the Local Government. A sustained period of deficits will erode that Local Government's ability to maintain both its operational service level and asset base.

- If Ratio > 0.15: Strong operating surplus which gives flexibility in relation to future operational service levels and asset base.

- If Ratio > 0.00 and < 0.15: Should closely monitor with improvements made where possible to increase capacity to give flexibility in relation to future operational service levels and asset base.
- If Ratio <= 0.00: Experiencing an operating deficit.

### **Own Source Revenue Ratio**

Measures the Local Government's ability to cover operating expenses from own source revenue. The higher the ratio, the more self-reliant the Local Government is. This allows greater flexibility as fewer external funds are required for operational purposes.

- If Ratio > 0.9: Satisfactory.
- If Ratio > 0.6 and < 0.9: Will need to improve if it hopes to maintain and improve the current service levels of its asset base.
- If Ratio < 0.6: Needs to examine the level of its own source revenue given current levels of operating expenses.

## **B. CONSIDERATIONS**

### **B.1 Strategic Community / Corporate Business Plan**

Performance Area: Performance.

Outcome 12: Excellence in organisational performance and customer service.

Objective 12.3: Effectively manage the Shire's assets.

Priority Action 12.3.3: Provide well maintained Shire buildings.

Priority Action 12.3.4: Provide well maintained plant and equipment.

### **B.2 Financial / Resource Implications**

The budget document has been guided by several key planning documents including:

1. Council Plan (Strategic Community Plan and Corporate Business Plan).
2. Long Term Financial Plan modelling; and
3. Various asset management and delivery plans

### **B.3 Legislative Compliance**

Nil.

#### B.4 Policy Implications

Nil.

#### B.5 Stakeholder Engagement / Consultation

Consultation has occurred with Councillors and staff.

#### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Council not provided with longer term financial implications	Medium (3) * Unlikely (2) = Moderate (6)	Ensure modelling is carried out and presented to Council through development of a Long Term Financial Plan.
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	Budget not adopted in a timely manner, impacting ability to commence significant projects/programs	Medium (4) * Unlikely (2) = Moderate (8)	Special Council meeting held in August 2023 to adopt budget
Compliance	Budget not adopted by August 31, failing to meet statutory requirements	Medium (3) * Unlikely (2) = Moderate (6)	Special Council meeting held in August 2023 to adopt budget
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

#### B.7 Natural Environment Considerations

Nil.

### C. OFFICER'S COMMENT

The following changes have been carried out to the draft budget since the budget workshops and is presented in the table below;

Account	Description	Reason	Effect on Budget
08175004/ 08173053	Transfer to Killara Reserve NRCP - Transport Fees	Reduce value of transfer to reserve from \$65,393 to \$26,393 and remove revenue from 08173053 (results from a formula error that duplicated non client income).	Nil
11342172	Wundowie Oval Buildings	Movement of cleaning contractor expense from Public Toilet - Tennis to Wundowie Football Club Changerooms to match contract	Nil
03023023	General Purpose Grant	Additional FAG Grant Received	\$97,254
03023033	Roads Grant	Additional FAG Grant Received	\$49,243
11349024	Recreation & Community Facilities Reserve	Transfer of Additional FAG Grant to Reserve	-\$146,497
04057002/ 04059034	Information Technology to Office Furniture and Equipment	Reallocate ERP Expenditure from Operating to Capital \$171,755	Nil
12379014/ 12373083	Footpath Construction Footpath Grants	Amended Footpath program	\$1,778
11349024	Recreation & Community Facilities Reserve	Adjusted Footpath program	-\$1,778
12379054	Rd/Works - General	Increase materials and contracts for Roads Program	\$36,841
12379204	Roads Bridges Reserve	Reduce transfer to Roads Bridges Reserve	-\$36,841
<b>Total Effect on budget</b>			<b>Nil</b>

## **Debt**

The following table represents Council's 2023/24 debt commitments.

<b>Loans Draft budget 2023/24</b>						
<b>Particulars</b>		<b>Principal</b>	<b>New</b>	<b>Principal</b>	<b>Principal</b>	<b>Interest</b>
		<b>1-Jul-23</b>	<b>Loans</b>	<b>Repayments</b>	<b>Outstanding</b>	<b>Repayments</b>
		<b>2023/24</b>	<b>2023/24</b>	<b>2023/24</b>	<b>2023/24</b>	<b>2023/24</b>
		<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Recreation &amp; Culture</b>						
Loan 219A - Northam Bowling Club **	3.18%	80,893	0	22,208	58,685	2,955
Loan 224 - Recreation Facilities	6.48%	610,035	0	60,354	549,681	42,777
Loan 227 - Youth Space	2.26%	313,369	0	49,338	264,031	8,967
Loan 228 - Swimming Pool	1.88%	4,025,187	0	199,939	3,825,248	97,469
Depot Redevelopment	4.79%	1,700,000	0	79,630	1,620,370	92,386
<b>Economic Services</b>						
Loan 225 - Victoria Oval Purchase	6.48%	499,120	0	49,380	449,740	35,000
		<b>7,228,605</b>	<b>0</b>	<b>460,850</b>	<b>6,767,755</b>	<b>279,554</b>

## **Rates**

The draft budget as presented to Council incorporates an increase in rates of 4.8%. The below table represents the last 5 years rate increases along with the proposed and the average over a 6 year period.

<b>Rate Increases (%)</b>						
<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Proposed</b>	<b>Average</b>
2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	
2.50%	2.25%	0.00%	2.56%	5.00%	4.80%	2.85%

## **Investment Interest**

Interest rates on investments remains high, with financial institutions offering between 3.5-4.75% for different terms. Taking this into account, projected interest revenue will increase by \$50,000 over the 2022/23 financial year.

## **Federal Assistance Grants**

Council will receive prepayment of the 2023/24 General Assistance Grant prior to end of 2022/23 financial year. This will be carried forward and recent unconfirmed advice from the Grants Commission the General Purpose and Roads Grant has been held steady.

**Utilities**

The State government has announced that general utility charges will increase by 2.5%, with streetlighting increasing by 7.5%.

**Emergency Services Levy**

It has been declared that the emergency services levy will increase by 5.3% over the 2022/23 financial year.

**Projected end of year 2022/23 Surplus**

A provision for the end of year tied surplus will be added to the budget before the adoption. These items will be clearly identified within the budget and as the funds will be carried forward, they will not impact the financial position of the draft budget. Final calculations are still being carried out to determine any untied surplus; allocations will be dealt with at budget adoptions as per the end of year surplus policy.

*“The use of any identified untied surplus at the end of a financial year will be limited to one (or more) of the following transactions, at the discretion of Council:*

1. *Transferred to a Reserve Account to be nominated by the Council;*
2. *Allocated to a "one-off" capital project nominated by the Council;*
3. *Retirement of debt (where possible).”*

**Wages and Salaries**

There has been a provision included within the budget for a general 4.00% increase in salaries across the organisation, plus the statutory 0.5% increase to superannuation bringing the total increase to 4.5%. The table below shows the last 5 years percentage increase plus the 6-year average increase. It excludes individual level increases and the additional increases that occurred to the works department during the 2021/22 financial year. It also excludes the increase in Superannuation over that period.

Staff Salary Increase (%)						
Budget	Budget	Budget	Budget	Budget	Proposed	Average
2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	
2.00%	2.00%	0.00%	1.75%	3.00%	4.00%	2.13%

**Reserves**

The following table represents draft budget movements in reserve accounts.



<b>Draft Reserves Budget 2023/24</b>					
	<b>Opening Bal</b>	<b>Interest</b>	<b>Tfr To Reserve</b>	<b>Tfr From Reserve</b>	<b>Total</b>
<b>Employee Liability Reserve</b>	795,913	21,422		(42,190)	<b>775,145</b>
<b>Office Equipment Reserve</b>	102,281	2,778		(100,000)	<b>5,059</b>
<b>Plant &amp; Equipment Reserve</b>	121,934	3,276		(100,000)	<b>25,210</b>
<b>Road Drainage &amp; Bridgeworks Reserve</b>	204,562	5,508	313,159		<b>523,229</b>
<b>Refuse Site Reserve</b>	465,803	13,263	110,663		<b>589,729</b>
<b>Speedway Reserve</b>	154,013	4,138			<b>158,151</b>
<b>Community Bus Replacement Reserve</b>	102,391	2,742			<b>105,133</b>
<b>Septage Pond Reserve</b>	201,116	8,361		(118,513)	<b>90,964</b>
<b>Killara Reserve</b>	399,413	10,770	15,393		<b>425,576</b>
<b>Recreation and Community Facilities Reserve</b>	228,511	6,078	648,275		<b>882,864</b>
<b>Council Buildings &amp; Amenities Reserve</b>	80,270	2,346			<b>82,616</b>
<b>Parking Facilities Construction Reserve</b>	102,281	2,742			<b>105,023</b>
<b>Reticulation Scheme Reserve</b>	241,689	6,508		(160,000)	<b>88,197</b>
<b>Revaluation Reserve</b>	2,714	69			<b>2,783</b>
<b>Total Cash Backed Reserves</b>	<b>3,202,891</b>	<b>90,000</b>	<b>1,087,490</b>	<b>(520,703)</b>	<b>3,859,678</b>

**Removal of Shire of Northam Industry Attraction Fund:**

The Shire of Northam Industry Attraction Fund was adopted in the 2022/2023 budget to incentivise business development and economic growth within the Shire of Northam. Staff believe the fund has successfully attracted interest and businesses to the region and it is no longer required.

**RECOMMENDATION**

**That Council receives the budget overview as presented.**



## 13.2 Endorsement of the Draft Budget 2023/2024

<b>File Reference:</b>	8.2.8.1
<b>Reporting Officer:</b>	Mia Miller (Management Accountant)
<b>Responsible Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority
<b>Press release to be issued:</b>	No

### BRIEF

For Council to consider matters raised by Elected Members and the presented considerations for incorporation into the 2023/24 Annual Budget. Endorsement will also be sought for the road and plant programs.

### ATTACHMENTS

1. Draft plan Off Leash [**13.2.1** - 1 page]
2. Off- Leash Dog Park Costing [**13.2.2** - 1 page]

### A. BACKGROUND / DETAILS

All Elected Members were provided with the opportunity to attend workshops to allow the Council finance team to provide an outline of the budget document as presented, answer questions, and provide clarifications. These workshops were well attended, and the feedback received from Elected Members has been positive.

Elected Members were provided the opportunity to raise/identify issues they felt warranted further detailed discussion or debate at the budget meeting.

### B. CONSIDERATIONS

#### **B.1 Strategic Community / Corporate Business Plan**

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

#### **B.2 Financial / Resource Implications**

The budget has been developed in accordance with the broad parameters established in the range of Council planning documents.

**B.3 Legislative Compliance**

The budget is required to be adopted by Council, on or before August 31.

**B.4 Policy Implications**

Nil

**B.5 Stakeholder Engagement / Consultation**

Consultation has occurred with Councillors and Staff.

**B.6 Risk Implications**

Refer to Risk Matrix [here](#).

<b>Risk Category</b>	<b>Description</b>	<b>Rating (consequence x likelihood)</b>	<b>Mitigation Action</b>
Financial	Council not provided with longer term financial implications	Medium (3) * Unlikely (2) = Moderate (6)	Ensure modelling is carried out and presented to Council though development of a Long Term Financial Plan.
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	Budget not adopted in a timely manner, impacting ability to commence significant projects/programs	Medium (4) * Unlikely (2) = Moderate (8)	Special Council meeting held in August 2023 to adopt budget
	Inability to deliver project outcomes because of adding to draft budget workloads	Medium (4) * Unlikely (2) = Moderate (8)	Staff recommending to not add additional projects to budget
Compliance	Budget not adopted by August 31, failing to meet statutory requirements	Medium (3) * Unlikely (2) = Moderate (6)	Special Council meeting held in August 2023
Property	N/A	N/A	N/A

Environment	N/A	N/A	N/A
-------------	-----	-----	-----

### B.7 Natural Environment Considerations

Nil

### C. OFFICER'S COMMENT

As a result of the workshops held with Elected Members the following information is provided for discussion:

#### Item raised for Discussion by Elected Members:

#### **Elected Members sitting fees:**

This item was raised that councilors should review the current Elected Members sitting fees. Elected Members sit within the salaries and allowances tribunal band 2 as per the table presented below.

<b>Elected Members Prescribed Attendance Fees, Band 2</b>						
	Council Member			Shire President		
	Minimum	Actual	Maximum	Minimum	Actual	Maximum
Meeting Fees	15,470	19,750	24,170	15,470	23,600	32,410
% of Maximum (difference)		46%			48%	
Presidential Allowance				16,000	45,000	65,915
% of Maximum (difference)					58%	
Deputy President Allowance (25% of Presidents allowance)					11,250	

Elected Members currently receive the maximum telecommunications allowance of \$3,500 per annum.

Councilor sitting fees were last increased in 2017/18. A 1% increase on total fees paid would equate to \$2,444 per annum. This figure is inclusive of the increase in both the President's and Deputy's President's allowances by 1%.

#### **Considerations list with funding options:**

The following options have been explored by staff to assist Council in its deliberations. The provided options are not exhaustive, merely the options identified by staff as being appropriate and sustainable. Of course, Council

always has the option of funding through further rate increases, however this is not recommended by staff.

<b>2023/24 Draft Budget - Items for consideration</b>			
<b>Consideration</b>	<b>Amount</b>	<b>Funding Options</b>	<b>Note</b>
<b>GOVERNANCE</b>			
Full site plan/survey	7,000	Can be funded from other areas identified by staff as part of the final budget tidy up	Nil
<b>ENGINEERING</b>			
Council motion C.4663 All Abilities Playground Feasibility Study	20,000	Can be funded by the removal or reduction of a project within the budget.	Staff recommend a reduction in Job 6453 Recreation Precinct Upgrades
Bert Hawke Oval - increase to materials and contract to maintain turf and reticulation	15,000	Reserve	Staff recommend to consider at Budget Review
Noxious Weeds - additional chemicals required for reserve and verge maintenance	20,000	Reserve	Staff recommend to consider at Budget Review
<b>COMMUNITY SERVICES</b>			
Council Plan 8.3.3 Mt Ommanney Activation	450,000	Can be funded by the removal or reduction of a project within the budget.	Staff do not believe they have the resources to deliver this project
<b>COUNCILLOR REQUESTS</b>			
Increase Elected Members sitting fees	TBA	Can be funded from other areas identified by staff as part of the final budget tidy up	Nil

<b>Consideration</b>	<b>Amount</b>	<b>Funding Options</b>	<b>Note</b>
<b>EXTERNAL REQUESTS</b>			

Northam Off-Leash Dog Park - Clark St	107,967	Can be funded by the removal or reduction of a project within the budget or seek grant funding	Suggest staged funding
Council Plan 8.3.4 Clackline Playground Stage 2	25,238	Seek funding grant	Staff recommend to consider at Budget Review when current budgeted works are complete
<b>Total</b>	<b>645,205</b>		

**Roads Program:**

The proposed roads program is presented below.

Street	SLK Start	SLK End	Length	Total
Smith Road	2.08	4.4	2320	\$356,070
Beering Road	0	3.7	3700	\$453,012
Jennapullin Road	6.5	7.9	1400	\$645,605
Grass Valley North Road	9.8	10.52	720	\$280,000
<b>Total</b>				<b>\$1,734,687</b>

**Plant Program:**

The plant program is included in the draft budget as presented.

Description	Replacement	Trade-In	Changeover
<b>HEAVY PLANT</b>			
PN1005 Kubota F3680 Mower GP1001	37,991.00	6,500.00	31,491.00
MV1405 Forklift	30,200.00	6,000.00	24,200.00
PN1502 Bomag Road Roller (N.4174)	188,000.00	35,000.00	153,000.00
PN1518 Flail Mower Trimax WS205	16,115.00	1,000.00	15,115.00
PN1603 MV1603 Sewell Road Broom	47,500.00	1,000.00	46,500.00
PN1622 - Fieldquip Major 3 Point Linkage Roller Mower	29,755.00	1,000.00	28,755.00
PN1804 Hino 500 Series Tipper (N10759)	221,690.00	80,182.00	141,508.00
MV1508 Vermeer Stump Grinder	-	10,000.00	- 10,000.00
<b>LIGHT VEHICLES</b>			

PN1623 Mitsubishi Triton Single Cab	39,000.00	12,000.00	27,000.00
PN1602 Mitsubishi Triton Ute GLX	33,500.00	12,000.00	21,500.00
MV1909 Mazda BT50 (N.4487)	38,500.00	19,000.00	19,500.00
PN1905 Mitsubishi Outlander	39,000.00	20,000.00	19,000.00
MV1909 Mazda BT50 (N.4487)	38,500.00	19,000.00	19,500.00
PN1902 MITSUBISHI TRITON	55,196.00	11,000.00	44,196.00
PN1907 FORD ESCAPE	39,000.00	10,000.00	29,000.00
PN1915 FORD RANGER UTE 4X4	55,000.00	44,000.00	11,000.00
<b>Total</b>	<b>908,947.00</b>	<b>287,682.00</b>	<b>621,265.00</b>
Transfer from Plant Reserve			- 100,000.00
<b>Net Cost to Council</b>			<b>521,265.00</b>

**Amended Footpath Program:**

The Amended Footpath Program as present below will take advantage of additional funding received through the Western Australian Bicycle Network Program, it will increase the overall program from \$668,091 to \$750,917 whilst increasing grant revenue by \$84,604.

Road Name	Start	End	Length	From	To	Current	Proposed
MITCHELL AVENUE (New)	1040	1750	710	Roundabout	Mt Ommaney	231,709.00	231,709.00
EAST STREET (Replacement)	810	910	100	Frankish Rd	Throssell St	16,000.00	0.00
ELIZABETH PLACE (Replacement/Upgrading)	300	340	40	Grey St	Carpark	30,000.00	0.00
WILSON STREET (Replacement)	150	350	200	George St	Carroll St	40,382.00	0.00
FITZGERALD STREET or CBD (Replacement/Upgrading)	TBC	TBC	TBC	TBC	TBC	350,000.00	350,000.00
KENNEDY STREET	TBC	TBC	TBC	TBC	TBC	0.00	169,208.00
<b>Total</b>						<b>668,091.00</b>	<b>750,917.00</b>

**Differential Rates:**

the table presented shows the differential rates that have been presented to Council for endorsement.

<b>Differential Rates 2023/24</b>
-----------------------------------

	<b>Rate in the Dollar</b>	<b>Minimum Rate</b>
General GRV	10.5680	1,065
Northam Town and Avon Industrial Park, Commercial, Industrial and Community GRV	11.3466	1,065
UV Agriculture Local	0.5260	1,065
UV Agriculture Regional	0.5050	1,065
UV Small Local	0.7787	1,065

**RECOMMENDATION**

**That Council suspend Standing Orders 8.5 and 8.9 to allow further discussion pertaining to the Budget content.**

**RECOMMENDATION**

**That Council resume Standing Orders 8.5 and 8.9 to allow formal debate pertaining to the Budget content.**

**Part 1 – Roads Program**

**RECOMMENDATION**

**That Council endorse the roads program as presented for inclusion in the 2023/24 draft budget;**

<b>Street</b>	<b>SLK Start</b>	<b>SLK End</b>	<b>Length</b>	<b>Total</b>
Smith Road	2.08	4.4	2320	\$356,070
Beering Road	0	3.7	3700	\$453,012
Jennapullin Road	6.5	7.9	1400	\$645,605
Grass Valley North Road	9.8	10.52	720	\$280,000
<b>Total</b>				<b>\$1,734,687</b>

**Part 2 – Plant Program**

**RECOMMENDATION**

**That Council endorse the following listed plant and equipment program as presented for inclusion in the 2023/24 draft budget;**

Description	Replacement	Trade-In	Changeover
<b>Heavy Plant</b>			
PN1005 Kubota F3680 Mower GP1001	37,991.00	6,500.00	31,491.00
MV1405 Forklift	30,200.00	6,000.00	24,200.00
PN1502 Bomag Road Roller (N.4174)	188,000.00	35,000.00	153,000.00
PN1518 Flail Mower Trimax WS205	16,115.00	1,000.00	15,115.00
PN1603 MV1603 Sewell Road Broom	47,500.00	1,000.00	46,500.00
PN1622 - Fieldquip Major 3 Point Linkage Roller Mower	29,755.00	1,000.00	28,755.00
PN1804 Hino 500 Series Tipper (N10759)	221,690.00	80,182.00	141,508.00
MV1508 Vermeer Stump Grinder	-	10,000.00	- 10,000.00
<b>Light Vehicles</b>			
PN1623 Mitsubishi Triton Single Cab	39,000.00	12,000.00	27,000.00
PN1602 Mitsubishi Triton Ute GLX	33,500.00	12,000.00	21,500.00
MV1909 Mazda BT50 (N.4487)	38,500.00	19,000.00	19,500.00
PN1905 Mitsubishi Outlander	39,000.00	20,000.00	19,000.00
MV1909 Mazda BT50 (N.4487)	38,500.00	19,000.00	19,500.00
PN1902 MITSUBISHI TRITON	55,196.00	11,000.00	44,196.00
PN1907 FORD ESCAPE	39,000.00	10,000.00	29,000.00
PN1915 FORD RANGER UTE 4X4	55,000.00	44,000.00	11,000.00
<b>Total</b>	<b>908,947.00</b>	<b>287,682.00</b>	<b>621,265.00</b>
Transfer from Plant Reserve			- 100,000.00
<b>Net Cost to Council</b>			<b>521,265.00</b>

### Part 3 – Amended Footpath Program

#### RECOMMENDATION

That Council endorse the amended footpath program as presented for inclusion in the 2023/24 draft budget;

Road Name	Start	End	Length	From	To	Current	Proposed
MITCHELL AVENUE (New)	1040	1750	710	Roundabout	Mt Ommaney	231,709	231,709
EAST STREET (Replacement)	810	910	100	Frankish Rd	Throssell St	16,000	0
ELIZABETH PLACE (Replacement/Upgrading)	300	340	40	Grey St	Carpark	30,000	0



WILSON STREET (Replacement)	150	350	200	George St	Carroll St	40,382	0
FITZGERALD STREET or CBD (Replacement/Upgrading)	TBC	TBC	TBC	TBC	TBC	350,000	350,000
KENNEDY STREET	TBC	TBC	TBC	TBC	TBC	0	169,208
<b>Total</b>						<b>668,091</b>	<b>750,917</b>

#### **Part 4 – Endorsement of 2023/24 Draft Budget**

##### **RECOMMENDATION**

**That Council endorse the 2023/24 Draft Budget as presented with the following adjustments:**

- 1. Including/excluding the following items from the budget & consideration list presented.**
  - a. (to be determined by Council at this meeting)**
- 2. Authorise the Chief Executive Officer to advertise the proposed differential rating based on an estimated total rate yield of approximately \_\_\_\_\_%.**

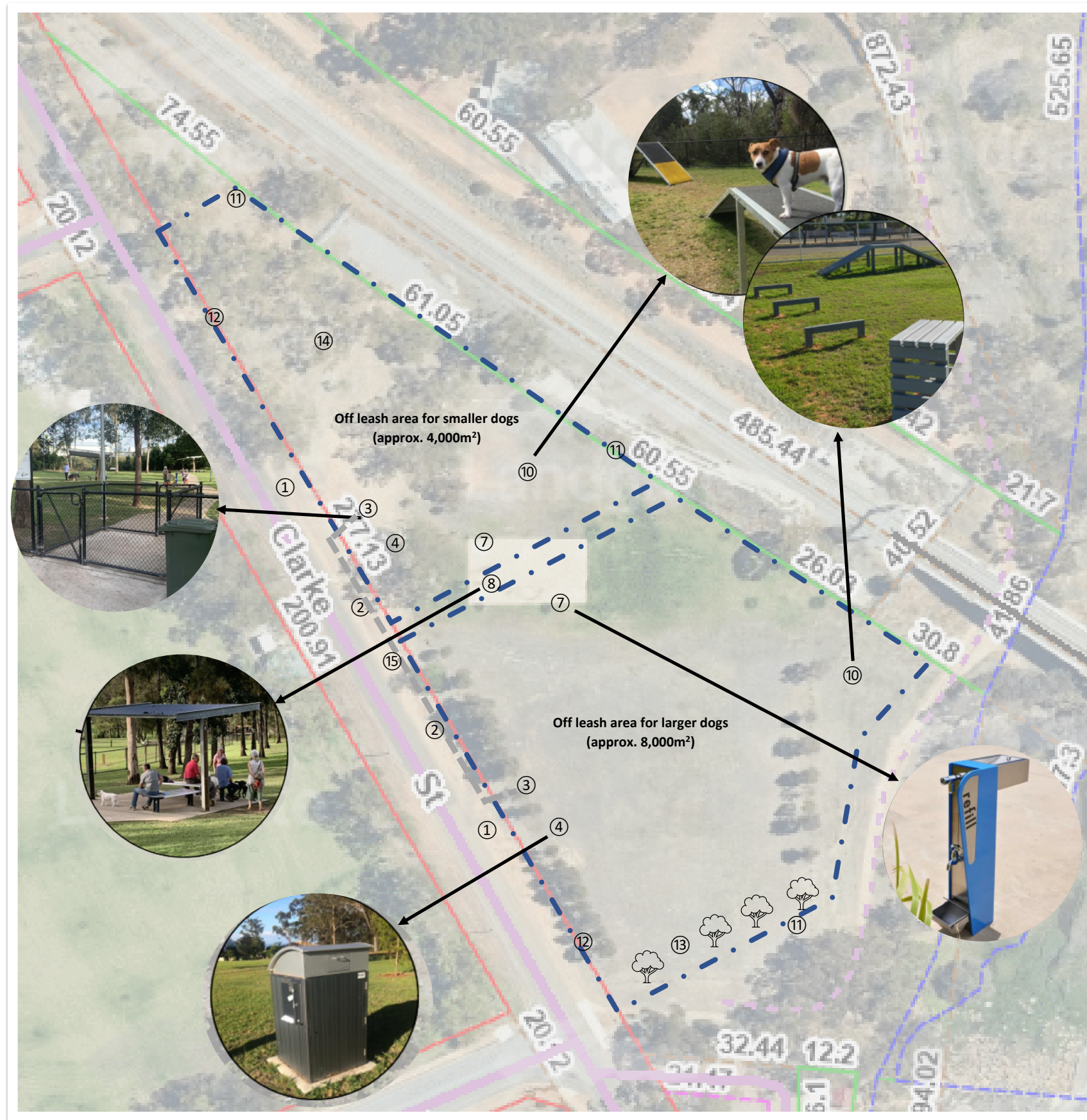
#### **Part 5 – Endorsement of the 2023/24 Differential Rates**

##### **RECOMMENDATION**

**That Council endorse the proposed 2023/24 differential rate categories, rate in the dollar and minimum payments for advertising prior to adoption of the 2023/24 Annual Budget as presented;**

<b>Differential Rates 2023/24</b>		
	<b>Rate in the Dollar</b>	<b>Minimum Rate</b>
General GRV	10.5680	1,065
Northam Town and Avon Industrial Park, Commercial, Industrial and Community GRV	11.3466	1,065
UV Agriculture Local	0.5260	1,065
UV Agriculture Regional	0.5050	1,065
UV Small Local	0.7787	1,065

## Northam Regional Off-Leash Dog Park, Clarke Street, Northam – Concept Plan



### Legend

- ① Informal off street car parking
- ② Accessible path, 1.5m wide, to AS1428.1 connecting off leash areas and informal car parking
- ③ Double gated entrances and holding areas between gates (2.5x2.5m) with concrete surfacing
- ④ Bins and dog waste dispensers
- ⑤ Service maintenance gates
- ⑥ Bench seats with back and arm rests
- ⑦ Accessible drinking fountain with dog bowl
- ⑧ Bench seating and shelter
- ⑨ Garden beds
- ⑩ Dog agility equipment e.g. tunnels, beams logs
- ⑪ 1500mm high black chainlink fence
- ⑫ 1200mm high black chainlink fence
- ⑬ Tree planting for natural shade
- ⑭ Existing trees to remain
- ⑮ Signage at entrance defining fenced off leash area rules

Northam Off-Leash Dog Park, Clark Street Northam,		
Description	Price	Supplier
<b>Black</b> - Chain Mesh Fencing 1200mm high, 40mm pipe top & bottom rail, divided by 2.5mtr wide lane dividing large dog (approx 8,000sq mtrs) and small dog area (4,000sq mtrs), double gated entrance/holding area included 3 x1mr personel gates. Included are 2 maintenance plant entry gates 2.5mtrs wide	\$ 35,408.42	Direct Trade Supplies Pty Ltd
<b>Galvanised</b> - As above Installation of 600mtrs fencing @ \$30.00 L/Mtr - top & bottom railing only strainer sections only, top & bottom rail on entire boundry not quoted	\$ 18,000.00	Direct Trade Supplies Pty Ltd
Picnic Shelter - 1 per area - average price each - \$7643.75	\$ 15,287.50	Fencewright Exteria
Table Settings - 1 per area - average price each - \$4104.00	\$ 8,208.00	Exteria
Bench Seat with arms - 1 per area - average price each - \$2637.50	\$ 5,275.00	Exteria
Drinking Fountain with bubbler and dog bowl - 2 per area - average price - \$3888.75	\$ 7,777.50	Exteria & Woodlands
Bin Surround - 1 per area - price \$2518.00	\$ 2,518.00	Exteria Hills Concrete
Concrete Pipes for Activities - 2 x 450mm per area - price each - \$418.18	\$ 1,672.72	Products Hills Concrete
Concrete Pipes for Activities - 2 x 600mm per area - price each - \$545.45	\$ 2,181.81	Products Hills Concrete
Activity - 3 mtr long x 770mm wide x 520mm high concrete feed bunk 1 per area - \$490.90 ea	\$ 981.80	Products
Envirogreen Animal Waste bag dispenser - 1 each area \$159.50	\$ 319.00	Envirogreen
Varying sized limestone blocks to the value of \$500.00 per area for stepping stones to be layed virtically and horizational	\$ 1,000.00	Limestone Building Blocks
Dog Agility Equipment to be quoted by local manufacturers (Mens Shed) as per brochure		
Wheelie Bins - 1 Red \$ 80.90 & 1 Green \$ 62.72 1 off each per area	\$ 287.26	Bunnings
	Sub Total \$ 98,917.01	
EOI - Concept Plan	\$ 9,050.00	
	Total \$ 107,967.01	

### 13.3 Scheme Amendment No. 17 - Avon Logistics Hub

<b>Address:</b>	239 Yilgarn Avenue, Malabaine
<b>Owner:</b>	Procon Investments Pty Ltd
<b>Applicant:</b>	Hidding Urban Design
<b>File Reference:</b>	3.1.10.17
<b>Reporting Officer:</b>	Jacky Jurmann (Manager Planning & Environment)
<b>Responsible Officer:</b>	Chadd Hunt (Executive Manager Development Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority
<b>Press release to be issued:</b>	No

#### BRIEF

As a result of consultation with the Environmental Protection Authority, Scheme Amendment No. 17 adopted for initiation by Council at its Ordinary Meeting held on 15/12/2021 (Minute C.4369) requires amending and Council approval prior to their determination.

The amendments are required to meet the EPA's mitigation hierarchy of 'avoidance, mitigation and rehabilitation'.

#### ATTACHMENTS

1. Scheme Amendment Document v 2 [**13.3.1** - 12 pages]

#### A. BACKGROUND / DETAILS

Council at its Ordinary Meeting held on 15/12/2021 resolved to initiate amendment number 17 to the Northam Local Planning Scheme No. 6 to rezone portions of 239 Yilgarn Ave, Malabaine (known as the Avon Logistics Hub) from 'conservation' to 'light and service industry'.

The proposed amendment was forwarded to the EPA in accordance with Council's resolution and section 81 of the *Planning and Development Act 2005*.

The EPA have raised concerns regarding the potential environmental impacts of the rezoning and through discussions with the Applicant's environmental consultants a satisfactory proposal has been reached. The EPA now require the scheme amendment document to be amended and adopted by Council prior to their determination.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Performance Area: Prosperity.

Outcome 10: An attractive destination for investors, business and visitors; helping to grow the economy and local jobs.

Objective 10.2: Promote industrial development with a focus on the Avon Industrial Park and Avon Logistics Hub.

Priority Action: Nil.

### B.2 Financial / Resource Implications

Scheme amendment costs are borne by the Applicant.

### B.3 Legislative Compliance

The proposed amendments are to meet EPA requirements.

### B.4 Policy Implications

There are no policy implications associated with this Report.

### B.5 Stakeholder Engagement / Consultation

The Applicant, their consultants and the Shire have been involved in the consultation with the EPA. Following receipt of the EPA's determination, the amendment will be publicly advertised.

### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/a	N/a	N/a
Health & Safety	N/a	N/a	N/a
Reputation	N/a	N/a	N/a
Service Interruption	N/a	N/a	N/a
Compliance	N/a	N/a	N/a
Property	N/a	N/a	N/a
Environment	Removal of significant remnant and native vegetation.	Unlikely (2) x Minor (2) = Low (4)	Proposed amendment will mitigate environmental impacts.

### B.7 Natural Environment Considerations

The EPA have advised that the proposed amendments are required to consider their mitigation hierarchy to assist with their rezoning assessment



and to address rehabilitation and on-ground management of the vegetation.

### C. OFFICER'S COMMENT

As indicated earlier in this Report, it is proposed to insert a new clause into the Shire's local planning scheme to address the EPA's request for the amendment to include mitigation actions.

Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015* contains model provisions for local planning schemes (known as Model Scheme Text) and it is proposed to insert the provisions from cl. 32 of the MST into LPS6 as follows:

#### "4.3.8 Additional site and development requirements

4.38.1 Table 4 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

**Table 4 - Additional requirements that apply to land in Scheme area**

No.	Description of Land	Requirement
1	Lot 881 (#239) Yilgarn Avenue, Malabaine	In the Light and Service Industry zone within Lot 881 Yilgarn Avenue, in order to conserve environmental values and amenity, a vegetated corridor along the shared boundary with the Northam Race Club (Lot 50 (#175) Yilgarn Avenue) shall be established extending the full length of the western boundary. The corridor location shall be to the satisfaction of the local authority.  On-ground management relating to the protection of existing native vegetation and revegetation of degraded areas within the vegetated corridor is to be outlined in a Conservation Management Plan prepared to the satisfaction of the local authority. The Conservation Management Plan is to also address mitigation measures to be implemented by the developer to offset any impacts to potential black cockatoo habitat within Lot 881.  The removal of any existing native trees and revegetated areas shall be authorised by local government and must be associated with subdivision approval works, vehicle access, bushfire mitigation measures, or to manage trees that are dead, diseased or dangerous.

4.38.2 To the extent that a requirement referred to in clause 4.38.1 is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy, the requirement referred to in clause 4.38.1 prevails."

Once the EPA has made their determination, the scheme amendment will be advertised, and any submissions considered prior to representing the amendment to Council and the WAPC for final approval and gazettal.

### **RECOMMENDATION**

#### **That Council:**

- 1. Resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), that proposed Scheme Amendment No. 17 (as amended) is a standard amendment pursuant to Regulation 34 of the Regulations as it is:
  - a. generally consistent with the objectives of the Local Planning Strategy;**
  - b. is anticipated to have minimal impact on surrounding land; and**
  - c. is anticipated to have no significant environmental, social, economic or governance impacts on land in the scheme area.****
- 2. Pursuant to Section 81 of the Planning and Development Act 2005, refers proposed Amendment No. 17 (as amended) to the Environmental Protection Authority prior to advertising in accordance with Regulation 47(2)(a) up to and including (e) of the Regulations;**
- 3. Pursuant to Regulation 47(1) of the Regulations, provides Notice of Amendment No. 17 (as amended) to the Western Australian Planning Commission.**
- 4. Advertise Amendment No. 17 (as amended) in accordance with Regulation 47(3) and Regulation 76A of the Regulations; and**
- 5. Compile any resulting comments or modifications to be further considered by Council.**

**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**  
**SHIRE OF NORTHAM**  
**LOCAL PLANNING SCHEME No. 6**

RESOLVED THAT Council in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Rezoning portions of Lot 881 (#239) Yilgarn Avenue, Malabaine from “Environmental Conservation” to “Light and Service Industry”;
2. Amend the Scheme Map, accordingly; and
3. Insert new scheme provision clause 4.38 and Table 4, as follows:

**4.38 ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS**

4.38.1 Table 4 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

**Table 4 - Additional requirements that apply to land in Scheme area**

No.	Description of Land	Requirement
1	Lot 881 (#239) Yilgarn Avenue, Malabaine	<p>In the Light and Service Industry zone within Lot 881 Yilgarn Avenue, in order to conserve environmental values and amenity, a vegetated corridor along the shared boundary with the Northam Race Club (Lot 50 (#175) Yilgarn Avenue) shall be established extending the full length of the western boundary. The corridor location shall be to the satisfaction of the local authority.</p> <p>On-ground management relating to the protection of existing native vegetation and revegetation of degraded areas within the vegetated corridor is to be outlined in a Conservation Management Plan prepared to the satisfaction of the local authority. The Conservation Management Plan is to also address mitigation measures to be implemented by the developer to offset any impacts to potential black cockatoo habitat within Lot 881.</p> <p>The removal of any existing native trees and revegetated areas shall be authorised by local government and must be associated with subdivision approval works, vehicle access, bushfire mitigation measures, or to manage trees that are dead, diseased or dangerous.</p>



4.38.2 To the extent that a requirement referred to in clause 4.38.1 is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy, the requirement referred to in clause 4.38.1 prevails.

Dated this..... day of ..... 20

.....  
**CHIEF EXECUTIVE OFFICER**

File No:.....  
Part of Agenda:.....

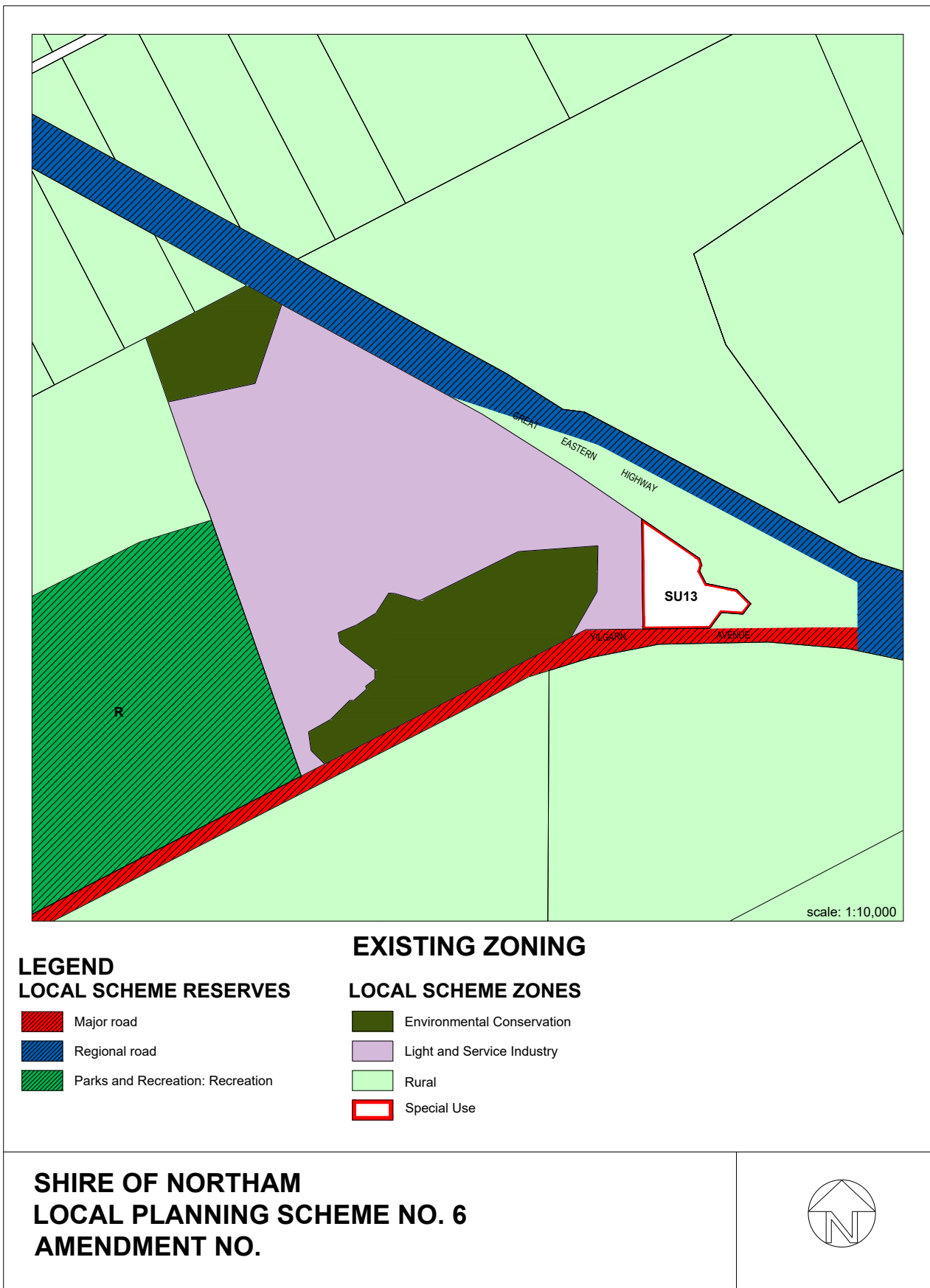
**MINISTER FOR PLANNING; LANDS; HOUSING; HOMELESSNESS**

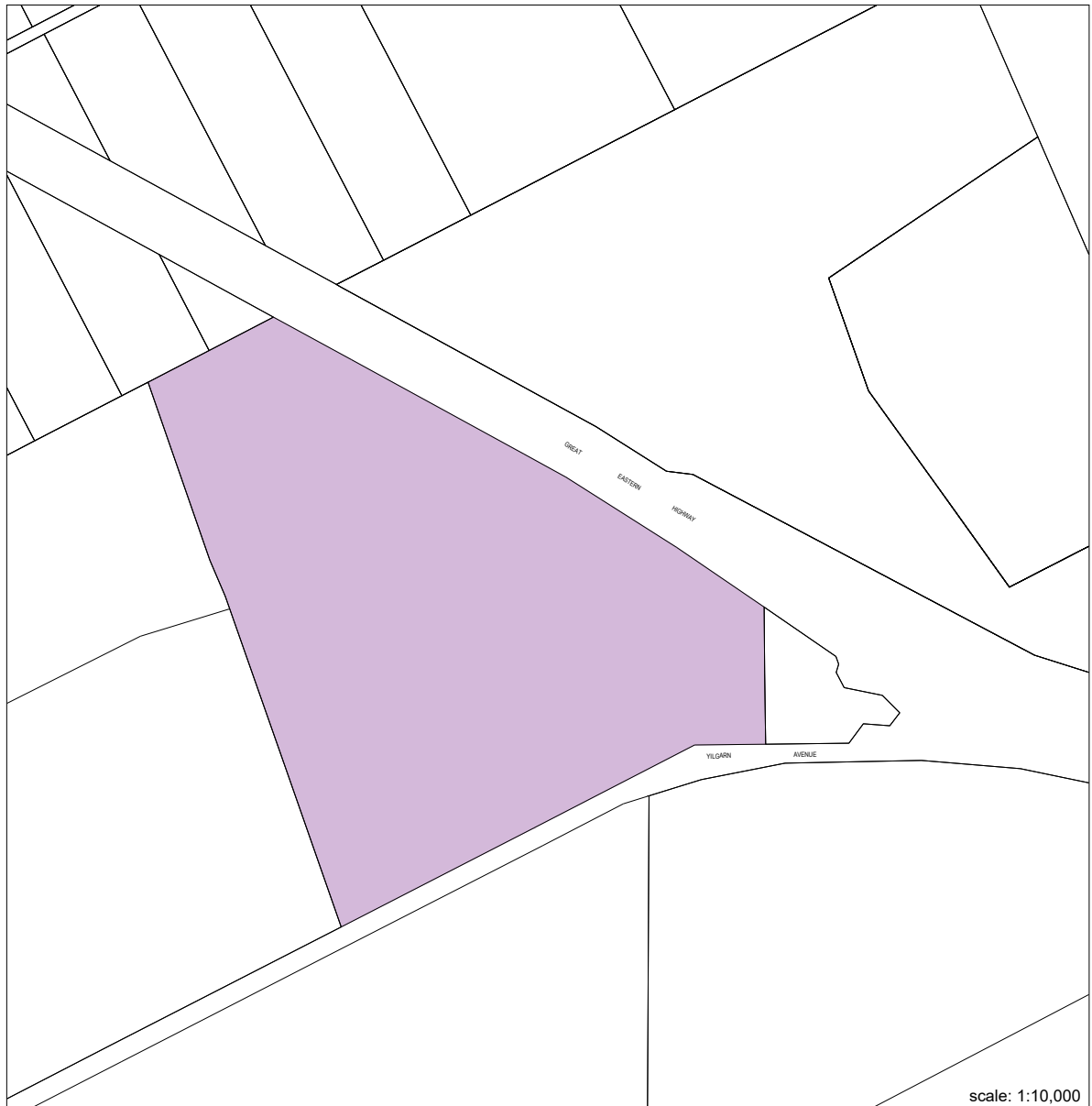
**PROPOSAL TO AMEND A SCHEME**

1. *LOCAL AUTHORITY:* Shire of Northam
  
  2. *DESCRIPTION OF LOCAL PLANNING SCHEME:* Local Planning Scheme No. 6.
  
  3. *TYPE OF SCHEME:* District Zoning Scheme
  
  4. *SERIAL No. OF AMENDMENT:* Amendment No. 17
  
  5. *PROPOSAL:* Rezoning portions of Lot 881 (#239) Yilgarn Avenue, Malabaine from "Environmental Conservation" to "Light and Service Industry"
-

# SCHEME AMENDMENT REPORT

## **SCHEME AMENDMENT MAPS**






### PROPOSED ZONING

#### LEGEND

##### LOCAL SCHEME ZONES

 Light and Service Industry

**SHIRE OF NORTHAM  
LOCAL PLANNING SCHEME NO. 6  
AMENDMENT NO.**



# SCHEME AMENDMENT DOCUMENTS

**PLANNING AND DEVELOPMENT ACT 2005**  
**SHIRE OF NORTHAM**  
**LOCAL PLANNING SCHEME No. 6**  
**AMENDMENT No. 17**

The Council of the Shire of Northam under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Rezoning portions of Lot 881 (#239) Yilgarn Avenue, Malabaine from “Environmental Conservation” to “Light and Service Industry”;
2. Amend the Scheme Map, accordingly; and
3. Insert new scheme provision clause 4.38 and Table 4, as follows:

**4.38 ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS**

4.38.1 Table 4 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

**Table 4 - Additional requirements that apply to land in Scheme area**

No.	Description of Land	Requirement
1	Lot 881 (#239) Yilgarn Avenue, Malabaine	<p>In the Light and Service Industry zone within Lot 881 Yilgarn Avenue, in order to conserve environmental values and amenity, a vegetated corridor along the shared boundary with the Northam Race Club (Lot 50 (#175) Yilgarn Avenue) shall be established extending the full length of the western boundary. The corridor location shall be to the satisfaction of the local authority.</p> <p>On-ground management relating to the protection of existing native vegetation and revegetation of degraded areas within the vegetated corridor is to be outlined in a Conservation Management Plan prepared to the satisfaction of the local authority. The Conservation Management Plan is to also address mitigation measures to be implemented by the developer to offset any impacts to potential black cockatoo habitat within Lot 881.</p> <p>The removal of any existing native trees and revegetated areas shall be authorised by local government and must be associated with subdivision approval works, vehicle access, bushfire mitigation measures, or to manage trees that are dead, diseased or dangerous.</p>



4.38.2 To the extent that a requirement referred to in clause 4.38.1 is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy, the requirement referred to in clause 4.38.1 prevails.

**ADOPTION**

Adopted by resolution of the Council of the Shire of Northam at the Meeting of the Council held on the ..... day of ..... 20.....

.....  
**SHIRE PRESIDENT**

.....  
**CHIEF EXECUTIVE OFFICER**

**FINAL APPROVAL**

ADOPTED for Final Approval by resolution of the Shire of Northam at the Meeting of the Council held on the ..... day of ..... 20..... and the Common Seal of the Shire of Northam was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
**SHIRE PRESIDENT**

.....  
**CHIEF EXECUTIVE OFFICER**

Recommended/Submitted for Final Approval

.....  
**DELEGATED UNDER S.16 OF  
THE PD ACT 2005**

Date .....

Final Approval granted

.....  
**MINISTER FOR PLANNING**

Date .....

---

## 14 MATTERS BEHIND CLOSED DOORS

### RECOMMENDATION

That Council, in accordance with section 11.1(i) of the Shire of Northam Standing Orders Local Law 2018 and Section 5.23 (2) (c) of the Local Government Act 1995, meet behind closed doors to consider agenda item 14.1 - Request to Lower Reserve Price for Sale of Land – A15549 as the matter relates to a contract which may be entered into.

## 14.1 REQUEST TO LOWER RESERVE PRICE FOR SALE OF LAND - A15549

### RECOMMENDATION

That Council move out from behind closed doors.

## 15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

## 16 URGENT BUSINESS APPROVED BY DECISION

Nil.

## 17 DECLARATION OF CLOSURE