



Shire of Northam
Heritage, Commerce and Lifestyle

SHIRE OF NORTHAM

MINTUES

ORDINARY COUNCIL MEETING

HELD

WEDNESDAY

20 JULY 2016

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

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**Minutes of the Ordinary Meeting of Council held in the Council Chambers on
WEDNESDAY, 20 July 2016 at 5:30 pm.**

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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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1. OPENING AND WELCOME

The Shire President, Cr S B Pollard declared the meeting open at 5.33pm.

2. DECLARATION OF INTEREST

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Application for a Stallholder Permit at Mitre 10	13.2.1	Cr R W Tinetti	Impartiality	The applicant is well known to him.
Development Application for an Office - Lot 351 No. 20 Gairdner Street, Northam	13.2.4	Cr S B Pollard	Impartiality	Applicant and owners are well known to him.
Development Application for an Office - Lot 351 No. 20 Gairdner Street, Northam	13.2.4	Cr R W Tinetti	Impartiality	The applicant is well known to him.
Request to Initiate Standard Scheme Amendment to Shire of Northam Local Planning Scheme No. 6 – Rezoning of Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential'	13.2.6	Cr R W Tinetti	Impartiality	The applicant is well known to him.
Request to Initiate Standard Scheme Amendment to Shire of Northam Local Planning Scheme No. 6 – Rezoning of Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential'	13.2.6	Cr S B Pollard	Impartiality	Owner/applicant is well known to him.

3. ATTENDANCE

COUNCIL

Councillors

S B Pollard (Shire President)
T M Little (Deputy Shire President)
D G Beresford
J E Williams
J Proud
R W Tinetti
C L Davidson
U Rumjantsev
C R Antonio

Chief Executive Officer
Executive Manager Engineering Services
Executive Manager Development Services
Executive Manager Community Services

J B Whiteaker
C D Kleynhans
C B Hunt
R Rayson

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Executive Assistant – CEO
Planning Officer
Planning Officer

A C Maxwell
C Wynn
L Ashby

GALLERY

Thirteen (13) members of the public
Timothy Williams – Avon Valley Advocate

4. APOLOGIES

Executive Manager Corporate Services, Mr C Young

5. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr D A Hughes has been granted leave of absence from Friday, 1 July 2016 to Sunday, 31 July 2016 inclusive.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8. PUBLIC QUESTION TIME

Nil.

9. PUBLIC STATEMENT TIME

Randle Beavis – Grass Valley Progress Association

Statement: On behalf of the GVPA and the 3 ratepayers who made submissions we would like to make it very clear to council that we have no collective objection to the application. We have great respect for the applicant and his ability to comply with the conditions of the extractive license and that of the conditions for operators on a RAV 2 route.

The overwhelming community concern is the actual condition of the road and the safety implications associated for the potential increase of 42.5 T vehicle traffic per day. We wish to remind council that Shire's Insurance

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has already paid heavily for a motorcycle accident claim on this road previously. Would Shire be found negligent again if another accident occurred?

We acknowledge that Jennapullin Rd has MRWA approval as a RAV 2 route. This was verified to us by Grenville Putland from MRWA, However he did point out that this road was approved more than 15 years ago and that there is no mechanism in place for audit or compliance once a road is approved. Therefore if Shire were to request MRWA to inspect Jennapullin Rd for RAV 2 compliance now in 2016 there is a high percentage that the road would fail and the RAV 2 rating would be revoked until Shire made the necessary improvements. This action would penalize all current RAV 2 permit holders.

We are not asking for this process to take place. What we are seeking is Shire's commitment to improve the safety and condition of Jennapullin Rd by considering implementing the following community recommendations:

- A single Crest ahead sign placed either side of the Grass Valley North Rd intersection
- Bridge railing or barriers placed at the culvert 50mtrs from Clydesdale Rd
- No overtaking signs be placed at this culvert
- Road Narrow signs placed on both sides of the road at appropriate sections.
- Trucks entering signs placed either side of the applicants driveway
- Vegetation clearing
- Shoulder rebuilding
- Increased annual shoulder grading

The community wishes to thank the Shire for shoulder grading on Jennapullin Rd from the Grass Valley North Rd to Clydesdale Rd last Saturday 16th July and also to those councillors who actually went and drove Jennapullin Rd after our request last week. The community again would like to make it clear that we do not object to the application for an extractive Industry License.

Thank you for your patience.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

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11. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

11.1 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2751

Moved: Cr Rumjantsev

Seconded: Cr Little

That the minutes of the meeting held Wednesday, 22 June 2016 be confirmed as a true and correct record of that meeting.

CARRIED 9/0

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2752

Moved: Cr Williams

Seconded: Cr Proud

That the minutes of the meeting held Wednesday, 29 June 2016 be confirmed as a true and correct record of that meeting.

CARRIED 9/0

11.2 RECEIPT OF NOTES OF THE COUNCIL FORUM MEETING

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2753

Moved: Cr Rumjantsev

Seconded: Cr Little

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

CARRIED 9/0

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Preface

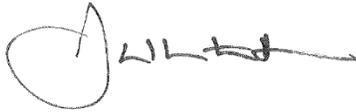
When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

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 July 2016



JASON WHITEAKER
CHIEF EXECUTIVE OFFICER

Received Notes

These notes were received at an Ordinary Meeting of Council held on 13 July 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 July 2016 at 5:30 pm.**

DISCLAIMER

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1. OPENING AND WELCOME

The Deputy Shire President, Cr T M Little declared the meeting open at 5.30pm.

2. DECLARATION OF INTEREST

Nil.

3. ATTENDANCE

COUNCIL

Councillors

T M Little
D G Beresford
J E Williams
J Proud
R W Tinetti
C L Davidson
U Rumjantsev
C R Antonio

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

Fourteen (14) members of the public

4. APOLOGIES

Shire President

S B Pollard

5. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr D A Hughes has been granted leave of absence from Friday, 1 July 2016 to Sunday, 31 July 2016 inclusive.

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6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8. PUBLIC QUESTION TIME

Richard Brazier – Grass Valley

Question: When was the most recent shoulder grade done on Jennapullin Road?

Response: The Executive Manager Engineering Services advised that this was completed in April 2015.

Question: Can you please explain what “Appropriately managed through appropriate conditions” means? (Attachment 1 – Schedule of Submissions, second paragraph of the Officers Comment).

Response: This is a typographical error, it should read ‘managed through the planning appropriate planning conditions’ which are subsequently detailed within the officer’s recommendation.

Shayne Lucy – Northam Mitre 10

Question: In relation to agenda item 13.2.1, can the stallholder fee be an annual, one off fee.

Response: The Chief Executive Officer advised that staff will work with the proponent and assist in accommodating an appropriate term for the fee..

9. PUBLIC STATEMENT TIME

Joan Williams - Northam

Item No: 13.2.3 - Consideration of Submissions & Final Adoption of Local Planning Policy No.18 – Heritage Precincts.

Statement: Fitzgerald Street will become redundant with the advent of the new shopping centre to be constructed in Gairdner Street. These thoughts are

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put forward to inject motivation, encourage local people/business houses and people to support Fitzgerald Street.

Additional thoughts on Heritage Precincts – Northam Town;

- Improvements to Fitzgerald Street, between Gordon and Grey Streets Northam.
- Increase selling opportunities for shops, buy something different, more relaxed shopping, and attract visitors. Specialised themes for shopping.
- Majority of shops currently have rear access available.
- Shop fronts need to be refreshed, made more attractive where possible extend into the Mall.
- Attractive lighting, fittings to be designed to suit locations.
- Road surface to be flat, no gutters, underground drainage.
- Shade trees (local growing plants) and sunshades be provided to shade and shelter. The shades to be placed in front of the site of the Commercial Hotel and Everlastings.
- Shops/businesses creating specialised presentation of their goods on movable displays.
- Food providers to have barrows of items outside their shops, provision of refrigeration for food safety.
- Gordon and Grey Street to have retractable gates with auto opening for visitors, people doing their shopping.
- Opportunity for 'street theatre' performances, buskers.

Richard Brazier – Grass Valley

Item No: 13.2.2 - Development Application for an Extractive Industry - Lot 16904 No.480 Jennapullin Road, Southern Brook.

Statement: Recently I had cause to travel on Smith Road and Trimmer Road in the Shire of Northam.

Smith Road is a no through road where the sealed section is a little over 6 metres wide, it has a crest which is sign posted, if two medium sized vehicles meet on this crest they are able to pass while remaining on the sealed section.

Jennapullin Road's sealed section is less than 4 metres, it has a crest which is not sign posted, so cars have to go on the gravel to pass, and the shoulders are dangerous.

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Trimmer Road has two creek crossings, both have guard rails and no passing signs, Jennapullin Road has no rails and no signs on its creek crossings.

The widening and sealing of the Northam end of Jennapullin Road where it meets Goomalling Road, extends to the large hay shed, to enable road trains to come and load up.

I would suggest councillors that they make themselves aware of the condition of Jennapullin Road to handle the extra traffic, or in fact the local traffic, as in my opinion they are being poorly advised by the engineering department.

The maintenance that we are asking for is no more than what we would expect for local traffic.

The applicant for this extraction licence is of course a near neighbour, and while I have the usual reservations on noise and dust and of most importance lifestyle, I respect his ability and integrity to keep those concerns to a minimum.

Clearly my major concern is with the road and the Shire's inability to repair it to a safe standard.

Randle Beavis – Grass Valley Progress Association

Item No: 13.2.2 - Development Application for an Extractive Industry - Lot 16904 No.480 Jennapullin Road, Southern Brook.

Basis of Statement: Representing the Grass Valley Progress Association. Mr Beavis advised that the Association had no objections to this proposal/application.

Their major concerns are around the existing condition of Jennapullin Road and road safety associated with this. As detailed in the report, this is a Main Roads RAV 2 road which was determined approximately 20 years ago. Once a road has been determined by Main Roads they do not reinspect. The RAV2 sealing requirements today are 7.5m and Jennapullin Road is only 3.5m.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

11. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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11.1 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

There were no questions or clarifications sought in relation to this item.

11.2 RECEIPT OF NOTES OF THE COUNCIL FORUM MEETING

Not Applicable.

11.3 RECEIPT OF MINUTES OF THE ART COLLECTION COMMITTEE MEETING

There were no questions or clarifications sought in relation to this item.

11.4 ADOPTION OF THE RECOMMENDATIONS OF THE ART COLLECTION COMMITTEE MEETING

There were no questions or clarifications sought in relation to this item.

11.5 RECEIPT OF MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

There were no questions or clarifications sought in relation to this item.

12. ANNOUNCEMENTS BY THE PRESIDING OFFICER WITHOUT DISCUSSION

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

There were no questions or clarifications sought in relation to this item.

The Deputy Shire President advised that the order of business would be altered and the following agenda items would be brought forward;

- 13.2.1 – Application for a Stallholder Permit at Mitre 10
- 13.2.2 – Development Application for an Extractive Industry - Lot 16904 No.480 Jennapullin Road, Southern Brook
- 13.2.4 – Development Application for an Office - Lot 351 No. 20 Gairdner Street, Northam
- 13.2.8 – Application to Keep 3-6 Dogs (Not a Kennel) – 21 Accedens Rise, Bakers Hill
- 13.3.3 – Northam Bowling Club- Application for Self Supporting Loan+

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13 REPORTS OF OFFICERS

13.2.1 APPLICATION FOR A STALLHOLDER PERMIT AT MITRE 10

There were no questions or clarifications sought in relation to this item.

13.2.2 DEVELOPMENT APPLICATION FOR AN EXTRACTIVE INDUSTRY - LOT 16904 NO.480 JENNA PULLIN ROAD, SOUTHERN BROOK

- Cr Beresford questioned whether other routes can be utilised to reduce the impact on one particular road. The Manager Planning Services advised that they would need to investigate this matter and took the question on notice.

Upon further investigation staff have identified the following options for the proponent when transporting materials off site:

1. Exiting the site left onto Jennapullin Road and following Jennapullin Road south for approximately 4km before accessing Great Eastern Highway.
2. Exiting the site right Jennapullin Road and following Jennapullin Road north to Southern Brook Road then to Goomalling Road. This route is approximately 13km.

The primary destination is Northam. The route will depend on the delivery destination.

A diagram has been provided on the following page.

- Cr Beresford questioned the security of the bond. The Chief Executive Officer advised that this is a cash bond with bank guarantee.

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13.2.4 DEVELOPMENT APPLICATION FOR AN OFFICE - LOT 351 NO. 20 GAIRDNER STREET, NORTHAM

- Cr Proud questioned whether this property had been sold. The proponent clarified and advised that the sale is subject to Council approval of this application.

One (1) member of the Gallery departed the Council Chambers at 6.00pm.

13.2.8 APPLICATION TO KEEP 3-6 DOGS (NOT A KENNEL) – 21 ACCEDENS RISE, BAKERS HILL

- It was questioned why there was a need for an additional dog. The applicant clarified the situation and reasoning for the application.
- The Chief Executive Officer advised that staff deal with the applications as they are submitted. Dogs are not required to be registered if under the age of six months and the applicant is complying with the requirements of the *Dog Act 1976*.

Seven (7) members of the Gallery departed the Council Chambers at 6.06pm.

13.3.3 NORTHAM BOWLING CLUB- APPLICATION FOR SELF SUPPORTING LOAN

- The Chief Executive Officer provided clarification around the Shire's debt service ratio and confirmed that there are no concerns/issues in relation to repaying debt.

Six (6) members of the Gallery departed the Council Chambers at 6.09pm.

13.1 ADMINISTRATION

13.1.1 WALGA ANNUAL GENERAL MEETING

There were no questions or clarifications sought in relation to this item.

13.1.2 SALE OF LOT 39 (11) DEMPSTER STREET, NORTHAM

- Cr Antonio questioned the bank redraw. The Chief Executive Officer advised that this is subject to Council's decision.

13.2. DEVELOPMENT SERVICES

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13.2.3 CONSIDERATION OF SUBMISSIONS AND FINAL ADOPTION OF LOCAL PLANNING POLICY NO.18 – HERITAGE PRECINCTS

There were no questions or clarifications sought in relation to this item.

13.2.5 MODIFICATION OF RETAINING WALL POLICY

- The Chief Executive Officer advised that point 1 of the recommendation is to bring the Shire's Policy in line with the *Building Act 2011*. Point 2 is what staff have recommended, and not a requirement under the Act. If Elected Members wish to move an alternative motion they were advised to contact staff for the appropriate wording.

13.2.6 REQUEST TO INITIATE STANDARD SCHEME AMENDMENT TO SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6 – REZONING OF LOT 250 MULUCKINE ROAD, GRASS VALLEY FROM 'RURAL' TO 'RURAL RESIDENTIAL'

- Cr Antonio clarified whether the future purpose of this was to subdivide. The Executive Manager Development Services confirmed that this is correct.

Mr Young departed the Council Chambers at 6.17pm and returned at 6.18pm.

13.2.7 REQUEST TO INITIATE STANDARD SCHEME AMENDMENT (NO.8) TO SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6 – INTRODUCTION OF TWO (2) NEW LAND USE DEFINITIONS – REPURPOSED DWELLING AND SECOND-HAND DWELLING INTO SCHEDULE 1 AND LAND USE TABLE IN ACCORDANCE WITH MINISTERIAL ADVICE

- Cr Beresford questioned the definition of 'Second Hand' Dwelling and questioned whether the word 'Relocated' would be more suitable. The Manager Planning Services advised that the content of the recommendation is Ministerial advice from Department of Planning. The Chief Executive Officer advised that staff are recommending the wording which has been recommended by the Minister for Planning.

13.3. CORPORATE SERVICES

13.3.1 ACCOUNTS AND STATEMENTS OF ACCOUNTS – JUNE 2016

Clarification was sought on the following payments;

- EFT23241 – The Shire cannot issue the design compliance as it owns the premises (Northam Swimming Pool);
- EFT23252 – The Equestrian Park is located on Suburban Road, Northam;

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- EFT23307, EFT23344, ET23362 – Confirmed payment is correct and not triplicated.
- EFT23375 – Clarified the works at the Hall.

13.3.2 FINANCIAL STATEMENTS TO 31 MAY 2016

There were no questions or clarifications sought in relation to this item.

13.4. COMMUNITY SERVICES

13.4.1 APPLICATION FOR FEE REDUCTION-NORTHAM RECREATION CENTRE

- Clarification was sought in relation to a possible use for the Hall to ensure it is not left vacant. Council were advised that there are other users and groups which do use the RSL Memorial Hall.

13.5. ENGINEERING SERVICES

Nil.

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

Nil.

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

15.1. Elected Members

Nil.

15.2. Officers

Nil.

16. CONFIDENTIAL ITEMS

Nil.

17. DECLARATION OF CLOSURE

The Deputy Shire President declared the meeting closed at 6.32pm.

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11.3 RECEIPT OF MINUTES OF THE ART COLLECTION COMMITTEE MEETING

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2754

Moved: Cr Williams

Seconded: Cr Proud

That Council receives the minutes of the Art Collection Committee Meeting held 7 July 2016.

CARRIED 9/0

11.4 ADOPTION OF THE RECOMMENDATIONS OF THE ART COLLECTION COMMITTEE MEETING

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2755

Moved: Cr Proud

Seconded: Cr Williams

That Council endorse the Committee having a valuation of the collection completed following reassessment of the situation regarding missing pieces in September.

CARRIED 9/0

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Shire of Northam
Heritage, Commerce and Lifestyle

SHIRE OF NORTHAM

**MINUTES OF THE
ART COLLECTION COMMITTEE MEETING
HELD AT
4:00 PM
THURSDAY
7 JULY 2016**

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES
ART COLLECTION COMMITTEE MEETING HELD ON 7 JULY 2016

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SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES
ART COLLECTION COMMITTEE MEETING HELD ON 7 JULY 2016

**Minutes of the Shire of Northam Art Collection Committee meeting held in the
Committee Room on THURSDAY, 7 July 2016 at 4:00 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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SHIRE OF NORTHAM
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1. OPENING AND WELCOME

The Presiding Officer declared the meeting open at 4.00pm.

2. DECLARATION OF INTEREST

N/A

3. ATTENDANCE

Councillor

Cr J Williams

Cr J Proud

Community Representatives

Mr TM Letch

Ms T Hamilton

Avon Valley Arts Society (AVAS)

Mr C Simpson

Shire of Northam

Miss V Jones

4. APOLOGIES

Shire of Northam

Mr R Rayson

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE DECISION

Minute No: AR 068

Moved: Cr J Proud

Seconded: Cr J Williams

That the minutes of the meeting held Thursday, 5 May 2016 be confirmed as a true and correct record of that meeting

CARRIED 5/0

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SHIRE OF NORTHAM
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6. AGENDA ITEMS

6.1 CURRENT ARTWORK DATABASE

Name of Applicant:	Internal
Name of Owner:	Shire of Northam
File Ref:	2.1.3.2
Officer:	Ross Rayson
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple

PURPOSE

To provide the Committee a copy of the most current database. (appendix 1)

BACKGROUND

Officers spent a day locating and cataloguing artworks, and updated the artwork database accordingly.

STATUTORY REQUIREMENTS

Nil

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN

OBJECTIVE: Protect and promote the Shire's diverse culture and heritage

STRATEGY: Support provision of facilities and services for arts and cultural programs

OFFICER'S COMMENT

Several pieces from the collection are still missing. This is an issue that should be resolved before moving forward with any future projects. A colour code has been introduced to the database to make artwork status clearer.

Blue: Artwork located in storage
Green: Artwork currently on display/ at a location other than the Recreation Centre
Purple: Artwork missing
Grey: Artwork no longer part of the collection

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Mr Letch and Councillor Proud wished to record thanks to Shire Officers for the time taken in locating the pieces and updating the artwork database. Mr Letch raised the issue of one of the missing pieces- 'Don Juan's Garden", and said that there may be evidence of the etching number that belonged to Northam at the Battye Library. Mr Letch to follow up at a later time.

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6.2 RESIGNATION OF COMMITTEE MEMBER

Name of Applicant:	Internal
Name of Owner:	Shire of Northam
File Ref:	2.1.3.2
Officer:	Ross Rayson
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple

PURPOSE

To inform the Committee of the recent resignation of Davina Edwards

BACKGROUND

An email was received from Davina Edwards (AVAS Representative) as she is no longer an AVAS member. The President of AVAS, Mr Cliff Simpson has been contacted for details of a new Committee delegate, and Mr Simpson has informed Officers that he will be filling the position until such time as a replacement is found.

STATUTORY REQUIREMENTS

Nil

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN

OBJECTIVE: Protect and promote the Shire's diverse culture and heritage

STRATEGY: Support provision of facilities and services for arts and cultural programs

OFFICER'S COMMENT

Mr Simpson informed the Committee that the likely replacement AVAS representative will be Maureen Allert after the Northam Art Prize in September. Mr Letch asked if it would be appropriate to ask Ms Edwards back onto the Committee as a community representative, or whether AVAS had other suitable candidates in mind. Mr Simpson agreed that Ms Edwards could be approached by the Committee if desired, and that they are also happy to provide suggestions should they be required.

Mr Letch asked that thanks be recorded for Ms Edwards efforts during her time on the Committee.

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6.3 ADDITIONAL HANGING RAIL INSTALLATION

Name of Applicant:	Internal
Name of Owner:	Shire of Northam
File Ref:	2.1.3.2
Officer:	Ross Rayson
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple

PURPOSE

To inform the Committee of the current status of this project

BACKGROUND

It was discussed at a previous meeting that rail be hung in the Northam and Wundowie Libraries. The work was requested of our maintenance department.

STATUTORY REQUIREMENTS

Nil

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN

OBJECTIVE: Protect and promote the Shire's diverse culture and heritage

STRATEGY: Support provision of facilities and services for arts and cultural programs

OFFICER'S COMMENT

Mr Letch put forward that without the missing pieces, there are still a large number that could be displayed in the next round of nominated Council sites. The Committee discussed the fact that of the 14 that are missing, only a handful of the pieces are a concern to the Committee. Committee members are to put a list together of the missing pieces causing them concern and forward it to Officers at a convenient time.

It was suggested that both the Northam and Wundowie Libraries would be suitable locations to display watercolour pieces, and that if the Committee put forward a list of suitable list of options, Officers may choose from those which to display.

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Selected Pieces Suitable for Display		
40	Marshall Clifton	Quiet Moorings
42	Rah Fizelle	Scene Near Berwick
44	Leith Angelo	Old Melbourne
47	P Ivor Hunt	Fishing Party
48	Walter Ebatarinja	Olgas Central Australia
59	G Dwyer	Almond Blossom
62	Craig Boulter	Marlene's House
69	Christine Elaine (Hunt)	The Piper Calls the Tune
70	Ian Hill	South to the Cape
71	Anne Ashman	The Horse Race
72	D Hodges	City Life

Ms Hamilton suggested that in the Wundowie Library, the columns on the wall may be suitable spots to hang smaller pieces, as well as the wall in the conference room, and the space between the Library and office.

As it is felt that the pieces cannot be loaned out externally until valued, and the collection cannot be valued until the whole collection is located. Cr Williams queried whether we should put a time limit on finding pieces before have a valuation undertaken.

It was agreed upon by the Committee that any pieces not located in time for the September Committee meeting will not be valued with the Collection. Cr Proud suggested that the Mother and Child piece be cleaned, and the Avon in Flood be reframed before this also.

COMMITTEE DECISION

Minute No: AR 069

Moved: Cr J Proud

Seconded: Ms T Hamilton

That Council endorse the Committee having a valuation of the collection completed following reassessment of the situation regarding missing pieces in September.

CARRIED 5/0

Following the discussion around valuation, Mr Letch suggested that potential locations for pieces outside of Shire owned buildings be considered in time for the completion of the valuation.

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7. OTHER BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE COMMITTEE

7.1 PLACEMENT OF GRAHAM SMITH PIECE

Name of Applicant:	Internal
Name of Owner:	Shire of Northam
File Ref:	2.1.3.2
Officer:	Ross Rayson
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple

PURPOSE

Cr Proud questioned the placement of the piece '*Outback Moses*'- *Jack Charles* by Graham Smith. He felt that the piece was too dominating for the Committee Room wall space.

STATUTORY REQUIREMENTS

Nil

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN

OBJECTIVE: Protect and promote the Shire's diverse culture and heritage

STRATEGY: Support provision of facilities and services for arts and cultural programs

OFFICER'S COMMENT

There was discussion among the Committee around this, with some agreeing with Cr Proud, and others in favour of the placement. Mr Letch made the statement that the task of the curation of the pieces had been left with Officers, and that the piece should remain for the time being.

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8. DATE AND TIME OF NEXT MEETING

The next meeting is to be held in the Committee Room on Thursday, 8th September 2016 at 4.00pm.

9. DECLARATION OF CLOSURE

There being no further business, the Presiding Officer declared the meeting closed at 4.57pm.

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

APPENDIX 1- current artwork database

Catalogue No	Artist	Title	Date	Medium	Size (H x W)	Acquired	Photographic record	Condition	Location of artwork	Valuation as at 30/06/2016	Comments
80	Carl Lindner	The Green Living	1980	Enamelled and print	65 x 100 (7 framed)	Gifted under Deed of Gift	Yes	Very Good	1/8 Tron	\$1,400	
81	Franz Hoff	Fishing Party	1940/45	Watercolour	140 x 100 (7 framed)	Gifted under Deed of Gift	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$1,800	
82	Walter Skelton	Clara, Central Australia	1940	Watercolour	40 x 50 (7 framed)	Gifted under Deed of Gift	Yes	Very Good	Northam Public Library	\$1,100	
83	James Davidson	Clara, Central Australia	1940/45	Watercolour	40 x 50 (7 framed)	Gifted under Deed of Gift	Yes	Very Good	1/8 Tron	\$1,200	
84	Frank Foster	St James St 1900	1940	Watercolour and print	75 x 100 (7 framed)	Gifted under Deed of Gift	Yes	Good, Acute mould marks to be changed	Storage Room, Northam Remembrance Centre Storage Room	\$200	
85	Frank Foster	Spangly	1940/45	Watercolour and print	75 x 100 (7 framed)	Gifted under Deed of Gift, 1900, House on the Coast, Northam and Pine	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$1,800	
86	Ellen Charlton	Spangly, Orange	1940	Watercolour	30 x 30 (7 framed)	Gifted under Deed of Gift	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
87	Ellen Charlton	On the Coast	1940/45	Watercolour and print	30 x 30 (7 framed)	Gifted under Deed of Gift	Yes	Good, Acute mould marks to be changed	Storage Room, Northam Remembrance Centre Storage Room	\$500	
88	Ernie Brown	On the Coast	1940	Oil on Board	30 x 30 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	Needs to be rehomed
89	Marlene Pappas	St. James Street	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
90	Ernie Brown	Parade Ground	1940	Oil on Board	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
91	Don Wilson	Self Port	1940	Oil on Board	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Good, Acute mould marks to be changed	Self Storage, Public Room	\$500	
92	Don Wilson	Seaside	1940/45	Oil on Board	40 x 50 (7 framed)	Establishment of Funding	Yes	M. 100%	Storage Room, Northam Remembrance Centre Storage Room	\$700 (100%)	
93	O. Cooper	Northam Station	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Good, Acute mould marks to be changed	Storage Room, Northam Remembrance Centre Storage Room	\$200	
94	Margaret Gordon	The Old School at Northam	1940/45	Watercolour and print	40 x 50 (7 framed)	Gifted	Yes	Good	1/8 Tron	\$200	
95	Albert Thomson, possibly P. Adams	Northam railway, South, England	1940	Watercolour and print	40 x 50 (7 framed)		Yes	Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
96	Ernie Brown	Marlene Foster	1940	Watercolour	70 x 100 (7 framed)		Yes	Good	Storage Room, Northam Remembrance Centre Storage Room	\$400	
97	Ernie Brown	The Lake of Milnes Hill	1940	Oil on Board	100 x 100 (7 framed)		Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$750	
98	Ernie Brown	Photograph of Northam Town Hall	1940/45	Photograph	-	Northam Art Prize 1993	Yes	M. 100%	London Victoria	\$0	Not right to display
99	Christopher Cooper	Wally Cooper (Hanging)	1940	Watercolour and print	70 x 100 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Walter Lamb Conference Room	\$400	
100	Charles Cook	Female Teacher, Mrs. Cook	1940	Watercolour and print	70 x 100 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Walter Lamb 75 From Adams Building	\$900	
101	Philip Brown	Wally Cooper	1940	Watercolour and print	70 x 100 (7 framed)	Northam Art Prize 1993	Yes	Very Good		\$900	Not right to display
102	James Adams	Wally Cooper	1940	Watercolour and print	70 x 100 (7 framed)	Northam Art Prize 1993	Yes	Very Good		\$900	Not right to display
103	Ernie Brown	The Old School at Northam	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
104	Ernie Brown	Southam Lake	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
105	Ernie Brown	The Old School at Northam	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
106	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
107	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
108	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
109	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
110	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
111	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
112	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
113	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
114	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
115	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
116	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
117	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
118	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
119	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
120	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
121	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
122	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
123	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
124	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
125	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
126	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
127	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
128	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
129	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
130	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
131	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
132	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
133	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
134	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
135	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
136	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
137	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
138	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
139	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
140	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
141	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
142	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
143	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
144	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
145	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
146	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
147	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
148	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
149	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	
150	Ernie Brown	On the Coast	1940	Watercolour and print	40 x 50 (7 framed)	Northam Art Prize 1993	Yes	Very Good	Storage Room, Northam Remembrance Centre Storage Room	\$500	

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM

MINUTES

ART COLLECTION COMMITTEE MEETING HELD ON 7 JULY 2016

Catalogue No.	Artist	Title	Date	Medium	Size (H x W)	Acquired	Photographic Record	Condition	Location of artwork	Valuation as at October 2010	Comments
07	H. Croxall	Oil Skelton	1900	Watercolour	20.5 x 10.0 (Framed)	Northam Art Price 1990	Yes	Very Good	Council Chambers		
07	Harbour Jones	Leach (Northam) 1900	1901	Watercolour and pencil	20.7 x 10.0 (Framed)	Presented 1950 by Cris Adams, Shire President and Incorporated after the artist's death, 1904	Yes	Very Good	Storage Room, Northam Recreation Centre Storage Room	\$300	
08	Dixon & Hastings	Cartoonist at Northam	1920	Oil on Board	16.0 x 10.0 (Framed)		Yes	Very Good	Storage Room, Northam Recreation Centre Storage Room	\$900	
09	Pink	Black Sails, Northam, 1904	Not Dated	Oil on Board	26.7 x 17.0 (Framed)		Yes	Very Good	Storage Room, Northam Recreation Centre Storage Room	\$900	Needs Reframing
09	Davidson, Robert	Walking to the Larder	1924	Charcoal	26.7 x 15.0 (Framed)		Yes	Very Good	Storage Room, Northam Recreation Centre Storage Room	\$750	
09	Pam Forshaw	Wineau Morning	1924	Water Colour Board	26.5 x 14.0 (Framed)		Yes	Very Good	Northam Art Price 1990	\$200	Not signed (03/06/2016)
09	Marian Page-Lewis	Memorial of the Past	1924	Watercolour	26.7 x 14.0 (Framed)		Yes	Very Good	EMCO Office	\$200	
09	Palmer, John, L.	The First Church of Northam	1924	Oil on Canvas	20.5 x 10.0 (Framed)		Yes	Good, but has been without dust cap since	Storage Room, Northam Recreation Centre Storage Room	\$800	
09	Emily (Mrs) Gould of Northam	United Commemorative work in memory of the centenary of Northam	2001	Watercolour on paper (15 x 10cm) (Signed and dated 2001)	14.5 x 10.0 (Framed)	Records 2001	Yes	Very Good	Passageway - Admin Building	\$1,500	
09	Marink, Michael	Spirit of Freedom	2002	Photograph	10.0 x 10.0 (Framed)		Yes	Very Good	Admin Building - Near reception entrance to 1st floor	\$500	
09	Alan Unwinson	George Theobald	Not Dated	Water Photograph	20.5 x 10.0 (Framed)	Presented for the Centenary of Federation 2001	Yes	Good - Photograph has been damaged - Paper has yellowed and is stained	Storage Room, Northam Recreation Centre Storage Room	\$500	
09	Alan Unwinson	George Theobald	Not Dated	Water Photograph	20.5 x 10.0 (Unframed)	Copy #15	Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan, H.	United	2000	Oil Painting on Board	10.0 x 10.0 (Framed)		Yes	Very Good		\$200	Not signed (03/06/2016)
09	Alan Unwinson	United	Not Dated	Photograph Collage	20.5 x 15.0 (Framed)		Yes	Very Good	Northam Visitor Centre	\$300	Not signed (03/06/2016)
09	Samuel (Charles) East	Start Works in the Land	2010	Oil on Board	20.0 x 15.0 (Framed)		Yes	Very Good	Northam Visitor Centre	\$900	Not signed (03/06/2016)
09	Malcolm, Terry	United	Not Dated	Photograph	10.0 x 10.0 (Framed)		Yes	Very Good	Storage Room, Northam Recreation Centre Storage Room	\$300	
09	Harold, Philip	Black Flagging Plans of the Larder	1920	Watercolour on paper (10 x 10cm) (Signed and dated 1920)	10.0 x 10.0 (Unframed)	Presented to the Northam Shire Council in appreciation of their support for the Black Flag, Northam Project by Mr P. J. Robinson, Chief Executive Officer, Northam Mining, 24/01/2002	Yes	Excellent	Fire safe room	\$1,800	1 Inertial pieces
09	John, John	Queen Elizabeth II	Not Dated	Framed Photograph	10.0 x 10.0 (Framed)		Yes	Good	Council Chambers	Not Valued	
09	Alan, Alan	Life Time	Not Dated	Watercolour	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Archie Gillies Photograph of Northam	1960	Photograph	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	Not signed (03/06/2016)
09	Alan Unwinson	Mr Mack's Queen Elizabeth II	Not Dated	Framed Image	10.0 x 10.0 (Framed)		Yes	Average	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Mr. The Oldsmen	2012	Watercolour	10.0 x 10.0 (Framed)		Yes	Excellent	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Watercolour	2012	Watercolour	10.0 x 10.0 (Framed)		Yes	Excellent	EMCO Office	Not Valued	
09	T. Brian Appard	Country Road	2013	Watercolour	10.0 x 10.0 (Framed)		Yes	Excellent	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Northam Town Council 2005	2006	Framed Photo	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Northam Town Council 2007	2007	Framed Photo	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Shire of Northam Council and Shire	Not Dated	Framed Photograph	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	William Shuter	Memorial to the 100th Anniversary of the Shire of Northam	October 1997	Framed Image	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	John, John	Edward Street, Northam, Early 1900s	Early 1900s	Framed Watercolour	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	John, John	Archie Gillies, 1904	1904	Framed Watercolour	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Michael Marink	Christmas - Shire of Northam Shire	2007	Photograph	27.5 x 22.5 (Framed)		Yes	Very Good	1st Floor, 15th Floor, Admin Building	\$50	
09	Alan Unwinson	United Commemorative	2007	Photograph	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Edward Park, Northam	2007	Photograph	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	Queen Elizabeth II, 1952	1952	Photograph	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
09	Alan Unwinson	The Rectory Northam, 1901	1901	Photograph	10.0 x 10.0 (Framed)		Yes	Good	Council Chambers	Not Valued	
09	Pam Forshaw	Old Life, 1904	1904	Photograph	10.0 x 10.0 (Framed)		Yes	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
Photos Located in Records - See photographing of images located in records (Art Committee Minutes from 3 April 2014)											
C. M. Ryan (Northam)	Marked William Hemmings	Not Dated	Framed Photograph	Approximately 20cm x 20cm	Watercolour	Yes	Good	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
C. M. Ryan (Northam)	Charles Edward Hemmings	Not Dated	Framed Photograph	Approximately 20cm x 20cm	Watercolour	Yes	Good	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
C. M. Ryan (Northam)	John Thomas Hemmings	Not Dated	Framed Photograph	Approximately 20cm x 20cm	Watercolour	Yes	Good	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	
C. M. Ryan (Northam)	Patrick Hemmings	Not Dated	Framed Photograph	Approximately 20cm x 20cm	Watercolour	Yes	Good	Good	Storage Room, Northam Recreation Centre Storage Room	Not Valued	

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

**11.5 RECEIPT OF MINUTES OF THE LOCAL EMERGENCY MANAGEMENT
COMMITTEE MEETING**

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2756

Moved: Cr Rumjantsev

Seconded: Cr Antonio

**That Council receives the minutes of the Local Emergency Management
Committee Meeting held 16 June 2016.**

CARRIED 9/0

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



Shire of Northam
Heritage, Commerce and Lifestyle

**MINUTES OF THE
LOCAL EMERGENCY
MANAGEMENT COMMITTEE
MEETING
HELD
THURSDAY
16th JUNE 2016**

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES
LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 JUNE 2016.

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SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES
LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 JUNE 2016.

**Minutes of the Local Emergency Management Committee meeting held in the
Council Chambers on Tuesday, 16 June 2016 at 3:00 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.

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES

LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 JUNE 2016.

1. OPENING AND WELCOME

Cr Ulo Rumjantsev declared the meeting open at 3:10pm.

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.

3. ATTENDANCE

Councillor (Chair)	Ulo Rumjantsev
Community Emergency Services Manager	Daniel Hendriksen
Northam Police	Geoff Dickson
Wundowie Police	Max Walker
DFES	Sven Anderson
Dyno Nobel	Paul Klaric
Australian Border Force	Ian Munro
ADF Army	Michael Hogg
Wheatbelt Public Health	Ann Foyer
Main Roads WA	Gren Putland
Salvation Army	Raymond Reeves

4. APOLOGIES

Executive Manager Development Services	Chadd Hunt
Australian Border Force	Paul Brown
Northam Hospital	Jenny Lee
SEMC Secretariat	Yvette Grigg
State Emergency Service	Sarge Bottacin
Department of Child Protection & Family Services	Jo Spadaccini
Juniper Aged Care	Glenda McMurtrie
Red Cross	Caz Doherty
SERCO	Geoff Pitout
SERCO	Paul Brown
Western Power	George Tiedtke
Water Corporation	Larry Bayley

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES

LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 JUNE 2016.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE DECISION

Minutes No: LEMC.31

Moved: Ian Munro

Seconded: Sven Anderson

That the minutes from the Local Emergency Management Committee meeting held on 31st March 2016 be confirmed as a true and correct record of that meeting.

CARRIED 10/0

6. PRESENTATIONS TO LEMC

6.1 DYNO NOBEL PRESENTATION

Paul Klaric from Dyno Nobel gave a presentation regarding the transportation of dangerous goods through Northam on the Great Eastern Highway and the potential hazards involved. (A PowerPoint presentation was attached for members only).

6.2 RUSSIAN BALLOON LAUNCH

The Russian adventurer Fedor Konyukhov is making an attempt to break the world record for flying a balloon around the world currently held by Steve Fosset. He will be taking off from Northam in the next month. The Balloon does not constitute a significant risk. It is filled with three semi-trailers of Helium gas and has 5 tonnes of LPG strapped to the side in 33 LPG bottles. The LPG is not used until the Balloon is in flight. The only risk is the crowd control and traffic management.

GD (Northam Police) As the launch is on private property and is an event it will be up to the organiser to manage the event and provide crowd control. Police will still have an interest in the event and will provide a presence for people travelling to and from the event.

SA (DFES) The event should have a risk and emergency management plan for this type of event. This event should not be able to go ahead in Australia without a plan.

GP (MRWA) The Aero club do manage the Airfield but it is owned by the LG. The Balloon is a registered aircraft in Russia. Its registration is RA2900G and is licenced to operate in Australia. The Russian's have asked the Aero Club to assist them in the management of the event and advise the Local Government on any areas of concern. The risk of any issues with the aircraft equipment is very low. The high risks will be from spectators on the ground and traffic and vehicles on local roads. The LPG Cylinders are aircraft rated and pose a very low risk as the Helium is inert and poses no risk.

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
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LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 JUNE 2016.

GD (Northam Police) It will be up to the Shire of Northam to manage local traffic and traffic going to the event. It is suggested that the council consider speed restrictions in the area of 40km an hour and possible lane closures to allow for viewing.

7. AGENCY REPORTS AND ISG ACTIVATIONS

For the committee to receive reports from agencies and discuss any issues on any emergencies that occurred since the last meeting.

SA (DFES) We ran a Bushfire exercise last week. Operation Peppercorn to test the management of a bushfire event. The exercise was run out of the Operations room at the Northam SES and was organised to test members of DFES in different areas of the Incident Management structure.

GD (Northam Police) We attended the Dyno Nobel joint exercise involving industry, Police, Fire, St John and Main Roads. The exercise went well with some good learning outcomes.

8. UPDATES / ITEMS FOR DISCUSSION FROM MEMBERS

8.2 LEMA & RECOVERY PLAN REVIEW

Since the last LEMC meeting two workshops have been held with regard to the updated plans. We are hoping to have a final draft LEMA completed in the next 3 months for the LEMC to approve. We may set a special LEMC Meeting to endorse the document if it does not fit with in the meeting schedule so we can meet our deadline for December.

8.3 UPDATE TO RESOURCES REGISTER

The Community Emergency Service Manager asks the committee to provide details on resources that may be available in an emergency situation. This will be included in the LEMA.

9. CORRESPONDENCE

IN:

1. SEMC - EM Framework. A copy of this correspondence has been attached to the Agenda for noting by the Committee.

OUT:

1. Minutes of the March 2016 LEMC/LRCC meeting

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM
MINUTES
LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 JUNE 2016.

10. GENERAL BUSINESS

UR (Chair) Suggest that the Shire write a letter of thanks to Dyno Nobel for attending today's meeting to give a presentation to the LEMC and running the practical exercise

IM (Border Force) We are closing a centre in Darwin so we will have an increase in numbers to 400 detainees at Yonga Hills.

AF (Public Health) we are running an exercise at the Northam hospital for the Midland Syringe program. We are hoping to get needle disposal bins for Northam. We will be speaking to The Shire of Northam if we are successful in getting funding.

GP (MRWA) It is not possible for Main Roads to attend all the LEMC meetings in its area but if there is any issues that directly relate to Main Roads we are happy to attend.

RR (Salvation Army) Just wrapping up the Red Shield Appeal which funds many social functions that support the Northam community.

11. SCHEDULED MEETINGS

The next meeting will be held in the Shire of Northam Council Chambers on Thursday 15th August, 2016.

12. DECLARATION OF CLOSURE

There being no further business the Chairman declared the meeting closed at 4.50pm.

"I certify that the Minutes of the Local Emergency Management Meeting held on 16 June 2016 have been confirmed as a true and correct record."

_____ President

_____ Date

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

12. ANNOUNCEMENTS BY THE PRESIDING OFFICER WITHOUT DISCUSSION

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

<u>Visitations and Consultations:</u>	
17/6/16	Meet with Minister Mia Davies to discuss Shire related matters
17/6/16	Meet Russian balloonist adventurer Fedor Konyukhov
17/6/16	Photo opportunity with Water Minister Mia Davies at Wundowie
17/6/16	Southern Brook fire shed official opening
19/6/16	Open the Northam Festival of Performing Arts 2016
24/6/16	WALGA Avon Midlands Zone meeting in Bindoon, Shire of Chittering
25/6/16	Attend Artists Revolution opening along with Cr. Beresford
28/6/16	Attend budget workshop along with Crs. Little and Tinetti
29/6/16	Radiowest fortnightly interview
29/6/16	Attend Special Meeting of Council with fellow Councillors
30/6/16	ABC Regional Radio interview re: Russian balloonist world record
30/6/16	Attend photo opportunity re: Motor Cycle venue at the Commonage
1/7/16	Photo opportunity re: 50m Swimming pool at the Recreation Centre
3/7/16	NAIDOC Week commences
4/7/16	Attend welcome and media conference for Russian balloonist
4/7/16	Rotary Club changeover dinner
5/7/16	WALGA Social media webinar
6/7/16	Attend WALGA State Council strategic forum and regular meeting
7/7/16	Audience with Ministers Redman and Davies re: Shire aspirations
7/7/16	Attend State Government Community Chest Fund announcement
8/7/16	NAIDOC Week celebrations at Recreation Centre
8/7/16	Attend planning students exhibition
8/7/16	Conduct Citizenship ceremony
16/7/16	Avon Descent stakeholders luncheon in Toodyay
16/7/16	Northam Lions Club changeover dinner – Cr. Little attending
16/7/16	Northam Aero Club awards night dinner
18/7/16	Budget adoption special meeting
<u>Upcoming Events:</u>	
27/7/16	Radiowest regular interview
3/8/16	Local Government Week day 1
4/8/16	Local Government Week day 2
5/8/16	Local Government Week day 3
5/8/16	Avon Descent Festival

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

6/8/16	Avon Descent day 1
7/8/16	Avon Descent day 2
8/8/16	AROC meeting in Toodyay

Strategic matters:

Northam Swimming Pool

It is very pleasing that we were able to get to a consensus decision on the preferred size, location and general layout of the next community swimming pool in Northam. There is still a long way to go in terms of formal design and costing with hurdles around significant support capital funding likely to be a challenge but we have made a good start by working through these fundamental/preliminary issues.

If we are to continue to fulfil our role as a Regional Centre, I believe these are the sorts of community infrastructure projects we should aspire to achieve for our community.

Budget

Councillors have been working through the various elements that generate the annual budget including the proposed road program, buildings major maintenance, community grants, capital works and plant replacement as well as our revenue generators. We are also looking at the appropriate resource level to mitigate the flooding aspects that occur, particularly across a number of the rural residential zones in the Shire.

Road maintenance in the rural areas continues to be a priority for us however the level of resource we are able to provide comes at a rate impost that may be unacceptable in these tighter economic times.

We are looking to adopt the budget in mid August once advertising of differential rates has been done, any submissions considered and Ministerial consent obtained.

Capital works

I have attended meetings with Hon Mia Davies and Hon Terry Redman with our CEO Jason in recent weeks to discuss with them the level of private and public capital investment currently underway in the Shire, particularly in Northam but also Wundowie.

Public investments include the Western Power pole replacements, Northam Regional Hospital upgrade, Avon Bridge upgrade, Gt. Eastern Highway improvements through Bakers Hill and Main Roads WA headquarters expansion.

Private investments include the new shopping centre development, Car wash, Shamrock Hotel site redevelopment and the Mauravillo Estate.

We are also aware of a number of other investments worth tens of millions of dollars that are being considered by business proponents so it looks like business and government confidence in our Shire is at a good level.

SHIRE OF NORTHAM
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Operational matters:

Avon Descent and Festival

This long running annual event is on again very soon and we will be looking to hold the Festival on the Friday night before the race starts again. Last year was cancelled due to the threat of very inclement weather so hopefully this year will be all go again. I encourage all community and business groups to get behind this event as we need to capitalise on the visitors coming to the Shire.

Local Government Week

Councillors will once again be taking advantage of this 3 day conference to refresh our thinking on all matters to do with Local Government. The benefits of attending these sorts of conferences are the cross pollination of ideas with similar and different Local Government Authorities from across WA.

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

13 REPORTS OF OFFICERS

13.1 ADMINISTRATION

13.1.1 WALGA ANNUAL GENERAL MEETING

Name of Applicant:	Shire of Northam
Name of Owner:	Shire of Northam
File Ref:	1.6.5.5
Officer:	Chief Executive Officer - Jason Whiteaker
Officer Interest:	N/A
Policy:	N/A
Voting:	Simple Majority

PURPOSE

For the Council to provide direction to the Shire President and Deputy Shire President (as Councils nominated voting delegates) in relation to matters for consideration at the WALGA AGM

BACKGROUND

The following items are for consideration at the upcoming WALGA Annual General Meeting;

- 4.1 Amendments to the WALGA Constitution
- 4.2 Natural Disaster Recovery Support Funding
- 4.3 Non Operational Rail Corridors
- 4.4 Planning Systems Review
- 4.5 Abolitions of DAPS
- 4.6 Introduction of Container Deposit Scheme (CDS)
- 4.7 Declared Pest Plant C3 Review by DAFWA
- 4.8 Renewable Energy
- 4.9 Reducing Regulatory Burden on Local Government
- 4.10 Most Accessible Regional City in Australia Awards
- 4.11 Discussion Paper Excessive Force

STATUTORY IMPACTS

N/A

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

N/A

SHIRE OF NORTHAM
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FINANCIAL IMPLICATIONS

N/A

OFFICER'S COMMENT

Section 4 of the WALGA AGM agenda has been included in Attachment 1, the complete agenda is available for Elected Members to view as a separate attachment to this agenda.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2757

Moved: Cr Little

Seconded: Cr Davidson

That Council;

Supports items 4.1 – 4.11 as presented in the WALGA Annual General Meeting Agenda;

- 1. Authorises the Council voting delegates to vote in accordance with the Council position on these matters, unless additional information is presented at the AGM which the voting delegates consider warrants a change in the position of Council;**
- 2. In the event the voting delegates do not vote in accordance with the stated Council position this is to be reported back to the next meeting of Council, along with the reasons for altering the Council position.**

CARRIED 9/0

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

ATTACHMENT 1 – EXTRACT FROM WALGA AGM AGENDA



**4. Consideration of
Executive and Member Motions**

4.1 Amendments to the WALGA Constitution (01-001-01-0001)

Executive Member to move:

Special Majority Required

MOTION

That the WALGA Constitution be amended as follows:

1. In Clause 5(7)(b) of the Constitution for “sub-clause 5(9)” read “sub-clause 5(11)”.
2. Clause 10 (2) of the Constitution be amended with the last sentence to read:
“The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16.”
3. Clause 10 of the Constitution be amended by inserting as sub-clause (9):
“(9) State Council shall adopt Standing Orders that will apply to all meetings.”
4. Clause 14(4a) and Clause 20 of the Constitution be amended by inserting as sub-clause (h) and sub-clause (j), respectively:
“is a Councillor of an Ordinary Member that has been peremptorily suspended under Section 8.15C (2)(c) of the Local Government Act 1995”
5. Clause 16(2)(b) of the Constitution be amended to read:
“(b) representatives are to vote on the matter by secret ballot.”
6. Clause 17 of the Constitution be amended by inserting as sub-clause (5):
“(5) Where the incumbent President seeks and is re-elected for a consecutive term, that person shall not hold office beyond two (2) full consecutive terms.”

IN BRIEF

- Amendments to the WALGA Constitution that were resolved by State Council in March 2016.
- Finalisation of WALGA’s periodic governance review that focused on consistency among governance documents.

SECRETARIAT COMMENT

In accordance with Clause 29 of the Western Australian Local Government Association (WALGA) Constitution, amendments to the Constitution must be agreed to by a special majority of State Council and by a special majority at an Annual General Meeting of WALGA. The Motion, above, was resolved by a special majority at the 2 March 2016 meeting of State Council.

The proposed amendments are outcomes of WALGA’s periodic governance review which commenced in July 2015 with the release of a discussion paper for feedback from the Local Government sector. A total of 15 responses were received from individual Local Governments, with composite responses from the Great Eastern, Central Country and East Metropolitan Zones, representing a total of 53 responses from Member Councils. The 2015 Review focused on ensuring consistency between the Constitution, Corporate Governance Charter and Standing Orders.

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The proposed amendments are as follows:

1. Technical Wording Amendment – Clause 5(7)(b)

It is recommended that:

In Clause 5(7)(b) of the Constitution for “sub-clause 5(9)” read “sub-clause 5(11)”.

Clause 5(7) should refer to sub-clause 5(11) as this relates to the process for application to join WALGA as an Associate Member, as does clause 5(7).

2. Clarify that a Casting Vote does not apply to an Election – Clause 10(2)

It is recommended that:

Clause 10 (2) of the Constitution be amended with the last sentence to read:

“The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16.”

This recommendation is to explicitly state that the President shall not be entitled to a casting vote if there is an equality of votes relating to an election in accordance with Clause 16.

3. State Council to Adopt Standing Orders – Clause 10(9)

It is recommended that:

Clause 10 of the Constitution be amended by inserting as sub-clause (9):

“(9) State Council shall adopt Standing Orders that will apply to all meetings.”

State Council resolved to amend the Constitution to include a clause that State Council will adopt Standing Orders to recognise the importance of meeting procedures in the efficient operation of State Council.

4. Suspension of Elected Members – Clause 14(4a) and Clause 20

It is recommended that:

Clause 14(4a) and Clause 20 of the Constitution be amended by inserting as sub-clause (h) and sub-clause (j), respectively:

“is a Councillor of an Ordinary Member that has been peremptorily suspended under Section 8.15C (2)(c) of the Local Government Act 1995”

There is a requirement to clarify that an Elected Member who has been peremptorily suspended under Section 8.15C(2)(c) of the Local Government Act (where a Council is also suspended) becomes ineligible to be a Zone delegate during this period of suspension.

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As a result, a consequential amendment is required to Clause 20 'Vacation of Office' which applies to State Councillors and Deputy State Councillors.

5. Election Procedure – Clause 16(2)(b)

Clause 16(2)(b) of the Constitution be amended to read:

"(b) representatives are to vote on the matter by secret ballot."

Clause 16 of the Constitution refers to the election process and must follow the procedure set out under sub-clause (2).

Currently, sub-clause (2)(b) states the following (emphasis added):

"(b) representatives or delegates are to vote on the matter by secret ballot;"

The reference to 'delegates' in sub-clause (2)(b) is erroneous. The definition of both 'Delegate' and 'Representative' is set out in Clause 2(1) of the Constitution (emphasis added):

*"**Delegate**" means a councillor or officer nominated or appointed to represent an Ordinary Member and exercise voting entitlements at General Meetings of the Association pursuant to clauses 22 and 23 of this Constitution, or on a Zone pursuant to clause 14 of this Constitution;*

*"**Representative**" means a member on the State Council elected or appointed by the country and metropolitan constituencies in accordance with the provisions of sub-clause 9(1) and 9(3);*

The definition of 'delegate' identifies that they are representatives of an Ordinary Member and limits their voting entitlement to General Meetings of the Association and Zone meetings. The reference to a 'delegate' in sub-clause (2)(b) is therefore inappropriate with only a 'representative', being a country or metropolitan constituency appointee to State Council, entitled to vote in an election conducted under Clause 16(2)(b).

6. Presidential Term Limit – Clause 17

It is recommended that:

Clause 17 of the Constitution be amended by inserting as sub-clause (5):

"(5) Where the incumbent President seeks and is re-elected for a consecutive term, that person shall not hold office beyond two (2) full consecutive terms."

The President and Deputy President are elected by State Council for two year terms following the election of State Councillors by the Zones. Following a State Councillor's election as President, the Zone that elected that State Councillor is entitled to elect a replacement State Councillor to maintain that Zone's representation around the State Council table.

WALGA's original discussion paper on the governance review canvassed the issue of term limits for the President and Deputy President as currently, there is a two term limit on the position of Deputy President with no limit for the position of President.

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There was a majority view, amongst submissions from Local Governments and Zones, that Clause 17 of the Constitution should be amended to align the terms served by the President and Deputy President, with the President to serve a maximum of two full consecutive terms to achieve consistency with the Deputy President as currently defined in Clause 18(4).

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4.2 Natural Disaster Recovery Support Funding (05-001-03-0029)

Shire of Dardanup to move:

MOTION

Request that WALGA State Council investigates the development and implementation of Natural Disaster Recovery Support Funding that will provide advice and financial support for Local Governments affected by the impacts of natural disasters that meet the Western Australia Natural Disaster and Recovery Arrangements (WANDRRA) criteria.

IN BRIEF

- Process to receive funding is difficult.
- Government response is slow.
- New source of funding is required.

MEMBER COMMENT

The Western Australia Natural Disaster and Recovery Arrangements (WANDRRA) is jointly funded by the State and Commonwealth Governments and administered by the Department of the Premier and Cabinet (DPC), with assistance from other agencies. Through WANDRRA, the Western Australian and Commonwealth Governments provide help to people who have suffered the direct impact of a proclaimed natural disaster event.

Assistance is provided via a range of relief measures to assist communities to recover from an eligible natural disaster event including: bushfire; cyclone; earthquake; flood; landslide; meteorite strike; storm; storm surge; tornado or tsunami.

The Department of the Premier and Cabinet will activate WANDRRA if it is one of the ten events mentioned above; and the anticipated cost of eligible measures will exceed \$240,000.

Who Can Receive Assistance?

The relief measures are intended to provide assistance for the recovery of communities and are available for:

- Individuals and families Small Business
- Primary Producers
- Local Government
- State Government Agencies

It is evident that the experience of Local Governments in this situation has found that the financial support and response through WANDRRA is not satisfactory. There is not a lot of financial support or advice for the Local Governments that are impacted to recover infrastructure and for community rebuilding.

The process to receive funding is difficult to address and it takes a long time to develop the assistance application and to get feedback on how the application is progressing.

There is also a gap in responses, and a lack of recognition and understanding of the demands on Local Government staff time that has to be diverted to the recovery, the ongoing commitment, plus

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initial cost demands. The response by government is slow and the problem is that the Council must deal with the problem immediately.

Councils cannot get definitive answers on claims making the management of the process more difficult and the strain on the budget and resources challenging.

It is proposed that this gap in the provision of financial support and advice for affected local governments be filled by an industry sponsored initiative that involves WALGA setting up a fund to be available to provide support for local government.

The source of funding for the initiative is a matter for State Council to consider and canvass support from member Councils; however, the Association has been very successful in developing a strong business model that has not required member subscriptions to increase for many years.

Sources of funding for the initiative may include:

- Profits from the existing business model (e.g. Training);
- Increased subscriptions to accumulate capital in a reserve fund; and
- A levy on all member Councils.

WALGA may also consider presenting the business model to the Premier for consideration to match any funding that the Natural Disaster Recovery Support Funding was to accumulate.

SECRETARIAT COMMENT

The Commonwealth Government has established and administers the Natural Disaster Relief and Recovery Arrangements (NDRRA) to provide financial assistance to the States for relief and recovery after a declared natural disaster event. The Commonwealth provides for partial reimbursement of the costs incurred by the States, provided the State's measures are as set out in the Federal NDRRA Determination and certain financial thresholds have been met. Under this arrangement the Commonwealth has delegated responsibility for identifying the type and level of assistance required for natural disasters to the States. The States are not limited to the guidance and conditions provided under the NDRRA Determination and can provide assistance beyond this scope, although these costs are not being eligible for reimbursement from the Commonwealth. The Western Australia Natural Disaster and Relief and Recovery Arrangements (WANDRRA) were established by the Western Australian Government in line with the NDRRA Determination.

It is generally acknowledged that the relationship between the NDRRA and the WANDRRA is inconsistent and not meeting the needs of Local Governments.

The provision of funds from the State Government to Local Governments through WANDRRA for disaster recovery has been on average \$30 million per year between 2010/2011 and 2014/15, of which about \$28m per year was for reconstructing roads.

Department of Premier and Cabinet and Main Roads WA staff provide "advice" to Local Governments affected by disasters. However, because all decision-making in relation to funding eligibility under NDRRA is by Emergency Management Australia in Canberra, issues are often referred and responses slow. Furthermore, these advisors are primarily acting in the interests of the State, rather than Local Government.

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In establishing an arrangement that provides funding support to Local Governments impacted by disasters, careful consideration would need to be given to its structure if the intent was that at least some of the costs incurred would ultimately be recovered from the NDRRA and the WANDRRA.

The Australian Local Government Association (ALGA) has continued to advocate, on behalf of WALGA and other State Associations, for more funding, support and conditions for natural disaster relief and recovery for Local Governments. In January 2016 the ALGA prepared a 2016-2017 Submission to the Federal Government Budget that included advocacy for natural disaster recovery funding. This submission recommended that the Federal Government:

- maintain the levels of support for the Natural Disaster Relief and Recovery Arrangements (NDRRA);
- fund a targeted disaster mitigation program at a level of \$200 million per annum; and
- include betterment funding as a core element of the NDRRA.

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4.3 Non Operational Rail Corridors (05-009-03-0037)

Shire of Bridgetown-Greenbushes Delegate to move:

MOTION

That the Public Transport Authority and Brookfield Rail work with WALGA and any interested Local Governments in developing a policy and/or procedures in order to facilitate third party use of non-operational rail corridors, in particular uses that demonstrate a clear community benefit.

MEMBER COMMENT

Brookfield Rail has a lease until 2049 on 5,100km of rail infrastructure throughout the southern half of Western Australia. It is responsible for maintaining the network and granting access to operators.

Over the last few years the Shire of Bridgetown-Greenbushes has experienced frustrations dealing with Brookfield Rail on issues concerning the non-operational rail corridor, including:

- Refusal to allow minor landscaping;
- Refusal to allow minor encroachments of services (power) into the corridor;
- Refusal to allow formalised pedestrian crossings on the rail line even though the rail line hasn't been operational for approximately 25 years;
- Restrictions on community use of the service roads either side of the rail line, specifically as trails, but at the same time allow indiscriminate and uncontrolled vehicular use of the same roads; and
- Inconsistent requirements for and maintenance of signage on rail crossings and failure to progress rail interface agreement for management of rail crossings in the rail corridor.

Consultation with other south west local governments indicates similar concerns, including:

- Non-operational rail corridors detract from townscapes and essentially divide town sites with ugly deteriorating infrastructure;
- Non-operational rail corridors accumulate rubbish that is unsightly; and
- Non-operational rail corridors that do not have vegetation managed appropriately do present a source of significant fire fuel that under the right conditions would significantly contribute as entry points for wild fire into town sites.

Our motion focuses on the need for the Public Transport Authority to develop a policy framework for third party access to non-operational rail corridors for the purpose of allowing the corridors to be developed for appropriate community use. Such a policy should be developed in consultation with interested local governments.

IN BRIEF

- Brookfield Rail has a lease over an extensive network of rail infrastructure in Western Australia
- This lease includes non-operational rail corridors, where in some cases rail use hasn't occurred for 20 years or more.
- There is potential for the non-operational rail corridors to be used by local governments or other third parties for a community benefit however to date it has proven difficult to get Brookfield Rail and the Public Transport Authority to recognise this potential.
- A policy to facilitate such uses should be developed with input from interested local governments

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In many of the non-operational rail corridors rail use has been non-existent for upwards of 20 years. There is no rail freight task foreseeable in the short, medium or long term future that would warrant the capital investment to bring the rail back up to standard. Permanent closure of the rail corridors would be short-sighted however the use restrictions should be minimised. If the rail was to ever re-open there should be an obligation on the end user to cease the use and return infrastructure back to original condition.

SECRETARIAT COMMENT

The rail network subject to the Brookfield Rail lease includes nearly 1,300km of rail corridors and track that is non-operational. The Public Transport Authority (PTA) publicly claims that it has a "light touch" approach to managing the lease with Brookfield Rail, providing the company opportunity "quiet use and enjoyment of the network by the lessee."¹ The PTA have indicated that there is an express clause in the lease agreement to this effect. This approach by the PTA has been strongly criticised in a number of inquiries and by the Western Australian Auditor General².

The PTA have strongly resisted proposals that would impact on rail corridors, even with soft infrastructure (parks and playgrounds) and in situations where the rail services ceased more than two decades ago.

Identifying and promoting the potential benefits to Brookfield Rail from supporting the use of non-operational rail corridors presents an opportunity for these State-owned assets to be utilised for the benefit of Western Australians.

¹The Management of Western Australia's Freight Rail Network 2014 Economics and Industry Standing Committee Inquiry Report No 3 Parliament of Western Australia

² Management of the Rail Freight Network Lease, Twelve Years Down the Track 2013 Auditor General's Report

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4.4 Planning Systems Review (05-047-01-0014)

City of South Perth Delegate to move:

MOTION

- 1. Request the Western Australian Local Government Association to advocate for an independent review of decision making in the Western Australian Planning System, including the roles of local government, delegated authorities, Joint Development Assessment Panels and State Administrative Tribunal appeal processes that gives consideration to:**
 - 1.1 How the aspirations or values of the community are incorporated into the decision making framework;**
 - 1.2 Improvements to the statutory framework, including Local Planning Schemes, that would improve the transparency, certainty and consistency of the decision making process;**
 - 1.3 Ensure that decision making occurs at appropriate levels that promotes good and efficient decisions for the community;**
 - 1.4 Ensure that Local Governments have a third party right to present local community views to the State Administrative Tribunal;**
 - 1.5 The erosion of the roles of Local Government in planning for their communities.**
- 2. In the event that the State Government is unwilling to pursue an independent review of the decision-making process, request the Western Australian Local Government Association to engage with members and advocate for practical reforms that will ensure greater accountability, transparency and procedural fairness for ratepayers through the Joint Development Assessment Panel's decision making processes.**

IN BRIEF

- Issues arising from decisions of Joint Development Assessment Panels needs to be addressed.
- Issues arising from State Administrative Tribunal need to be addressed.
- Local Government Planning Policies are being disregarded in decision making.
- The Planning System is no longer providing for the voice of communities to be effectively heard.
- The State Government continues to support and protect its reforms leaving the LG sector to deal with community dissatisfaction.
- An Independent review will seek to provide a strong basis for improved advocacy in the lead up to a State election.

MEMBER COMMENT

The Local Government sector has raised concerns including the erosion of the roles of local Government and the decisions being made by JDAPs, whereby poor planning outcomes are resulting and the communities are left blaming the local council representatives who are the minority on the JDAPs. Issues such as having a majority of government appointees on JDAPs is perceived to be creating a culture of lack of care and limited responsibility for the outcomes of planning decisions upon the community or the longer term ramifications.

JDAPs are not required to look at any other aspects other than the application before it. This is perceived to be leading to decisions being made that will adversely impact on broader community future planning outcomes.

A number of metropolitan local government Mayors at recent forums have outlined a range of issues being encountered by JDAPs.

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The key issue raised are:

- Chair of JDAPs are not independent.
- Council Policies are not being considered in deliberations.
- Council Reporting Officers are having to make a recommendation and an alternative recommendation which enables the JDAPs to be selective in their decision making.
- JDAPs are taking longer and costing the community more.
- Developers are using JDAPs to put through incomplete and inferior planning applications.

Some local governments are now questioning what could be done to raise the profile of this issue and as a result recently the City of Vincent passed a resolution on the matter. The City of Belmont is also considering a report regarding the issues they are experiencing and will be sending all their community complaints to the Department of Planning (DoP) for their review.

The City of South Perth recently dealt with a 29 storey tower development through its JDAP which resulted in Supreme Court action by local residents. The developer subsequently re-submitted an application for a 44 storey building on the same site which has led to issues with the State Administrative Tribunal excluding the City of South Perth from a directions hearing stating the City of South Perth was not a party to the action.

The common theme being reiterated by many local governments dealing with JDAPs, SAT and the WA planning system functions in general, is that communities are being disengaged from the decisions and believe leveraging broader community support will be the only way the local government can get a commitment from the State Government to look at its planning decision making processes.

The planning system should be focussed on good decisions. Whilst consideration to abolishing the JDAPs system has been called for, this gives no guarantee in and of itself that the decisions would be better. Clearly, locally elected Councillors have a far better understanding of the impacts of developments on the community than appointed persons, however, in some circumstances, the added expertise may be warranted for some decisions.

By way of an example, some Local Authorities in WA represent less than 1000 people and deal with relatively few applications per year. If an application for major infrastructure was applied for, understandably, the Council may not be able to gauge how their planning scheme should be applied, or what appropriate conditions may be applied, due to a lack of familiarity with the system. On the other hand, very large local authorities such as Stirling manage a population 40% of the State of Tasmania, but are not allowed to deal with a \$2 million shed, if the applicant seeks a JDAP determination. The system put in place by the State is a one size fits all planning system, rather than one that supports decision making at the appropriate level.

As has been pointed out by the State Government and numerous developer lobbies, the JDAPs are bound by the Local Planning Schemes, which whilst approved by the Minister, in most cases have been drafted by the local authorities. This would be the most appropriate place to start any review of the planning decision process. Much of the issue comes from planning schemes, which give significant amounts of discretion, with little guidance on how it should be applied. For example if a scheme simply says that the height of a development can be increased, but gives no reason as the circumstances in which this variation can happen, of course there will be debate about whether it was appropriate if that discretion is applied.

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Clearly the elected members have a better understanding of the strategic intent of certain provisions of their planning schemes and this knowledge should be respected and clearly articulated. There is significant context set out in the strategic plans of the local governments that should be incorporated into the decision making process.

The advent of JDAPs was largely due to criticism by the development industry that some Councils were anti-development and incorrectly refusing applications, forcing the need for review at State Administrative Tribunal (SAT). Whilst this analysis is debatable, the other reforms that occurred over the same period were changes to the Local Government Act, which allows for the Minister for Local Government to suspend Councils or individual Councillors and mandate training to assist in their decision making.

Local Governments through their lead body WALGA would recommend that any review of decision making not be limited to the JDAPs system, but should look at how better decisions can be made across all levels of decisions in the planning system, from Ministerial decisions down to delegate decisions by officers and also the appeal processes undertaken by SAT.

A previous parliamentary inquiry was held into the functionality of the regulations surrounding JDAPs, however the scope of the review did not allow for a true investigation into the need for such a mechanism. The parliamentary inquiry was not seen by the Local Government sector as being broad enough to deal with all the issues being experienced and also not seen as being truly independent nor giving voice to the community. Further review will find improvements to the planning system which will benefit the community and developers alike.

In conclusion, if the Local Government Industry wants to see real changes in JDAPS and SAT they must also look at the planning system as whole. All Local Governments must be prepared to support reforms across the entire system otherwise the issues surrounding JDAPS will continue unless fair compromise between State and Local Government can be reached.

It is fair to say that if the State Government does not agree to partner with Local Government to undertake an independent and thorough review of the entire planning system then the loggerhead will continue.

SECRETARIAT COMMENT

Since 2009, the WA Planning Commission have been pursuing a reform process aimed at improving the land use planning and development approvals system in WA. *Planning Makes It Happen - a blueprint for planning reform* set out 11 key strategic priorities and a forward work program that included 22 actions for the State.

In September 2013, the Minister for Planning released *Planning makes it happen: phase two* outlining a range of additional projects and process improvements aimed at streamlining the approval processes. The State's reform documents are located <http://www.planning.wa.gov.au/Planning-makes-it-happen.asp>

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The current State priority reforms outlined in *Phase Two* include the following: -

What	Why
Review of the Metropolitan Region Scheme	Consistent planning frameworks. Appropriate level of decision making.
Improve amendment process for region planning schemes	Simplify application processes. Fast track land supply.
Concurrent amendment of region and local planning schemes	Simplify application processes. Fast track land supply.
Improve local planning scheme review process	Consistency across local governments. Simplify planning processes. Fast track housing approvals.
Improve local planning scheme amendment process	Improve application processes. Fast track land supply.
Streamline structure plan process	Simplify application processes. Fast track land supply.
Private certification of development applications	Fast track housing approvals.
Standardise delegations of local government development decisions	Consistency across local governments. Appropriate level of decision making.
Electronic application system	Improve customer service – easier, faster applications and tracking of progress.
Design and development	Deliver quality development as the urban form of towns and cities across WA changes.
Review the role of the Western Australian Planning Commission (WAPC)	Ensure strategic leadership and good quality decision making.
Improve the function of the Infrastructure Coordinating Committee (ICC)	Improve coordination of infrastructure planning and delivery.
Funding of region planning schemes	Improve regional land acquisition and infrastructure provision.

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4.5 Abolitions of DAPS (05-047-01-0016)

City of Subiaco Delegate to move:

MOTION

That WALGA:

1. **Advocates for the abolition of Development Assessment Panels (DAPs) on the basis that:**
 - 1.1. **DAPs by means of their majority unelected membership are not democratic bodies representing the ratepayers and accordingly do not reflect the aspirations or values of the community;**
 - 1.2. **DAPs represent a significant erosion of planning powers by elected representatives who have been given a mandate by ratepayers to make these decisions; and**
 - 1.3. **Previous decisions made by the Joint Development Assessment Panel have gone well beyond the purpose, intent and application of relevant Local Planning Scheme and Policies adopted by each local council; and**
2. **Advocates for consideration of the following reforms, in the event that DAPs remain in place, to ensure greater accountability, transparency and procedural fairness for ratepayers through the Panel's assessment and decision making processes:**
 - 2.1. **Abolishing the current opt-in mechanism which allows applicants to choose either elected Councils or the DAP as the decision maker in favour of a Ministerial call-in power for projects of state or regional significance, with a minimal value of \$20 million, as has been adopted in the eastern states;**
 - 2.2. **Requiring equal membership on the DAP between Local Government and Appointed Specialist members with an independent chair approved by both State and Local Governments;**
 - 2.3. **Requiring the DAP to set the meeting date for consideration of the development applications no later than five working days after the application being received to enable inclusion within the community consultation process;**
 - 2.4. **Requiring the DAP agenda and local government report and recommendation to be published no less than ten business days prior to the scheduled meeting date;**
 - 2.5. **Requiring a minimum of five business days between publishing the DAP agenda and the date by which ratepayers can make public presentations to the DAP, to provide more time to prepare a formal response;**
 - 2.6. **Mandating that respondents to the development application can nominate e-mail or Australia Post as their preferred contact method for information and requiring the local government to contact registered respondents throughout the process as deadlines are reached;**
 - 2.7. **Providing a public template for ratepayers to assist with the preparation of feedback as part of the Community consultation process;**
 - 2.8. **Requiring any changes to a development application between the community consultation period and final proposal for decision by the DAP to be published on the local government's website and to notify all respondents to the original community consultation of those changes;**
 - 2.9. **Removing the need for the local government to obtain the applicant's consent for further consultation or an extension of time to report the applicant's development proposal to a DAP meeting for determination; and**

IN BRIEF

- That WALGA advocate for the abolition of Development Assessment Panel (DAPs).

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- 2.10. Providing a Local Government aggrieved by a DAP decision a right of review at the State Administrative Tribunal.
3. Advise the Minister for Planning of its concerns with the actions and decisions of the Development Assessment Panels.

MEMBER COMMENT

1. Following the lead of the City of Vincent, a version of this motion has been passed by the following councils:
 - 1.1. Vincent, Mosman Park, Nedlands, Cambridge, Subiaco, Stirling, Bayswater, South Perth, Belmont, Cottesloe, Claremont, Peppermint Gove, and Victoria Park.
2. The following Councils are working up support for this motion:
 - 2.1. Swan, Gosnells, Cockburn and Kwinana.
3. The following local communities have been adversely affected by a DAP/SAT decision or have concerns over the loss of amenity from proposed development to be approved by the DAP:
 - 3.1. Ascot, Alfred Cove, Applecross, Bayswater, Broome, Carine, Claremont, Como, Cottesloe, DalGLISH, Dalkeith, Dianella, Floreat, Guildford, Gwelup, Kensington, Mandurah, Maylands, Mount Hawthorn, Mount Lawley, North Beach, North Perth, Scarborough, South Perth, Subiaco Town Centre, Subiaco East, Subiaco West, Swanbourne, Wembley, and Woodlands.
4. The communities affected by DAP development applications have raised the following concerns in their submissions to their local council:
 - 4.1. The process of updating Local Planning Schemes, costing hundreds of thousands of dollars, will not stop the DAP system from considering development applications (DA) which do not comply with these schemes and policies.
 - 4.2. All ambit claims (DA) must be presented to a DAP regardless of their extreme non-compliance, costing ratepayer's councils valuable time and money preparing a Responsible Authority Report.
 - 4.3. The decisions made by unelected DAP panel members are unaccountable and untouchable. The Minister has backed every controversial decision raised by the community, and they cannot be voted out at the next election.
 - 4.4. Developers can appeal DAP decisions at State Administrative Tribunal (SAT), a flawed system which does not give affected parties a seat at the table to defend their amenity rights.
 - 4.5. The only avenue of appeal is to the Supreme Court costing ratepayers or residents hundreds of thousands of dollars.
 - 4.6. The use of discretionary clauses by the DAP/SAT system has created uncertainty and a loss of trust in the planning system. The uncertainty prevents homebuyers from knowing exactly what the rules are that govern the area / suburb / community where they may wish to invest in, buy their home, raise their family or retire. The uncertainty for those already settled concerns what changes to their living environment may be summarily visited on them. Since the residents are afforded no rights of appeal against such decisions, they are effectively left just to "hope" that they won't have to face such a decision.
 - 4.7. Changing Local Planning Schemes and policies offers no hope of controlling discretion to approve any development. Discretion exists in other State Government planning/development, policy and regulations such as:
 - 4.7.1. Residential Design Codes (R-Codes) Part 2 – Judgement of merit which allows the DAP/SAT to use Design Principles (a subjective view) to approve any non-complying development. If the DAP exercise its judgement based on

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- objectives and design principles, as the decision maker it can ignore the deemed to comply provisions, ref. 2.5.1 Exercise of judgement.
- 4.7.2. R-Codes Part 5 – Design principles and their use are problematic for local planning schemes and policies. The State Government put in place a subjective list of design principles which are futuristic, a one size fits all approach, and open to subjective views and discretionary powers by the DAP.
- 4.7.3. Local councils adopting Centre Activity Structure Plans are high level subjective documents which inadvertently impose significant change to the interpretation of local town planning schemes and policies. These Centre Activity Structure Plans are used by developers and their legal team to argue Judgement of merit for their development, and have unintended consequences for communities such as those affected by the State Government's plans to redevelop Western Australia's football ovals such as:
- 4.7.3.1. Claremont Football Oval;
 - 4.7.3.2. Bassendean Football Oval;
 - 4.7.3.3. Midland Football Oval; and
 - 4.7.3.4. Subiaco Football Oval.
- 4.8 These undemocratic decisions will have irreversible consequences for Western Australia's local communities, in the City and in regional towns

SECRETARIAT COMMENT

The current WALGA position regarding Development Assessment Panel (DAPs) is for a full and comprehensive cost benefit analysis of the DAP system to be conducted to assess the net benefit of DAPs (State Council March 2015). At this meeting, State Council also resolved that if the cost benefit analysis isn't undertaken, then the following improvements should be made to the operation of the system:

1. That the minimum monetary threshold for an application to be eligible for consideration by a DAP be increased to at least \$30 million.
2. That the DAP system be amended to be an opt-in only process, so that when an application does meet the minimum monetary threshold, the proponent still has to elect to have the application determined by a DAP. This will identify individual Local Governments that are unable to adequately satisfy applicant expectations and allow the industry to determine the relevance of DAPs.
3. That a procedure similar to that in NSW be introduced to 'call in' a development application where it has state or regional significance and should be determined by a DAP, even if it is below the monetary threshold.
4. That DAPs be permitted to process development applications that are below the new minimum monetary threshold, providing the application has been 'called in' as having either state or regional significance or referred by a Local Government.
5. That a system be introduced to temporarily remove the planning powers of a Council due to ongoing poor performance and DAPs be utilised to process development applications that cannot be dealt with under delegated authority during the suspension period.
6. That the Parliamentary Committee investigate specific examples of DAP decisions provided by Local Government members, in order to consider the transparency of the meeting process.

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7. That the Department of Planning's proposed changes to the regulations as a result of their internal review of DAPs in 2013, be put on hold until a cost-benefit analysis of DAPs has been undertaken and the outcomes of this Parliamentary review are finalised.

WALGA President, Cr Lynne Craigie and senior staff met with the new Minister for Planning and Disability Services, Hon Donna Faragher MLC on Wednesday, 25 May 2016. The Association advised the Minister about the disappointment of the recent Parliamentary Committee's review of DAPs which failed to actually address fundamental problems with DAPs, as well as the concerns from the sector and increasing dissatisfaction with the role of DAPs within the planning system. The Minister expressed her willingness to work with the sector to consider improvements to the DAPs system.

The Association is currently in the process of reviewing all decisions made by DAPs and when complete will present a report to State Council examining the performance and effectiveness of the DAP system across its full five years of operation. It is intended that this report will examine all of the issues raised in the numerous member's resolutions to abolish DAP's, including the appropriateness of DAP's development cost thresholds and the transparency of the decision making system. As part of the review, the Association will be seeking member's feedback on their experiences with DAP's, via a survey, and will also collate development application processing information from Local Governments to enable a direct comparison of the effectiveness of the DAP system compared to Local Government performance.

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4.6 Introduction of Container Deposit Scheme (CDS) (05-050-02-0001)

Shire of Dandaragan Delegate to move:

MOTION

That WALGA:

- 1. Continue to actively advocate for the implementation of a Container Deposit Scheme in Western Australia; and**
- 2. Include the implementation of a Container Deposit Scheme in the Association's Election Platform.**

IN BRIEF

- WALGA has advocated for a CDS over a number of years
- In 2008 WALGA established a Policy Statement in support of Container Deposit Legislation
- A CDS will assist in litter reduction and improve resource recovery

MEMBER COMMENT

WALGA has been advocating for a CDS to be implemented throughout Western Australia for a number of years. In 2008, WALGA established a Policy Statement in support of Container Deposit Legislation (CDL).

CDL has been in place in South Australia since the 1975, which imposed a deposit on a range of beverage containers. The deposit is included in the retail price of the item and refunded when the container is returned to the collection point.

Local Government has significant investment in kerbside recycling programs and landfill operations of which beverage containers make up a large percentage of material. An additional issue is that roadside litter and drainage debris consist of a higher proportion of beverage containers as well.

The introduction of CDL would provide an incentive for community organisations, individuals and the packaging companies themselves, to take responsibility for the lifecycle of their waste.

SECRETARIAT COMMENT

The motion is consistent with current WALGA Policy.

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4.7 Declared Pest Plant C3 Review by DAFWA (05-046-03-0015)

Shire of Dardanup to move:

MOTION

Request that WALGA lobby the Minister for Agriculture and Food WA to ensure that the Biosecurity and Agriculture Management Act 2007 (BAM Act) review results in the Act giving the Department of Agriculture and Food WA the responsibility to control, manage and facilitate the eradication of pest plants and weeds, including Cotton Bush, and that the Department be adequately funded to undertake eradication programs for all species that have the potential to negatively impact on the production of agriculture in Western Australia, including but not limited to Cotton Bush, wild dogs, cane toads, skeleton weed, Blackberry and Patterson's Curse.

IN BRIEF

- Request for WALGA to lobby the Minister for Agriculture and Food WA to ensure that the BAM Act review results in the Act giving the DAFWA the responsibility to control, manage and facilitate the eradication of pest plants and weeds, including Cotton Bush
- Department be adequately funded to undertake eradication programs

MEMBER COMMENT

The Biosecurity and Agriculture Management Act 2007 (BAM Act) is scheduled for review in 2017.

A number of Local Governments have endorsed and contributed financially to Regional Biosecurity Groups. It is evident that the Department of Agriculture and Food (WA) has limited resources and over the last twenty years the Department's budget has steadily declined and the ability to manage biosecurity in Western Australia has suffered because of it.

It is requested that WALGA lobby the Minister for Agriculture and Food WA to ensure that the BAM Act review results in the Act giving the Department of Agriculture and Food WA the responsibility to control, manage and facilitate the eradication of pest plants and weeds, including Cotton Bush.

It is also requested that the Department be adequately funded to undertake eradication programs for all species that have the potential to negatively impact on the production of agriculture in Western Australia, including but not limited to Cotton Bush, wild dogs, cane toads, Skeleton Weed, Blackberry and Patterson's Curse.

SECRETARIAT COMMENT

The Association will be making a comprehensive submission to the review of the Biosecurity and Agriculture Management Act 2007, and will advocate the submission recommendations to the Minister for Agriculture and Food, the Director General of DAFWA and the State Biosecurity Council.

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4.8 Renewable Energy (05-028-04-0009)

City of Bunbury to move:

MOTION

That the Western Australian Local Government Association advocates for reforms to the parameters applied by the WA Government regarding generation of energy through renewable sources by local governments, either individually or in partnership with private sector specifically seeking a fixed feed in tariff for extended periods to enable effective business planning and funding arrangements.

IN BRIEF

- WALGA to advocate for changes to the rules and regulations governing feed in tariffs for renewable energy, providing for a guaranteed fixed feed in tariffs over an extended period.

MEMBER COMMENT

Local government typically incurs significant annual electricity costs in providing services to the community, ie. recreation centres, street lighting, community facilities etc.

As has been demonstrated in other areas of Australia, local governments are moving to become more reliant on renewable energy sources and on a small scale this is effective, however for local governments to invest substantial funding into renewable energy sources there is a need for long term agreements and arrangements to ensure the viability of the investment. Where a local government may seek to offset its electricity usage through the provision of renewable energy sources, the rules governing the rate of feed in tariff vary depending on the amount of electricity being generated through renewable sources and the location of the facilities, making it difficult to develop a business case to justify investment in.

A fixed feed in tariff for local government in this regard would provide certainty for local governments looking to either partly or fully offset their energy use through renewable sources, demonstrating leadership in implementing measures to tackle climate change and reliance on fossil fuel power generation.

SECRETARIAT COMMENT

The City of Bunbury's proposal - *to simplify the current arrangements and provide certainty for local governments that are looking to invest in renewable technology* - seems logical as a way to encourage greater take up of renewables.

At the moment there are a range of different feed in tariffs for both residential and non-residential customers, depending on the amount of electricity being generated and/or the time at which this occurs.

There are a number of "unknowns" at this stage, which warrant investigation and report prior to advocating a specific position, such as;

- what implications the proposal would have for the broader market;
- the implications of the market transition to the Australian Energy Regulator;
- the likely rate/time frame for any set tariff.

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4.9 Reducing Regulatory Burden on Local Government (05-099-03-0001)

Shire of Toodyay Delegate to move:

MOTION

That all new legislation, regulation or quasi-regulation imposed on Local Government be accompanied by an independent regulatory impact assessment including the opportunity for input from the Local Government sector.

MEMBER COMMENT

In May 2015 the State Government launched a project to launch the Reinvigorating Regulatory Reform Project. The plan purports to support four actions:

- Cutting red tape;
- Progressive deregulation and regulatory reform;
- Improving regulatory assessment;
- Ensuring success through communication and engagement.

One of the priority areas for improvement was releasing administrative burden.

Placing additional regulatory or compliance burdens on Local Government increases the cost of Local Governments performing their functions and ultimately, increases the cost to the community and business. Any increase in the cost of doing business for Local Government will in due course be funded by increased rates or reduced levels of service.

Recently the State Government conducted a series of workshops with Local Governments to seek to improve the Integrated Planning and Reporting Process which now forms part of the compliance requirement for Local Government. During that process the Department was unable to answer:

- The increased cost to the sector of the new provisions; and
- Whether a regulatory burden assessment was completed prior to implementation, and if the assessment was done, what was the outcome?

Gather any group of elected members or Local Government employees together and they will be able to list new compliance requirements imposed in the last five years. The list will be long, but will include:

- Integrated Planning and Reporting Framework;
- Regulation 17 of the Local Government (Audit) Regulations
- New deemed provisions in all Local Planning Schemes;
- Changes to Planning for Bushfire Protection;
- Introduction of Fair Value Accounting for Assets;
- Changes to reporting requirements for gifts;
- Introduction of My Council website;

IN BRIEF

- The State Government is committed to red tape reduction.
- Increased Local Government compliance requirements have not been subject to the same level of scrutiny.
- All new legislation, regulation or quasi-regulation should be subject to a regulatory impact assessment.

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- Introduction of Registered Biosecurity Groups (while reducing State Government services); and
- Changes to compliance and reporting requirements for rates.

Many of these changes are important and worthwhile and have been embraced by the sector. Others are clearly reactions to political issues of the day, but will remain as requirements long after the issues have passed.

The State Government has recently reformed the compliance requirements for incorporated associations, providing three levels of reporting reflective of the level of risk to the community. This is good reform and represents the risk based approach which is also a feature of the red tape reduction policy. It is curious that the same risk based approach cannot be applied to Local Government instead of a single prescriptive one size fits all approach.

If efforts to reduce red tape are genuine and serious, all new legislation, regulation and quasi-regulation (circulars, guidelines etcetera) which impose or potentially impose a cost to the Local Government sector should be accompanied by an independent and publicly released impact assessment to quantify both the compliance cost and the estimated benefit.

Any new burden on business would be subject to this kind of assessment. There seems to be a lack of appreciation that any new cost to Local Government ends up being a cost to the community and business.

SECRETARIAT COMMENT

WALGA supports the concepts of reduced red tape and unwarranted compliance.

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4.10 Most Accessible Regional City in Australia Awards (01-006-04-0001)

City of Bunbury to move:

MOTION

That the Western Australian Local Government Association:

IN BRIEF

- Introduce an annual awards program coinciding with LG Week to acknowledge local governments promoting and improving accessibility in Western Australia

1. **Develop assessment criteria to formally recognise the contribution that Western Australian local governments are taking to promote and improve accessibility within their jurisdictions.**
2. **Conduct an annual awards process coinciding with Local Government Week to recognise local governments nominated for work undertaken in no. 1 above based on metropolitan, Regional and remote categories.**
3. **Nominate the winning local government from each category for the National Awards for Local Government – Disability Access and Inclusion Awards conducted by the Department of Infrastructure and Regional Development.**

MEMBER COMMENT

The City of Bunbury's first objective in the Community and Culture Key Priority Area of its Strategic Community Plan is to Establish Bunbury as the most accessible regional city in Australia by 2020, by providing services and information that are accessible and inclusive for community members of all abilities.

The City recognises access and inclusion as being a key component in enhancing community well-being and the quality of life for the people who live and work in Bunbury, and considers this philosophy to be applicable to all local governments throughout Western Australia.

It is suggested that making provision for such awards in Western Australia can then naturally feed into the national awards for Disability Access and Inclusion administered by the Federal Department of Infrastructure and Regional Development, where no Western Australian local government has ever been successful in winning that category.

SECRETARIAT COMMENT

The Association has held annual awards in the past in respect to specific issues such as Biodiversity awards.

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4.11 Discussion Paper Excessive Force (01-003-02-0001)

Shire of Bridgetown-Greenbushes Delegate to move:

MOTION

That WALGA, recognising that a significant role of local government is to lobby and advocate to higher levels of government on matters of concern to local constituents, advocate to the State Government for a discussion paper to be prepared on the issue of decriminalising the use of excessive force by members of the public when such force is effected in the course of defending family and property from intruders.

IN BRIEF

- There have, in recent years, been some well publicised incidents of property owners being charged for causing injury to intruders in the course of defending family and property.
- This is an issue of concern to the broader community and it has been raised at many community forums across the State.
- Local Government has an advocacy role to take on matters of concern raised by the community even when they are not directly related to local government service provision.
- The Motion is merely seeking the development of a discussion paper in order to allow widespread debate of this issue in the community.

MEMBER COMMENT

It is accepted that some local governments will query the merits of the subject matter of this Motion being on the WALGA AGM agenda. This was an argument debated by the Shire of Bridgetown-Greenbushes councillors when the Motion was proposed. However it is our belief that the subject matter is appropriate for consideration by local governments and at the WALGA AGM as it falls under the “advocacy” role that the local government sector plays. There are many issues outside the direct control of local government that are of interest to the sector and that the sector, either individually or collectively, seeks to have input into.

The issue of decriminalising the use of excessive force in the defence of family and property has been raised at the local community level, including at many community forums throughout the State.

How are members of the public expected to lobby for Government to consider and review this issue? Individually approaching Members of Parliament is unlikely to generate momentum for this issue to be added to the ever-increasing list of judicial reviews, statutory reviews, etc. Alternatively individual members of the public could band together to instigate petitions to the government on this issue. History however would question the effectiveness of such an approach. By raising the issue at the WALGA AGM and hopefully having the Motion carried would add weight to the issue with the decision being reflective of an overall community wish for this issue to be discussed.

The Motion is not seeking an immediate change to the criminal code or other related legislation. Such a Motion would be presumptuous and would ignore the processes required to effect legislative change. The Motion instead seeks the development of a discussion paper in order to allow widespread debate, from the community level to the judicial level, on the issues concerning the use of force by property owners when defending family and property.

There have, in recent years, been some well publicised incidents of property owners being charged for causing injury to intruders in the course of defending family and property.

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The motion deliberately uses the term “excessive force” as that is the term often used when persons are charged after causing injury to intruders in the course of defending family and property. Even if a property owner uses “appropriate” force the reality is that if injury or death is caused to the intruder the judicial determination would be that the force used in defending family or property was excessive in the circumstances.

The Motion isn’t condoning the use of excessive force – it is simply seeking some discussion on the issue as it is an issue of concern to the broader community.

SECRETARIAT COMMENT

The Association currently does not have a policy position on “excessive force”.

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Attachment 1: Association Standing Orders

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| <p>1. INTERPRETATIONS
For the purposes of these Standing Orders, if not inconsistent with the context, the following words shall have the following meanings:</p> <p>1.1 "Absolute Majority" means: a majority of delegates of the Association whether present and voting or not.</p> <p>1.2 "Association" means:-78 all or any part of the Western Australian Local Government Association.</p> <p>1.3 "Delegate or Deputy Delegate" means: those persons duly nominated, from time to time, to represent a Member Local Government at a meeting of the Association.</p> <p>1.4 "Deputy President" means: the Deputy President for the time being of the Association.</p> <p>1.5 "Meeting" means: an Annual or Special General Meeting of the Association.</p> <p>1.6 "Member Local Government" means: a Local Government admitted to ordinary membership of the Association in accordance with the provisions of the Constitution.</p> <p>1.7 "President" means: the President for the time being of the Association.</p> <p>1.8 "Simple Majority" means: a majority of the delegates from the Association that are present and voting.</p> <p>2. CONDUCT OF MEETINGS
The proceedings and business of meetings of the Association shall be conducted according to these Standing Orders.</p> <p>3. NOTICE OF MEETING</p> <p>3.1 Annual General Meeting
The Chief Executive Officer of the Association shall give at least ninety (90) days notice of an Annual General Meeting to all Member Local Governments, advising of the closing date for submission of motions for inclusion on the agenda.</p> <p>3.2 Special General Meeting
A Special General Meeting of the Association is to be held if a request is received by the Association President, in accordance with the requirements of the Association's Constitution. No business shall be transacted at a Special General Meeting other than that for which the Special General Meeting was called.</p> <p>3.3 Notice shall be given at the destinations appearing in the records of the Association.</p> | <p>Notice will be deemed to have been delivered immediately if transmitted electronically or on the second working day after posting.</p> <p>4. QUORUM</p> <p>4.1 The Association shall not conduct business at a meeting unless a quorum is present.</p> <p>4.2 At any meeting of the Association greater than one half of the delegates who are eligible to vote must be present to form a quorum.</p> <p>4.3 The Association is not to transact business at a meeting unless a quorum is present.</p> <p>4.4 If a quorum has not been established within the 30 minutes after a meeting is due to begin then the Association can be adjourned –</p> <ul style="list-style-type: none"> (a) by the President or if the President is not present at the meeting, by the Deputy President; (b) if neither the President nor Deputy President is present at the meeting, by a majority of delegates present; (c) if only one delegate is present, by that delegate; or (d) if no delegate is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer. <p>4.5 If at any time during a meeting a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of five (5) minutes and if a quorum is not present at the expiration of that period, the meeting shall be deemed to have been adjourned and the person presiding is to reschedule it for some future time.</p> <p>4.6 Notice of a meeting adjourned because of absence of a quorum is to be given to all Member Local Governments.</p> <p>5. MEETINGS OPEN TO THE PUBLIC
The business of the Association shall be open to the public except upon such occasions as the Association may by resolution otherwise decide.</p> <p>6. ORDER OF BUSINESS
Unless the Association should decide otherwise, the order of business at meetings of the Association, with the exception of special meetings or an adjourned meeting, shall be as follows:</p> <ul style="list-style-type: none"> (a) Record of attendance and apologies; (b) Announcements; (c) Confirmation of minutes of previous meetings; (d) President's report; (e) Financial report for the financial year; and |
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<p>(f) Consideration of Executive and Member Motions.</p> <p>7. VOTING ENTITLEMENTS</p> <p>7.1 Each Member Local Government shall be entitled to be represented at any meeting of the Association.</p> <p>7.2 Only eligible and registered delegates may vote.</p> <p>7.3 A delegate shall be entitled to exercise one vote on each matter to be decided. Votes are to be exercised in person.</p> <p>7.4 A delegate unable to attend any meeting of the Association shall be entitled to cast a vote by proxy.</p> <p>7.5 A proxy shall be in writing and shall nominate the person in whose favour the proxy is given, which person need not be a delegate. Proxy authorisations shall be delivered to the Chief Executive Officer of the Association before the commencement of the meeting at which the proxy is to be exercised and shall be signed by the delegate or by the Chief Executive Officer of the Member Local Government that nominated the delegate.</p> <p>8. SPECIAL URGENT BUSINESS At any time during a meeting a delegate may, with the approval of an absolute majority, introduce a motion relating to special urgent business that calls for an expression of opinion from the meeting.</p> <p>In presenting an item of special urgent business, a delegate shall have sufficient copies of the motion in writing for distribution to all delegates present at the meeting and, where practicable, give prior notice to the President of such intention.</p> <p>9. PRESIDENT In the construction of these Standing Orders unless the context requires otherwise, the word "President" shall in the absence of the President include the Deputy President or the delegate chosen by resolution to preside at any meeting of the Association.</p> <p>10. DELEGATE AND DEPUTY DELEGATE</p> <p>10.1 In the construction of these Standing Orders unless the context requires otherwise, the word "delegate" shall in the absence of the delegate include the deputy delegate.</p> <p>10.2 A deputy delegate acting in the capacity of a delegate unable to attend a meeting of the Association shall exercise all rights of that delegate.</p>	<p>11. PRESIDENT TO PRESIDE</p> <p>11.1 The President shall preside at all meetings of the Association, but in absence of the President, the Deputy President shall preside.</p> <p>11.2 In the absence of the President and the Deputy President, the delegates shall choose by resolution, a delegate present to preside at the meeting.</p> <p>12. SPEAKING PROTOCOL</p> <p>12.1 Only registered delegates and members of the Association's State Council shall be entitled to speak at meetings of the Association.</p> <p>12.2 The first person that is entitled to speak at a meeting who attracts the attention of the person presiding shall have precedence in speaking.</p> <p>12.3 Speakers are to use the microphones supplied.</p> <p>12.4 When addressing a meeting, speakers are to:</p> <ul style="list-style-type: none"> (a) rise and remain standing unless unable to do so by reason of sickness or disability; (b) address the meeting through the person presiding; (c) state their name and Local Government before otherwise speaking; (d) refrain from reading comment printed in the agenda paper in support of a motion, but may identify key points or make additional comment; and (e) refrain from using provoking or discourteous expressions that are calculated to disturb the peaceful current of debate. <p>12.5 Mobile phones shall not be switched on while the meeting is in session.</p> <p>13. DEBATE PROCEDURES</p> <p>13.1 A delegate moving a substantive motion may speak for –</p> <ul style="list-style-type: none"> (a) 5 minutes in his or her opening address; and (b) 3 minutes in exercising the right of reply. <p>13.2 Other speeches for or against motions are to be limited to 3 minutes unless consent of the meeting is obtained which shall be signified without debate.</p> <p>13.3 No delegate, except the mover of a motion in reply, is to speak more than once on the same motion except by way of personal explanation.</p> <p>13.4 As soon as the right of reply has been exercised, the motion is to be forthwith put to the vote without further comment.</p> <p>13.5 No discussion shall take place on any motion unless it is moved and seconded. Only one amendment on any one motion shall be received at a time, and such amendment shall be disposed of before any further amendment can</p>
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- be received. Any number of amendments may be proposed.
- 13.6 The provisions of these Standing Orders applicable to motions apply mutatis mutandis to amendments, except that the mover of an amendment shall have no right of reply.
- 13.7 When a motion has been moved and seconded, the person presiding shall at once proceed to take a vote thereon unless a delegate opposes it or an amendment is proposed.
- 13.8 No more than two delegates shall speak in succession on one side, either for or against the question before the meeting, and if at the conclusion of the second speaker's remarks, no delegate speaks on the other side, the motion or amendment may be put to the vote.
- 13.9 Notwithstanding clause 13.7, where a composite motion is moved which embodies the core aspects of subsequent motions listed on the agenda, a delegate whose motion has been superseded shall have the opportunity to speak on the question of the composite motion before it is put.
- Once a composite motion has been carried, no further debate shall be permitted in respect of the superseded motions.
- 13.10 At any time during a debate, but after the conclusion of a delegate's comments, a delegate who has not spoken during the debate may move, without discussion, "that the question be now put". If that motion is seconded and carried by a majority, the question shall be submitted at once to the meeting, after the mover has replied.
14. **QUESTIONS**
Any delegate seeking to ask a question at any meeting of the Association shall direct the question to the President.
15. **POINT OF ORDER**
A delegate who is addressing the President shall not be interrupted except on a point of order, in which event the delegate shall wait until the delegate raising the point of order has been heard and the question of order has been disposed of, whereupon the delegate so interrupted may, if permitted, continue.
16. **MOTION - SUBSTANCE TO BE STATED**
A delegate seeking to propose an original motion or amendment shall state its substance before addressing the meeting thereon and, if so required by the President, shall put the motion or amendment in writing.
17. **PRIORITY OF SPEAKERS**
If two or more delegates wish to speak at the same time, the President shall decide who is entitled to priority.
18. **PRESIDENT TO BE HEARD**
Whenever the President signifies a desire to speak during a debate, any delegate speaking or offering to speak is to be silent, so that the President may be heard without interruption.
19. **WITHDRAWAL OF MOTION**
A motion or amendment may be withdrawn by the mover with the consent of the meeting, which shall be signified without debate, and it shall not be competent for any delegate to speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.
20. **PRESIDENT MAY CALL TO ORDER**
The President shall preserve order, and may call any delegate to order when holding an opinion that there shall be cause for so doing.
21. **RULING BY PRESIDENT**
The President shall decide all questions of order or practice. The decision shall be final and be accepted by the meeting without argument or comment unless in any particular case the meeting resolves that a different ruling shall be substituted for the ruling given by the President. Discussions shall be permitted on any such motion.
22. **RESOLUTIONS**
- 22.1 Except as otherwise provided in the Association Constitution and these Standing Orders, all motions concerning the affairs of the Association shall be passed by a simple majority.
- 22.2 Any matter considered by the Association at a Special Meeting shall not be passed unless having received an absolute majority.
23. **NO DISCUSSION**
Where there is no discussion on a motion, the President may deem the motion to be passed unless the meeting resolves otherwise.
24. **PERMISSIBLE MOTIONS DURING DEBATE**
- 24.1 When a motion is under debate, no further motion shall be moved except the following:
(a) that the motion be amended;
(b) that the meeting be adjourned;
(c) that the debate be adjourned;
(d) that the question be now put;
(e) that the meeting proceed with the next item of business; or
(f) that the meeting sits behind closed doors.
- 24.2 Any delegate who has not already spoken on the subject of a motion at the close of the speech of any other delegate, may move without notice any one of the motions listed in clause

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- 24.1 (b)-(f) and, if the motion is seconded, it shall be put forthwith.
- 24.3 When a debate is adjourned, the delegate who moves the adjournment shall be the first to speak on the motion when the debate is resumed unless the delegate advises of no desire to speak on the motion. Where this occurs, the President shall then call for further speakers, with the exception of those delegates who have previously spoken (unless the meeting otherwise agrees).
25. **RESCISSION OF RESOLUTION**
- 25.1 **At the same meeting**
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may, by simple majority at the same meeting at which it is passed, rescind or alter a resolution if all delegates who were present at the time when the original resolution was passed are present.
- 25.2 **At a Future Meeting**
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may rescind or alter a resolution made at an earlier meeting:
- (a) by simple majority, where the delegate intending to move the motion has, through the Chief Executive Officer, given written notice of the intended motion to each delegate at least seven (7) days prior to the meeting; or
- (b) by absolute majority, in any other case.
26. **METHOD OF TAKING VOTES**
The President shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands or by an electronic key pad voting system.
27. **DIVISION**
The result of voting openly is determined on the count of official voting cards and, immediately upon a vote being taken, a delegate may call for a division.
28. **ALL DELEGATES TO VOTE**
- 28.1 At meetings of the Association, a delegate present at the meeting when a question is put shall vote on the question.
- 28.2 Each delegate shall be entitled to exercise one deliberative vote on any matter considered.
29. **PRESIDENT'S RIGHT TO VOTE**
The President shall have a casting vote only.
30. **SUSPENSION OF STANDING ORDERS**
- 30.1 In cases of urgent necessity or whilst the Association is sitting behind closed doors, any of these Standing Orders may be suspended on a motion duly made and seconded, but that motion shall not be declared carried unless a simple majority of the delegates voting on the question have voted in favour of the motion.
- 30.2 Any delegates moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place.
31. **NO ADVERSE REFLECTION ON ASSOCIATION**
A delegate shall not reflect adversely upon a resolution of the Association, except on a motion that the resolution be rescinded.
32. **NO ADVERSE REFLECTION ON DELEGATE**
A delegate of the Association shall not reflect adversely upon the character or actions of another delegate nor impute any motive to a delegate unless the Association resolves, without debate, that the question then before the Association cannot otherwise be adequately considered.
33. **MINUTES**
- 33.1 The Chief Executive Officer of the Association is to cause minutes of the meeting to be kept and preserved.
- 33.2 The minutes of a meeting are to be submitted to the next Annual or Special General Meeting for confirmation.
- 33.3 Copies of the minutes will be supplied to all delegates prior to the meeting.
-

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MINUTES
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Attachment 2: Previous Minutes 2015 AGM



MINUTES

Annual General Meeting

Perth Convention Exhibition Centre
Perth

5 AUGUST 2015

SHIRE OF NORTHAM
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Annual General Meeting – Order of Proceedings

1.1 Record of Attendance and Apologies

Apologies:

- Cr Pixie Pidgeon (Cue)
- Cr Valerie Ammon (Gingin)
- President Ronnie Fleay (Kojonup)
- Cr Andrew Walker (Lake Grace)
- Cr Dean Bavich (Manjimup)
- President Robert Breakell (Mt Marshall)
- President Ken Clements (Plantagenet)
- Cr Rob Butler (Perth)
- Cr Janet Davidson (Perth)
- Cr Doug Thompson (Fremantle)

1.2 Announcements

Nil

2.0 Confirmation of Minutes

Minutes of the 2014 WALGA Annual General Meeting is contained within the AGM Agenda.

Moved: Cr J Brown (Gosnells)

Seconded: Cr G Pule (Bassendean)

That the Minutes of the 2014 Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

3.0 Adoption of President's Annual Report

The President's Annual Report for 2014/2015 is contained within the AGM Agenda.

Moved: Cr E O'Connell (Nungarin)

Seconded: Cr D Michael (Stirling)

That the President's Annual Report for 2014/2015 be received.

CARRIED

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4.0 WALGA 2014/2015 Financial Statements

The audited 2014/2015 WALGA Financial Statements were distributed to all members prior to the meeting.

Moved: Cr K Chappel (Morawa)
Seconded: Cr W Barrett (Murray)

That the WALGA Financial Statements for 2014/2015 be received.

CARRIED

5.0 Consideration of Executive and Member Motions

As per motions listed.

6.0 Closure

There being no further business, the President declared the meeting closed at 5.46pm.

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**4. Consideration of
Executive and Member Motions**

4.1 Eradication of Trachoma in Australian Populations (05-030-02-0009 AH)

Town of Bassendean:

Moved: Cr G Pule (Bassendean)
Seconded: Cr A Pratico (Bridgetown-Greenbushes)

That WALGA advocate to the Federal and Western Australian State Government a Nationwide program for the eradication of Trachoma in Indigenous Populations, especially in Western Australia.

AMENDMENT

Moved: Cr M Halleen (Murchison)
Seconded: Cr G Pule (Bassendean)

That WALGA advocate to the Federal and Western Australian State Government a Nationwide program for the eradication of Trachoma in all geographically isolated communities, especially in Western Australia.

CARRIED

THE AMENDMENT BECAME THE MOTION, WAS PUT AND CARRIED

MEMBER COMMENT

That WALGA State Council seek the State Governments advice on how reduced Commonwealth health funding and the introduction of the Indigenous Advancement Strategy (IAS) program has impacted on health service delivery to discrete Aboriginal Communities, in order to address a Western Australian program for the eradication of Trachoma in Indigenous Populations.

There are 287 discrete Aboriginal Communities in Western Australia with over 17,000 people across 22 Local Governments. As part of the Federal Budget 2014/2015, the Commonwealth Government announced significant policy reform to Aboriginal service delivery with the introduction of the Indigenous Advancement strategy and Remote Community Advancement Network.

There is \$4.9 billion of programme funding over four years that is available under the five IAS programmes managed by the Department of Premier and Cabinet. There is concern that the funding structure is not addressing the health needs of remote communities and that many organisations who were funded are no longer. Further funding changes have been made to the Commonwealth Health

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Budget which has resulted in a number of health programmes ceasing. This has impacted health service delivery in Western Australia.

A key concern is the future of funding and support for the eradication of trachoma in Aboriginal Communities. The State Government has announced the development of an Aboriginal Investment strategy. The Aboriginal Affairs Cabinet Sub Committee considers cross-agency initiatives to improve the effectiveness of spending and reduce duplication. The Committee has recommended the development of an Aboriginal Investment Strategy for Western Australia.

The development is being led by the Department of Regional Development.

Background

The Fred Hollows Foundation has estimated that the elimination of Trachoma in Australia (Western Australia) can be achieved with a program funded by ten million dollars and Indigenous People can be involved. Australia is the only Developed Country in the world that still has extensive Trachoma affected peoples. This presents a great challenge to Australian Governments to train and utilise Indigenous people to address not only Trachoma, but the turn-around of remote indigenous communities.

Such programs can be the lynch pin to revitalize and renew remote communities. There has already been an assessment of rating sustainability in remote communities with many seen as sustainable. These communities need programs of sustainability and such proposed Trachoma Eradication Programs can be the core of a betterment and sustainability system for remote communities. The involvement of Indigenous people in their own community sustainability is greatly beneficial.

Knowledgeable and expert Foundations like the Fred Hollows Foundation can become the core of such a Trachoma Program and this can be done for a very small investment in "Closing the Gap". Closing the Gap identifies the deficiencies that affect Indigenous Populations and Trachoma ranks as a major contributor to the impact on negative health of Indigenous People.

Trachoma is a completely preventable disease and can be prevented if only the will be there.

SECRETARIAT COMMENT

The need for greater investment in controllable diseases is acknowledged. There is already a comprehensive State program for Trachoma Management in WA for discrete Aboriginal Communities. WA is one of the leading States in the management of Trachoma through targeted personal hygiene programs and use of new generation 6 month and 12 month antibiotics.

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4.2 Prescribed Burning Program (05-024-02-0044 AH)

Shire of Bridgetown-Greenbushes:

Moved: Cr A Pratico (Bridgetown-Greenbushes)
Seconded: Cr P Scallan (Bridgetown-Greenbushes)

That WALGA lobby the Minister for Regional Development to negotiate conditions on the use of Royalties for Regions funds for enhancement of the State Government's prescribed burning program to ensure that these additional funds are used only for prescribed burns for asset preservation and protection around towns and settlements and that the funds not be used for broad scale prescribed burning of forests and national parks distant from towns and settlements.

CARRIED

IN BRIEF

- The State Government has announced an additional \$20 million investment in prescribed burning under the Royalties for Regions Program.
- The focus of this additional investment should be on asset preservation and protection around towns and settlements rather than broad scale prescribed burning

MEMBER COMMENT

On 11 May 2015 the State Government announced a four year Royalties for Regions investment of \$20 million to increase prescribed burning in the South West. These funds are on top of the Department of Parks and Wildlife annual prescribed burning budget of \$10 million per annum.

The Government announcement stated that the new funding will fund extra positions and extended employment contracts for seasonal land management officers to expand the prescribed burning effort. The Minister for Regional Development, the Hon Terry Redman MLA was quoted as saying that "the extra Royalties for Regions investment would bring greater security and protection to South-West communities".

The Shire of Bridgetown-Greenbushes endorses the above comments of the Minister for Regional Development. Royalties for Regions funding shouldn't be used to prop up the normal operations of Government departments that have otherwise been short changed from years of reduced budget allocations. Instead Royalties for Regions funding should be used to enhance normal Government expenditure and in this case it should be ensured that the additional funding directed to the prescribed burning program should be focused on the preservation of assets and public safety in our settlements and towns rather than the funding being simply used by the Department of parks and Wildlife to meet acreage targets in the easier to burn areas such as forests and national parks. Often these areas are remote from towns and settlements and it is easier to carry out larger burns. Whilst there may well be strong environmental benefits in such burns the focus of the additional funding over the next four years should be the preservation of built assets.

SECRETARIAT COMMENT

Given the limited funding available within the state for bushfire risk mitigation, it is critical that any additional funding for prescribed burning is used in high priority areas of the state, particularly those that are in close proximity to towns, settlements and significant economic infrastructure.

Identification of the priority areas and the subsequent prescribed burning programs could be done through coordination of the results of the bushfire risk management planning process, which is currently being piloted by several Local Governments, the DFES mapping generated for the purposes of the soon to be implemented, WAPC state planning policy – bushfire prone areas and the office of bushfire risk management's approvals process.

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4.3 Bushfire (Planning) Regulations – Local Government Impacts (05-024-02-0056 AH)

City of Bunbury:

Moved: Cr B Kelly (Bunbury)
Seconded: Cr D Prosser (Bunbury)

1. That WALGA move to seek that the Fire and Emergency Services Commissioner recognises existing Local Government bushfire risk assessment processes that demonstrate sufficient rigour and accept that Local Government's Bushfire Risk Mapping in the application of the new Bushfire (Planning) Regulations.
2. That appropriate support be provided to Local Government, to offset the costs and delays that will be incurred as a result of implementing the new Regulations into the development application processes. This would include (but not limited to) training in bushfire risk assessment - Bushfire Attack Level (BAL). A media campaign to explain the new Regulations and its impacts would assist in deflecting some of the negative reaction that may be incurred by Local Governments.
3. That WALGA request the State Government to assist with the implications of State owned lands providing risk to developments. Rather than insist on construction requirements to increase resilience for new structures, it may be more beneficial to treat the risk. This would be especially important where existing structures are also impacted. Currently, the Bush Fires Act (1954) does not bind the Crown.

IN BRIEF

- The State Government has brought down new regulations on development within areas of the State declared as 'bushfire prone'.
- A State wide map will highlight areas that will be declared, being essentially, any land that is within 100 metres of bushland greater than 1 hectare in area.
- Local Government will be expected to manage the application of the Regulations, to new development within those areas, upholding the requirements of 'AS 3959 (2009) – Construction of buildings in bushfire-prone areas'.

CARRIED

MEMBER COMMENT

Large areas of the State are likely to be declared as Bushfire Prone by the Fire and Emergency Services Commissioner. These will be demonstrated on a State map of Bushfire Prone Areas. The rationale for the decision on bushfire prone status is essentially any area that is within 100 metre proximity to bushland that is greater than 1 hectare in area. Some smaller parcels will also be included, whereby they may be relatively close to other areas of bushland that can be aggregated in some situations.

While no-one would be against recognising and avoiding high risk developments, this suite of arrangements passed from State Government, will be highly problematic for Local Government.

Local Governments were given limited opportunity to comment on early risk assumptions, through a relatively crude process. Early communications indicated that the Office of Bushfire Risk Management (OBRM) would accept a Local Government's risk mapping, if the Commissioner was satisfied with its rigour. This has not happened at this stage, nor have we seen the final OBRM maps, to indicate the potential of this situation to impact Local Governments.

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These new regulations have the potential to impact considerably upon Local Governments through the following:

- This system only looks at new development applications, putting the bushfire safety focus on that environment alone. It does not recognise the need to manage existing risks.
- This system will require a cadre of bushfire risk assessors, likely to be contractors, adding to development costs. The competencies required and formal training programs for these persons, has not yet been established.
- The focus on risk management in this case, will be on the building proponent (element at risk) not on the bush land manager (source of risk). There is no focus on working to reduce risk by treating areas presenting that risk. It is likely that any land managed by Local Government that is seen to present increased complexity and/or costs to a developer or owner, would attract considerable criticism for that Local Government.
- There is a strong potential for insurance premium rises on existing structures, due to a likely increase in replacement construction costs.
- For construction within declared bushfire prone areas, there will be an increase in cost to construct to the new standards, a need for Local Government to understand, apply and police the construction standards. There is likely to be a relatively hostile reaction from builders/owners to this new regime of costs and compliance complexity.
- Some areas of land, rated as BAL 40 or BAL FZ may be now impossible to build on, due to an external risk (adjacent bushland). This would drastically reduce the value of these lands, with likely political backlash.

The AS 3959 considers bushfire risk based upon only three factors, being the proximity of potential development to bushland, the predominant vegetation type and the gradient under that vegetation. The new Bushfire (Planning) Regulations consider only proximity to bushland. This is a crude risk assessment process, which will cause huge areas to be presumed to be high risk. It will be up to the developer/owner to prove lower risk levels exist, which in many cases will be the case.

Using the *AS/NZS ISO 31 000 (2009) – Risk Management – Principles and guidelines* encourages that consideration of 'risk versus consequence' measures and other factors such as bushfire behaviour, would be prudent. Further, the use of the National Risk Assessment Guidelines (NERAG) to challenge the assumptions made, would further add confidence to risk assessments.

Where a Local Government could demonstrate that their processes contain that rigour, then these should be upheld. A very high percentage of the land that is within 100 metres of existing bushland (and likely to be declared as bushfire prone) could easily be demonstrated to be an acceptable bushfire risk and avoid the added complexity of the new Regulations.

SECRETARIAT COMMENT

The declaration of bushfire prone areas by the State Government and the application of minimum state-wide bushfire standards for development in bushfire prone areas is consistent with State Councils resolution of May 2013 (200.2/2013). Prior to forming this resolution, the Association undertook widespread consultation with members to discuss arrangements for managing bushfire risk and received strong support from the sector for the State Government taking the lead in identifying bushfire risk areas and establishing state wide planning provisions for bushfire mitigation.

The Association understands that the Western Australia Planning Commission (WAPC) have made substantial modifications to the previously advertised draft State Planning Policy (SPP) 3.7 Planning

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for Bushfire Risk Management and its associated Guidelines. The Association has been informed by the Department of Planning intends to release the revised draft Policy and Guidelines for public consultation in July. The Association will be preparing a submission to WAPC in relation to the revised draft SPP and will be seeking feedback from members to inform this submission.

The Association understands that any default declaration of 'bushfire prone areas' as being within in 100m of a hectare of bushfire vegetation is only an interim measure which will be superseded by the release of bushfire prone area mapping. This mapping will be further refined over time. Further, it is important to note that the declaration of a bushfire area does not automatically mean that higher construction standards will be necessary, rather a more accurate assessment of bushfire risk will need to be undertaken by development proponents.

Throughout the process of developing the proposed land-use planning bushfire risk management policy framework, the Association has consistently advocated that the State provides the necessary funding for any additional requirements placed on Local Governments, including any training for Local Government officers.

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4.4 Integrated Response by Local Governments to Hoarding (05-026-03-0016 AH)

City of Bunbury:

Moved: Cr B Kelly (Bunbury)
Seconded: Cr D Prosser (Bunbury)

That WALGA:

1. **acknowledge that hoarding is a complex problem for Local Governments to address in Western Australia.**
2. **facilitate the development of an integrated response to the problem of hoarding by using consistent best practice standards which can be applied by all Local Governments in Western Australia.**

IN BRIEF

- A Toolkit exists for Metropolitan Local Governments however this does not apply for regional Councils.
- Local Governments can only prosecute offenders under Health Legislation
- An integrated response to the problem which can be applied by all Local Governments would be an initial step to looking at these issues

CARRIED

MEMBER COMMENT

The Department of Health has developed a squalor toolkit which is used by the Metropolitan Local Governments.

In circumstances when regional Local Governments have tried to implement the recommendations/requirements of the tool kit for cases, the support from key agencies was not available in regional areas.

This results in regional Local Governments only ability to address the problem being to prosecute the offender under Health legislation and on some occasions this action may result in the Local Government incurring considerable costs.

It is felt that an integrated response to the problem of hoarding by using consistent best practice standards which can be applied by all Local Governments in Western Australia would be an initial step to looking at these issues.

SECRETARIAT COMMENT

The recommended action is consistent with WALGA policy.

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4.5 Shark Hazard – Local Government Expectations (05-017-02-0006 AH)

City of Bunbury:

Moved: Cr B Kelly (Bunbury)
Seconded: Cr D Prosser (Bunbury)

1. That WALGA move to seek that the State Government declare Shark Attack as a 'hazard' within the Emergency Management Regulations (2006) and assign an Hazard Management Agency, for the development and maintenance of Hazard Management Arrangements. This agency would then also be responsible for the provision of community information and advice, to enable the community to make informed decisions with their use of the marine environment.
2. That WALGA recommend the adoption of the South West Local Government Response Flowchart and Responsibility Matrix, as the basis for Local Government response to any credible risk from sharks in local waters.
3. That WALGA act on behalf of WA Local Governments in the negotiation with the Department of Fisheries, to ensure that Local Government Officers are not expected to make any response decisions, where they do not have the Subject Matter Expertise, nor jurisdiction (i.e. when to open a beach after sighting, or when to close a beach etc.) for those decisions.

IN BRIEF

- The Shark hazard in WA is not a 'declared hazard' under the Emergency Management Regulations. No agency is identified to be responsible to manage community information or advice, nor develop arrangements to manage the hazard.
- The Department of Fisheries has developed draft Hazard Plans that identify a range of responsibilities to Local Government (as land owners), where they would have limited subject matter expertise or jurisdiction, to under-pin any decisions or actions.

CARRIED

MEMBER COMMENT

There is currently an expectation from the Department of Fisheries (DoF), that Local Government staff will respond to any shark sighting (confirmed or not) and close beaches and warn public. This also assumes that Local Government Officers remain constantly available to travel to a beach to carry out this work, immediately. This was first noted in the draft Shark Hazard Plan from that Department on 20 September 2012.

Local Governments in the main, have jurisdiction only to the high water mark and would not be considered to be experts in shark behaviour. The DoF have established and funded a 'Shark Response Unit', which presumably, would have the peak body of knowledge on this subject. Therefore, it would seem odd that the DoF would expect Local Governments to be making decisions, with respect to the risk that a shark may present and/or what should be done in respect of that risk.

As a result of a string of unfortunate fatal encounters with sharks, the media showed understandably high levels of interest in the shark risk. In the absence of a credible response agency, these reports were not challenged for credibility, nor wisdom. The resultant media coverage then raised the public interest and the matter became political. If there had been an identified Hazard Management Agency to provide an active and visible spokesperson role, that interest could have been managed and taken the form of public safety information and advice. It would have tempered the tone of the reporting and gone some way to educating the community on the actual risks and presumably, what people could

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do to manage their exposure. Any other declared hazard enjoys the benefit of a 'one source – one message' environment, which ensures consistent, credible information is provided on which community members may base their decisions, along with the mandated responsibility to communicate.

In early 2014 the City of Bunbury, through the Chief Executive Officer, sought the assistance of the other South West Local Governments mentioned in the DoF Draft Shark hazard Plan (plus Harvey). The result was the establishment of a working group who worked collaboratively to develop a process and ultimately a Response Plan. This plan was developed to guide any Local Government response to any report of a shark hazard. This work recognised the limitations of Local Government in the jurisdiction and subject matter expertise as well as other agencies that would have a role (i.e. Department of Parks and Wildlife (DPaW)). The group then conducted a workshop, funded by WALGA and the participating Local Governments, along with the agencies that would be impacted in the South West. The Departments of Fisheries and Premier and Cabinet had senior staff in attendance, including the Acting Director General of DoF.

DoF and Premier and Cabinet continued not to accept the South West proposed processes.

With the summer tourist season beginning, the City of Busselton took to providing an interim solution, essentially causing a hiatus in the collaborative work that was being undertaken. Further, it would seem that DoF and the State Government were not concerned with the discontent of a few Local Governments and keen to preserve the status quo.

Under the current situation, whereby DoF have effectively handed over responsibility to Local Governments, there is potential conflict between community expectations for a safe environment and the risks that Local Governments and their Officers face in making decisions. This is especially the case, in a subject area where they do not possess the expertise nor jurisdiction to operate. DPaW and other land managers are in a similar position (though DPaW do have jurisdiction on the water). Should there be scrutiny over a decision that was made prior to an incident, the Local Government and/or its Officer may held to account over why they had made a decision that had ended unsatisfactorily. Equally, adherence to the 'do nothing' option carries its own risks, in that public safety may be seen to be compromised, especially if a Local Government could be proven to have known of that risk.

Any action or decision taken as a result of a shark sighting, should be under-pinned with due recognition of the skills and knowledge of the decision-maker and their jurisdiction to act. Protection from subsequent scrutiny and criticism must be provided by a process which follows sound risk management processes and clear, concise guidance documentation.

SECRETARIAT COMMENT

In 2012 the State Emergency Management Committee developed a comprehensive risk management strategy for Western Australia to have a better understanding of the risks to which the State is exposed and to ensure that emergency management strategies are in place. In 2013 the State Government commenced the *State Risk Project* which has identified 27 hazards - both natural and made in Western Australia. The State Risk project demonstrates an integrated approach and consistent framework for risk assessment and management across the State.

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4.6 Inland Waterway Shoreline Management (05-064-01-0001 MB)

City of Mandurah:

Moved: Cr D Lee (Mandurah)
Seconded: Mayor M Vergone (Mandurah)

That WALGA lobby for a single State Government agency to be responsible for inland waterway shoreline management in the same manner as the Department of Transport' current role to administer the State Government's policy directly relating to coastal management.

IN BRIEF

- WALGA's support is requested to address the management and responsibility of inland waterways shoreline management.

CARRIED

MEMBER COMMENT

Local Governments which have estuarine and riverine environments experience shoreline erosion. Others may have a coastal environment where-in coastal erosion occurs from time to time.

It is agreed that the requirement to investigate the mechanisms of shoreline erosion and to undertake significant protection works is equal to that which is required along the coastline.

Inland waterway shoreline erosion is addressed through a number of agencies that have specific interests. For example, the Swan River Trust and the Department of Water have specific areas of interest. On the other hand, the Department of Transport has carriage of coastal management via its Coastal Protection Policy for Western Australia.

The aims of this Coastal Protection Policy are to:

- Ensure the provision of the appropriate level of advice and assistance to coastal managers investigating and recommending coastal protection solutions
- Ensure that valuable coastal assets, whether natural or constructed, are protected from the unwanted impacts ocean forces
- Ensure the adoption of the most appropriate and cost-effective interventions to protect coastal property at risk of damage from sea erosion
- Provide support to broader coastal management policies of the State.

The specific principles that guide this Coastal Projection Policy are to:

- Minimise the need to interfere with natural coastal processes
- Undertake coastal protection works only if the benefits outweigh the cost
- Ensure that the direct beneficiaries of coastal development carry all consequential costs
- Ensure that the coast continues to be available for the benefit of the whole Community Services and Infrastructure Projects
- Ensure that local coastal managers receive proper guidance and assistance to solve their coastal protection problems
- Establish that coastal protection is a partnership between the State and local coastal managers, with the lead taken by the local coastal managers, and
- Ensure that the most appropriate coastal protection technologies are considered.

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Both the policy and principles should be equally applicable to estuarine and riverine environments.

There appears to be a reluctance to address inland waterways shoreline management in the same manner that currently applies to coastal management.

Support via WALGA to address this anomaly is sought.

SECRETARIAT COMMENT

As outlined in the July 2015 State Council Agenda, the Department of Transport is reviewing its *Coastal Protection Policy for Western Australia*. It is noted that the new draft policy document does not provide greater clarity for local government and does not provide a greater amount of transparency on how the Department of Transport will be helping to manage the coastal environment.

The policy is pared back from the previous version (as cited by the City of Mandurah). Therefore, at a time when coastal management roles and responsibilities should be solidified, the Department seems to be tempering its response to this issue and notions of operational responsibility.

It is also noted that the Swan River Trust has recently developed a comprehensive foreshore asset management system to manage the approximately 300km of foreshore of the Swan Canning system. As members may be aware, the Swan River Trust is currently in the process of being absorbed into the Department of Parks and Wildlife (DPAW).

Discussion with the Director General of the Department of Parks and Wildlife have indicated the potential for such a role to be considered by DPAW, beyond the current remit of the Swan and Canning River estuaries.

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4.7 Planning for Waste Management Facilities (05-025-03-0003 MB)

Shire of Toodyay:

Moved: Cr D Dow (Toodyay)
Seconded: Cr B Rayner (Toodyay)

That WALGA request the State Government as a matter of urgency:

- Develop a waste management infrastructure plan for Western Australia
- Progress regulatory reforms to establish a framework for planning and siting of landfills.
- Implement a moratorium on new private landfill approvals until adoption of a durable planning framework.

IN BRIEF

- Planning for future landfills in WA has stalled.
- State policy discourages new landfills on the Swan Coastal Plain.
- New landfills are considered on a case by case basis by small LGAs with no State Plan.
- Planning framework for waste management now urgent.

CARRIED

MEMBER COMMENT

The State Waste Strategy *Creating the right environment*³, adopted in 2012, identifies targets for waste diversion from landfill for the metropolitan and non-metropolitan areas. In the 2014, the Department of Environment Regulation (DER) released a *Discussion Paper on the Review of the Waste Avoidance and Resource Recovery Act*⁴. The Paper identified that "about 43% of Perth's waste is currently recovered... the balance is sent to landfills which have capacity until around 2025 on current projections or until 2030 if the targets in *Western Australia's Waste Strategy, Creating the right environment*, are met".

The Paper states one of the "Waste Strategy's initiatives is long-term planning for waste and recycling processing. The focus of the planning is on waste processing and recycling facilities that divert waste from landfill to promote the most efficient use of resources". The process of developing this plan was commenced through a Strategic Waste Infrastructure Planning Project⁵ however after the initial research (which is still to be released) this process appears to have stalled.

Regulatory reform is also highlighted in the DER Paper. The Paper notes there is a need for reform to the planning and siting of landfills and the establishment of framework to assist decision making for new landfills. The Paper states:

There is increasing pressure for metropolitan waste to be disposed to landfill outside of the metropolitan area. These pressures are in part the result of increased waste generation, and the limited supply of future putrescible landfill space in the metropolitan area arising from the preference for no new putrescible landfills on the Swan Coastal Plain to address groundwater issues.

³ Waste Strategy, available from <http://www.wasteauthority.wa.gov.au/publications/western-australian-waste-strategy-creating-the-right-environment>

⁴ DER Discussion Paper, available from

⁵ Strategic Waste Infrastructure Project, available from <http://www.wasteauthority.wa.gov.au/programs/strategic-waste-infrastructure-planning/>

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There is a strong case to reform the landfill policy and regulatory framework to include planning, siting and compliance considerations so that landfills can be managed consistent with government policy. Policy considerations should balance the need to ensure availability of sufficient landfill space to manage residual waste and unplanned events (such as spikes in waste caused by natural disasters or failures in alternative waste-processing infrastructure) with the need to limit supply to encourage maximum diversion from landfill.

Despite the reforms and planning highlighted, there is not a strategic infrastructure plan in place for waste management facilities. Decisions regarding waste management facilities, whether it be landfills, recycling facilities or waste to energy plants, are made on a company by company or Council by Council basis. Small rural Councils are bearing the brunt of the lack of a wider planning framework. The industry licensing system is also out dated and under review. Private waste management companies may be able to take advantage of this policy vacuum, resulting in inappropriate facilities with long term licenses.

SECRETARIAT COMMENT

WALGA fully supports the need for better strategic planning for all waste management facilities and understands the concerns raised by the Shire. The Association's Submission on the Review of the Waste Avoidance and Resource Recovery Act highlighted that without such planning there will be limited coordination of infrastructure selection and placement.

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4.8 Management of Narrow Leafed Cotton Bush (05-046-03-0010 MB)

Shire of Murray:

Moved: Cr W Barrett (Murray)
Seconded: Cr C Thompson (Murray)

That WALGA Lobby the Minister for Agriculture and Food seeking support for a multi-tiered approach to the management of Narrow Leafed Cotton Bush including:

- **Training Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests.**
- **Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival.**
- **Make Changes to the Biosecurity and Agriculture Management Act 2007 (BAM) to ensure any pest rate raised stays within the district**
- **Request cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.**

IN BRIEF

- The current situation and impacts of Cotton Bush and other Declared Species in the South West Agricultural Region
- That State Government work with Local Government who are in the firing line of these impacts and empower them under current legislation
- That the proposed funding model is reviewed.

AMENDMENT

Moved: Cr M Cullen (Coolgardie)
Seconded: Cr Williams (Kalgoorlie-Boulder)

That WALGA Lobby the Minister for Agriculture and Food seeking support for a multi-tiered approach to the management of Narrow Leafed Cotton Bush including:

- **Training Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests.**
- **Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival.**
- **Make Changes to the Biosecurity and Agriculture Management Act 2007 (BAM) to ensure any pest rate raised stays within the district**
- **Request cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.**
- **That WALGA be requested to conduct a state wide forum on issues around biosecurity, including the management of narrow leafed cotton bush, and its impact on Local Governments across the State with all key stakeholders to be invited.**

CARRIED

THE AMENDMENT BECAME THE MOTION, WAS PUT AND CARRIED

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MEMBER COMMENT

Several Local Governments in the South West Agricultural Region (including the Shire of Murray) are suffering and continue to suffer from the impacts of C3 declared pest species and in particular from narrow Leafed Cotton Bush (*Gomphocarpus fruticosus*).

Two years ago the Shires of Murray and Dardanup tabled a motion to the WALGA AGM asking them to lobby the government to put more resources into control of Cotton Bush. Since then the Department of Agriculture and Food have suffered several significant cuts to its personnel and operations. This has led to a significant loss of on ground control and compliance measures.

Due to the increase in absentee landholders and idle subdivisions fuelled by the land speculation in the economic boom followed by stagnation since the global financial crisis this has led to a significant number of peri urban properties being effectively unmanaged which has helped lead to an uninhibited spread of Cotton Bush throughout Murray and many other LGAs.

In Murray alone there are 177 recorded instances of Cotton Bush infestations one of which is over 1200 hectares in size. This is 9% of all the properties in the Shire. This is expected to lead to a cumulative impact on the agricultural sector of WA between \$400,000 and \$800,000 per annum.

The State Government has favoured a community based model for delivery of pest management in the form of a Recognised Biosecurity group and there is one set up in the Peel region which is making some positive impact. However the Shire feels that this is not enough and has some serious concerns about the potential imposition of a Declared Pest Rate which is an effectively another levy on rate payers in an area suffering from significant unemployment. There is also the fact that under the Biosecurity and Agriculture Management Act 2007 (BAM) there is no guarantee that any money collected in a rate has to be spent in that region.

It is also a concern that the rate would be effectively penalising those who are currently doing the right thing and may be used to fund government owned tracts of land being managed.

Murray has also been lobbying to have Local Government officers empowered under the BAM Act in a similar way to how the Fire Act is managed as there are already provisions in the Act for this to occur. The Shire has been requesting this for two years but to date there has been no action.

The Shire would like support from WALGA in achieving these goals and achieving a continuation of the current RBG funding framework which sees Local Government money matched by State for their continued running without the impost of a declared pest rate. The Shire of Murray seeks support in generating a whole of government approach including:

- Training up any Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests.
- Giving those trained staff the authority to infringe landowners not managing cotton bush and other pests
- Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival.
- Make Changes to the BAM Act to ensure any pest rate raised stays within the district.
- Have cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.

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SECRETARIAT COMMENT

The current funding from the DAFWA to underpin the creation of Recognised Biosecurity Groups is from a strategic grant from the State NRM Program. Accordingly there is no certainty that the current level of DAFWA support for the formation of RBGs will continue.

There is no core funding in the forward estimates of the DAFWA budget to ensure the continuation of funding required to support future Recognised Biosecurity Groups (RBG's). A policy shift by the Government is therefore required if it is to match Local Government investment, be it through contributions to a levy raised by an RBG, or of its own volition and revenue (rates).

In relation to the issue of regulation and enforcement, the Association position is to empower a Local Government CEO, should the relevant Local Government desire, to be delegated under the *Biosecurity and Agricultural Management Act (2007)* to undertake regulatory functions, thereby having the force of the BAM Regulations at their disposal for specific declared species.

The Association has raised this with both the Minister directly, and through its interim submission on the draft State Biosecurity Strategy, and will continue to advocate for this outcome. Funding will be required to build the capacity of local government officers in undertaking a regulatory role on specific declared species.

An amendment of the BAM Act legislation will be required to ensure that any monies collected within a region are spent in the region in which it is collected, as currently Section 138 (f) of the BAM Act provides Director General discretion in the use of funds in the Declared Pest Account for "any purpose authorised under this Act or another written law".

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4.9 Illegal Camping (05-034-01-0007 JMc)

Shire of Northampton:

Moved: Cr G Wilson (Northampton)
Seconded: Cr C Simkin (Northampton)

That WALGA is to investigate legislation changes to allow Local Governments to recover fines issued to illegal campers through vehicle hire companies (as a majority of offenders are from overseas using hire vans/vehicles), as an example, to try and assist Local Governments to control this activity and recover costs incurred in policing illegal camping.

IN BRIEF

- Local Government needs a tight legal mechanism to allow receipt of infringements to assist in recouping part of the costs for policing this activity

CARRIED

MEMBER COMMENT

Illegal camping throughout the Shire and other coastal areas (and no doubt inland areas) is becoming a real problem with many offenders being from overseas. We issue infringement notices (on the spot fines) where illegal camping is occurring within our town sites but those fines and our Rangers warnings/ requests to relocated are simply ignored by these persons.

Local Government needs a tight legal mechanism to allow receipt of infringements to assist in recouping part of the costs for policing this activity and also to act as a deterrent. Use of local laws provisions is simply not good enough.

SECRETARIAT COMMENT

Difficulties associated with recovery of illegal camping fines is an Australia-wide issue particularly impacting popular coastal locations.

Illegal camping often presents a conundrum to communities, keen on the one hand for tourism visitations to stimulate the local economy but aware also of the negative impact illegal camping may have on sensitive environments or the general amenity of popular local attractions.

The capacity to issue infringements for illegal camping has a positive deterrent effect on responsible tourists, but it is agreed that recovering fines in certain circumstances is problematic.

It is notable there is no similar State-based legislation of the nature proposed in the Member motion, and research will be required to determine whether it is legislatively feasible and will result in a workable deterrent to the practice of illegal camping.

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4.10 Non-rateable Properties: Charitable use of Land (05-034-01-0007 JMc)

City of Mandurah:

Moved: Cr D Lee (Mandurah)
Seconded: Mayor M Vergone (Mandurah)

That WALGA increases its lobbying for an amendment to the Local Government Act 1995 Section 6.26(2)(g) to allow land used for charitable purposes to be rateable if it is used for housing.

IN BRIEF

- The Western Australian Local Government Association's support is requested to lobby for legislative amendments to allow land used for charitable purposes to be rateable if it is used for housing.

CARRIED

MEMBER COMMENT

Non-rateability of land used for charitable purposes, particularly in the areas of retirement and social housing, is presenting an increasing cost burden to the community if Local Government is to be able to provide services and infrastructure. This also raises issues of equity and fairness in both the rating of properties and the ability to access and utilise Local Government services and facilities.

The demographic shift towards an ageing population is likely to see a growth in retirement/lifestyle housing and the involvement of charitable organisations will probably increase with it. Although meeting the needs of the aged is a charitable purpose, it is not the exclusive domain of charitable organisations. Residents of these villages are not forced by their personal circumstances to seek shelter but mostly are making a lifestyle decision to move to the village. The business model of villages operated by charitable organisations is the same as commercial providers in that in-going residents provide a substantial payment, generally as an interest-free loan, and pay for all operating costs. The services provided, the financial arrangements and quality of accommodation are the same, and in some cases better, than commercial providers. In these circumstances it is not equitable that a non-profit organisation should be relieved of a rates burden for providing the same service and facilities as their commercial counterpart. It also brings into question the nature of the charity actually being provided.

As a matter of policy, the implementation of tax exemptions for older people in an ageing society will tend to skew the cost burden towards a reducing number of people able to pay. Revenue raising policies which rely on fewer people to provide income tend to act against growth and development. The attraction of cost relief should be resisted to allow agencies such as Local Governments to provide the best possible environment for all of its population. Residents of retirement villages, although not property owners, have available to them the same rebate as property owners under the Rates and Charges (Rebates and Deferments) Act 1992. In addition residents of villages benefit from being exempt from the provisions of minimum rating which local governments can apply under the Local Government Act 1995 S6.35.

With respect to social housing, the need for affordable housing for those who would not otherwise be able to pay for accommodation, or who are otherwise disadvantaged, is recognised. Local Governments should support the progress made in providing these types of accommodation. However, when this form of housing was provided by the Department of Housing, it was known that, as Crown Land, homes were not rateable. Despite this, recognising that residents used Local Government services and facilities, sometimes to a disproportionate extent, the Department paid property rates on an ex gratia basis. Since the decision has been made to outsource this activity, the

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non-profit organisations have actively, and mostly successfully, obtained relief from the payment of rates. The business case for outsourcing for the government is self-evident but the cost transfer has been to the rate-paying community.

There is reluctance from the State Government to address this issue. It would appear that the Government is content to allow the matter to be decided through decisions by the State Administrative Tribunal and judgment by the WA Supreme Court. This tends to produce a fragmented solution as individual issues are decided on a case by case basis. It is better to have clarity through legislative amendments so that both Local Governments and housing providers have certainty.

SECRETARIAT COMMENT

The Member motion aligns with the Association's policy in relation to charitable land use rate exemptions, which reads:

1. *Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997;*
2. *Either*
 - a) *amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations;*
 - or*
 - b) *establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.*

The motion also aligns with State Council's current position on affordable housing.

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4.11 Financial Limits for Tenders (05-034-01-0001 JMc)

City of Melville:

Moved: Cr C Robartson (Melville)
Seconded: Cr D Macphail (Melville)

That the *Local Government (Functions and General) Regulations 1996* (as amended from time to time) be amended so the minimum threshold for the purchase of a good or service, be altered to match the threshold level from time to time gazetted under the State Supply Policies for State Government Departments and instrumentalities.

IN BRIEF

- Purchases in excess of \$100,000 require a tender.
- The threshold was set in 2007.
- A link to State Government purchasing provides:
 - ongoing review;
 - a higher threshold.

CARRIED

MEMBER COMMENT

The current financial threshold levels under these Regulations require Local Governments to use an open tender process for the purchase of goods or services with a value of over \$100,000. This threshold level has existed since February 2007 when it was changed from \$50,000 by an Amendment to these Regulations.

Local Governments may also avail themselves of the WALGA Contract Panels which allow quotations for work above \$100,000 to be sought from contractors and suppliers who have pre-qualified for the Contract Panels through an open public process that satisfies the requirements of the Regulations.

With respect to State Government Departments and instrumentalities whose purchasing activities are generally covered under the *State Supply Commission Act 1991* and its subsidiary legislation (with a plan for this to be eventually subsumed by the Department of Finance) the minimum threshold for open tenders is a value of \$150,000, and this is varied from time to time by policies issued under the State supply legislation (currently \$250,000).

The proposed motion simply links Local Governments to State Government Departments where similar processes and controls over purchasing practice exist, and then suggests that the Regulations be amended to simply link the Local Government threshold to the one in force from time to time for State Government Departments.

SECRETARIAT COMMENT

The Member motion aligns with current Association policy.

At the time of writing, the Department of Local Government and Communities is finalising amendments to the Local Government (Functions and General) Regulations 1997. It is WALGA's position that the tender threshold should align with the threshold that applies to State Government agencies, \$250,000. The current proposal is to amend the Regulations so that the tender threshold be increased from \$100,000 to \$150,000.

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4.12A MATTER OF SPECIAL URGENT BUSINESS: Local Government Governance

City of Vincent:

Moved: Cr G Amphlett (Joondalup)
Seconded: Cr D Michael (Stirling)

That the Members agree that the following item of Special Urgent Business, relating to Local Government Governance be considered.

CARRIED BY ABSOLUTE MAJORITY

4.12B Local Government Governance (05-034-01-0015 TB)

City of Vincent:

Moved: Mayor J Carey (Vincent)
Seconded: Mr L Kosova (Vincent)

That the Western Australian Local Government Association:

1. Develops and advocates a suite of reforms to the Local Government Act 1995 and related Regulations to enhance governance, transparency, accountability and consistency in Local Government, particularly in relation to:
 - a) Recording of Council Member contact with Developers;
 - b) Prohibition of donations from developers to Local Government election candidates;
 - c) Reporting and publicising of gifts and hospitality to Council Members and Local Government employees;
 - d) Reporting and publicising of council paid travel undertaken by Council Members and Local Government employees;
 - e) Appointment and review of performance of the Chief Executive Officer and prescribed contract renewal procedures;
 - f) Any other areas which lead to improved governance and transparency.
2. Develops the suite of reforms referred to in 1 above in consultation with members by no later than 3 months before the March 2017 State Election for consideration by all political parties in Western Australia.

IN BRIEF

- That WALGA advocates for reforms which enhance Local Government transparency and accountability, for presentation to all political parties prior to the February 2017 State Election.

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AMENDMENT

Moved: Cr B Kelly (Bunbury)
Seconded: Cr D Prosser (Bunbury)

That the Western Australian Local Government Association:

1. Develops and advocates a suite of reforms to the Local Government Act 1995 through proposed amendments and related Regulations to enhance governance, transparency, accountability and consistency in Local Government, particularly in relation to:
 - a) Recording of Council Member contact with Developers;
 - b) Prohibition of donations from developers to Local Government election candidates;
 - c) Reporting and publicising of gifts and hospitality to Council Members and Local Government employees;
 - d) Reporting and publicising of council paid travel undertaken by Council Members and Local Government employees;
 - e) Appointment and review of performance of the Chief Executive Officer and prescribed contract renewal procedures;
 - f) Any other areas which lead to improved governance and transparency.

2. Develops the suite of reforms through proposed amendments referred to in 1 above in consultation with members by no later than 3 months before the March 2017 State Election for consideration by all political parties in Western Australia.

LOST

Moved: Mayor J Carey (Vincent)
Seconded: Mr L Kosova (Vincent)

That the Western Australian Local Government Association:

1. Develops and advocates a suite of reforms to the Local Government Act 1995 and related Regulations to enhance governance, transparency, accountability and consistency in Local Government, particularly in relation to:
 - a) Recording of Council Member contact with Developers;
 - b) Prohibition of donations from developers to Local Government election candidates;
 - c) Reporting and publicising of gifts and hospitality to Council Members and Local Government employees;
 - d) Reporting and publicising of council paid travel undertaken by Council Members and Local Government employees;
 - e) Appointment and review of performance of the Chief Executive Officer and prescribed contract renewal procedures;
 - f) Any other areas which lead to improved governance and transparency.

2. Develops the suite of reforms referred to in 1 above in consultation with members by no later than 3 months before the March 2017 State Election for consideration by all political parties in Western Australia.

LOST

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MEMBER COMMENT

The whole Local Government reform debate became fixated on one primary issue: where lines were drawn on a map. The performance of a Local Government authority should not be measured by its size but its efficiency and effectiveness, its awareness and achievement of community expectations and the attitudes and behaviours that drive the culture in the organisation.

The endgame should be a Local Government that is prepared to foster and encourage innovation, be a facilitator of change and be prepared to think outside the box for policy solutions.

This includes striving to improve and enhance how we governed ourselves including transparency and accountability in decision making. Accordingly, this motion proposes consideration of reforms to the Local Government Act, which will achieve this end goal.

The City of Vincent also believes this is in line with local community expectations, who are demanding more information about how decisions are made.

The City of Vincent believes the sector has two choices; to show strong leadership by beginning the process to advocate a clear pathway for reform or have external authorities and decision makers, like the State Government, determine this for the sector.

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4.13A MATTER OF SPECIAL URGENT BUSINESS: Advocacy Fund

Town of Victoria Park:

Moved: Cr G Amphlett (Joondalup)
Seconded: Cr S Thomas (Joondalup)

That the Members agree that the following item of Special Urgent Business, relating to Advocacy Fund be considered.

CARRIED BY ABSOLUTE MAJORITY

4.13B Advocacy Fund (05-034-01-001 TB)

Town of Victoria Park:

Moved: Mayor T Vaughan (Victoria Park)
Seconded: Cr F Reid (South Perth)

IN BRIEF

- WALGA to establish an Advocacy Fund to enable lobbying objecting to decisions that impact Local Governments.

1. That the Western Australian Local Government Association (WALGA) establish an 'Advocacy Fund' to be used for lobbying the State and or Federal Governments to support the needs for Local Governments where the decisions made by the State and or Federal Governments impact on the services provided by Local Governments to their communities.
2. As a matter of urgency funding be identified within existing resources of the WALGA budget.

LOST

MEMBER COMMENT

WALGA does not have any funds set aside for lobbying when the services provided by Local Governments are impacted by the decisions made by State and or Federal Governments.

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4.14A MATTER OF SPECIAL URGENT BUSINESS: Rate Capping

Shire of Kalamunda:

Moved: Mayor J Gangell (Bassendean)
Seconded: Cr J Brown (Gosnells)

That the Members agree that the following item of Special Urgent Business, relating to Rate Capping be considered.

CARRIED BY ABSOLUTE MAJORITY

4.14B MATTER OF SPECIAL URGENT BUSINESS: Rate Capping (05-034-01-0001 TB)

Shire of Kalamunda:

Moved: Ms R Hardy (Kalamunda)
Seconded: Cr P Blight (Wagin)

That WALGA:

1. **Oppose the introduction of rate-capping for Western Australian Local Governments as reported to be proposed by the current State Government.**
2. **Express its opposition to continued cost shifting by the State Government to Local Government by requiring Local Government to assume responsibility for services previously provided by the State.**

IN BRIEF

- Concern at reported comments that the State Government are considering rate capping.
- The Local Government sector needs to oppose the continued cost shifting of services from the State Government to Local Government.

AMENDMENT

Moved: Mayor R Norris (Mosman Park)
Seconded: Cr G Jacob (Port Hedland)

That WALGA:

1. **Oppose the introduction of rate-capping for Western Australian Local Governments as reported to be proposed by the current State Government.**
2. **Develops a policy which ensures that the sector is prepared to oppose any attempt by the government to introduce rate-capping in the future.**
3. **Express its opposition to continued cost shifting by the State Government to Local Government by requiring Local Government to assume responsibility for services previously provided by the State.**

CARRIED

THE AMENDMENT BECAME THE MOTION, WAS PUT AND CARRIED

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MEMBER COMMENT

Following the publication of an article in the West Australian on Thursday 16 July 2015, the Premier is quoted as being dissatisfied with the number of Local Governments within the metropolitan area, particularly the smaller Local Governments that have either adopted or proposed Rate increases well above the current Perth CPI figure of 2.5%.

A rate-capping system administered by the State Government could severely diminish the autonomy of Local Government, particularly in financial decision-making.

A blanket rate-capping limit imposed by State Government would not take into account regional variations in price movements, (such as between metropolitan and rural areas).

A rate-capping limit imposed upon Local Governments could be vulnerable to the political expedience of State Government.

Under a State-imposed rate-capping system, the overall income from Rates Charges could be considerably lower and could severely restrict a Local Government's purchasing decisions. In particular, if the initial (pre-cap) rating level is not high enough when the rate-cap is imposed, then a Local Government could struggle to adequately provide services and infrastructure to residents if the population continued to grow, (or if the population changed significantly in composition).

In order to generate the income required to be raised from Rates Charges, a portion of the rate burden would likely be distributed to other ratepayers, (i.e. while some ratepayers would be charged less, other ratepayers would be charged proportionately more).

Whilst there are no specific details of the Premier's proposed rate-capping model, the CPI figure seems to be the main focus.

The utilisation of the standard CPI figure as the basis for rate-capping is considered inappropriate because the items included to determine the CPI rate bear little or no resemblance to the goods and services procured by a Local Government compared to ordinary consumers. In addition, it does not take into account the increases in costs for State Government services past onto Local Governments.

Such a proposal would only add to the significant burden imposed on Local Government over more than two decades of "cost shifting", whereby Local Governments have had to assume more and more responsibilities for services previously provided by the state.

There is also evidence that the introduction of rate-capping by other state governments has caused issues for Local Governments in those states in being able to raise sufficient revenue through rates to provide the level of services and facilities expected by their communities.

The possible introduction of rate-capping has the potential to severely impact the prime untied revenue raising capacity of the Shire with consequential impacts on the provision of services and facilities. In view of this it should be vigorously opposed.

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4.15A MATTER OF SPECIAL URGENT BUSINESS: Local Government Reform (05-034-01-0015 TB)

Town of Mosman Park:

Moved: Cr G Pule
Seconded: Cr Brown

That the Members agree that the following item of Special Urgent Business, relating to Local Government Reform be considered.

LOST - ABSOLUTE MAJORITY NOT ACHIEVED

4.15B Local Government Reform (05-034-01-0015 TB)

Town of Mosman Park Delegate to move:

MOTION

1. That this conference records its disappointment at the State Government's failure to reimburse Metropolitan Local Governments for their expenditures directly attributable to the abandoned Local Government reform process, thereby unfairly and unreasonably transferring these costs to ratepayers.
2. That WALGA State Council is requested to consider reviewing its previous policy position on Local Government reform and adopting a policy position which includes:
 - a. Any future State Government proposals to reform the sector without adequate funding being provided for the costs incurred by councils will not be supported by the sector; and
 - b. No forced mergers be proposed by way of boundary adjustments without the requirements for the preparation of a business case and a poll of ratepayers both being in support of the proposal.

IN BRIEF

- Concern regarding State Government policy during the Metropolitan Local Government Reform process, particularly:
 - i. The State Government's refusal to reimburse Local Government expenses; and
 - ii. The policy process used to facilitate structural reform.

ITEM NOT CONSIDERED

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Attachment 3: Action Taken on Resolutions of the 2014 Annual General Meeting

**Action Taken on Resolutions of the
5 August 2015 Annual General Meeting**

<p>4.1 <u>Eradication of Trachoma in Australian Populations (05-030-02-0009 AH)</u></p> <p>That WALGA advocate to the Federal and Western Australian State Government a Nationwide program for the eradication of Trachoma in all geographically isolated communities, especially in Western Australia.</p>	<p>WALGA wrote to Hon Minister of Health Mr Kim Hames and to Senator Fiona Nash, Minister for Rural Health and Deputy Leader of the Nationals seeking better investment and support to eradicate Trachoma in all geographically isolated communities, especially in Western Australia.</p> <p>In March 2016, the Commonwealth Government announced further funding for the Closing the Gap in Eye Health. The total investment for Indigenous eye health is now \$9.1 million</p> <p>The funding was provided to the Indigenous Eye Health Unit at the University of Melbourne who are leading the eradication of Trachoma in Australia.</p> <p>The Indigenous Eye Health Unit provides expert advice and technical support on trachoma control, which is already helping to improve the eye health of Indigenous Australians. The funding provided over three years from July will support the Unit – led by Professor Hugh Taylor – to deliver a range of services.</p> <p>These include providing expert advice to the Department of Health, developing Indigenous eye care resources, providing technical support on trachoma control, and undertaking stakeholder engagement and support for the coordination of Indigenous eye care programmes and services.</p>
<p>4.2 <u>Prescribed Burning Program (05-024-02-0044 AH)</u></p> <p>That WALGA lobby the Minister for Regional Development to negotiate conditions on the use of Royalties for Regions funds for enhancement of the State Government’s prescribed burning program to ensure that these additional funds are used only for prescribed burns for asset preservation and protection around towns and settlements and that the funds not be used for</p>	<p>The Department of Parks and Wildlife were granted \$20 million over four years from royalties for regions funding. This funding saw three new performance and reporting measures developed for Parks and Wildlife’s prescribed burning program to better reflect the outcomes and residual risks. These new measures are in addition to the ongoing reporting against the annual target of 200 000 hectares for the south west of the State.</p> <p>1.The first measure is the area of prescribed burning</p>

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<p>broad scale prescribed burning of forests and national parks distant from towns and settlements.</p>	<p>completed in three zones at defined distances from the interface between populated areas and natural lands. Local government town planning scheme data was used to define populated areas adjacent to Parks and Wildlife-managed lands. Zone A extends away from the urban interface to a distance of 3.5 kilometres, zone B extends a further 7.5 kilometres and zone C comprises the remainder of the department-managed landscape. The annual prescribed burning targets for the three zones are 20 000 hectares, 40 000 hectares and 140 000 hectares respectively.</p> <p>2.The second measure is the proportion of the landscape on which it is less than six years since it was last burnt. This is based on research showing that prescribed burning is effective in significantly reducing the frequency and size of bushfires in the forests of the south west when at least 45 per cent of the landscape is maintained at less than six years since last burnt. As at 30 June 2015, this figure was at 35 per cent.</p> <p>3.The third measure is the ratio of area affected by bushfire to area of prescribed burning completed annually, which is one of a suite of national reporting measures on the state of Australian forests.</p> <p>This additional reporting approach will assist to better portray prescribed burning outcomes and provide a more meaningful set of indicators relating to Parks and Wildlife's prescribed burning program and bushfire risk mitigation with the first measure directly relating to the prescribed burns for asset preservation and protection around towns and settlements.</p>
<p>4.3 Bushfire (Planning) Regulations – Local Government Impacts (05-024-02-0056 AH)</p> <p>1. That WALGA move to seek that the Fire and Emergency Services Commissioner recognises existing Local Government bushfire risk assessment processes that demonstrate sufficient rigour and accept that Local Government's Bushfire Risk Mapping in the application of the new Bushfire (Planning) Regulations.</p>	<p>1.The Association understands that the State Government derived their new Bushfire regulations on existing Local Government bushfire risk assessment processes and the existing bushfire mapping held by Local Governments. Further, Local Governments have been given the opportunity to provide input to the bushfire prone area mapping prior to its release in December 2015, and further in the release of the updated 'bushfire prone area mapping' in May 2016. Maps will now be updated on a yearly basis, with Local</p>

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<p>2. That appropriate support be provided to Local Government, to offset the costs and delays that will be incurred as a result of implementing the new Regulations into the development application processes. This would include (but not limited to) training in bushfire risk assessment - Bushfire Attack Level (BAL). A media campaign to explain the new Regulations and its impacts would assist in deflecting some of the negative reaction that may be incurred by Local Governments.</p> <p>3. That WALGA request the State Government to assist with the implications of State owned lands providing risk to developments. Rather than insist on construction requirements to increase resilience for new structures, it may be more beneficial to treat the risk. This would be especially important where existing structures are also impacted. Currently, the Bush Fires Act (1954) does not bind the Crown.</p>	<p>Government able to submit further edits, to ensure that changes can be incorporated.</p> <p>2. Following the Association's advocacy, the State Government agreed to provide funding to Local Governments enabling officers to undertake the 'five day BAL assessor's course' at a subsidised cost, and have also been delivering a 'two day planning and building course' examining the new bushfire regulations (presented by the Fire Protection Association Australia). The Association sought a deferral of the enactment of the Bushfire regulations (enacted on the 8 April) to ensure that all officers in Local Government were able to access the training prior to the regulations being gazetted, however, the State considered that enough training and information had been provided within the 4 month implementation period.</p> <p>3. WALGA have provided this advice to State Government in its submission to the Review of the Emergency Services Act (resolution 59.3/2014) and more recently in the submission to the Waroona Fire Inquiry (resolution 37.2/2016).</p>
<p>4.4 <u>Integrated Response by Local Governments to Hoarding</u> <u>(05-026-03-0016 AH)</u></p> <p>That WALGA:</p> <p>1. acknowledge that hoarding is a complex problem for Local Governments to address in Western Australia.</p> <p>2. facilitate the development of an integrated response to the problem of hoarding by using consistent best practice standards which can be applied by all Local Governments in Western Australia.</p>	<p>In response to Local Government requests for guidance, the Environmental Health Directorate within the Department of Health has prepared a guideline and toolkit to support Environmental Health Officers and others involved in the management of hoarding and severe domestic squalor. Two documents were developed through a consultative process with Local Government and other agencies.</p> <p>Copies of the best practice guidelines are available from :</p> <p>http://www.public.health.wa.gov.au/cproot/5846/2/Strategy%20Document%20250814.pdf</p> <p>http://www.public.health.wa.gov.au/cproot/5845/2/Guideline%20250814.pdf</p>

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<p>4.5 <u>Shark Hazard – Local Government Expectations (05-017-02-0006 AH)</u></p> <p>1. That WALGA move to seek that the State Government declare Shark Attack as a 'hazard' within the Emergency Management Regulations (2006) and assign an Hazard Management Agency, for the development and maintenance of Hazard Management Arrangements. This agency would then also be responsible for the provision of community information and advice, to enable the community to make informed decisions with their use of the marine environment.</p> <p>2. That WALGA recommend the adoption of the South West Local Government Response Flowchart and Responsibility Matrix, as the basis for Local Government response to any credible risk from sharks in local waters.</p> <p>3. That WALGA act on behalf of WA Local Governments in the negotiation with the Department of Fisheries, to ensure that Local Government Officers are not expected to make any response decisions, where they do not have the Subject Matter Expertise, nor jurisdiction (i.e. when to open a beach after sighting, or when to close a beach etc.) for those decisions.</p>	<p>The State Government has developed a shark notification and response framework. It has been in operation since 2014.</p> <p>The information from all sightings and detections are available on the shark smart activity map (sharksmart.com.au/shark activity) The information is available to all that register and is digitally mapped to enable users to check recent shark activity on a smart phone before using the beach.</p> <p>Local Government are involved in the framework and receive information about shark sightings via sms and can then make the decision to close beaches or install warning signs based on their own procedures.</p> <p>WALGA has raised the inclusion of Shark Attack to be discussed as part of the State Risk Project which is being led by the State Emergency Management Committee (SEMC).</p> <p>WALGA has also recommended to SEMC that the State consider the adoption of the South West Local Government Response Flowchart and Responsibility Matrix, as the best practice guide for Local Government.</p>
<p>4.6 <u>Inland Waterway Shoreline Management (05-064-01-0001 MB)</u></p> <p>That WALGA lobby for a single State Government agency to be responsible for inland waterway shoreline management in the same manner as the Department of Transport' current role to administer the State Government's policy directly relating to coastal management.</p>	<p>WALGA is continuing negotiations with the Department of Parks and Wildlife and other stakeholders such as the Peel Harvey Catchment Council and the Peel Harvey Estuary Management Committee (which is responsible for the oversight of operations and on-the-ground activities across Government related to the health of the Peel Harvey Estuary and is responsible for major policy development that impacts on the health of the estuary and waterways).</p> <p>WALGA also notes the State Government launch of the \$20m Regional Estuaries Initiative in April 2016.</p>
<p>4.7 <u>Planning for Waste Management Facilities (05-025-03-0003 MB)</u></p> <p>That WALGA request the State Government as a matter of urgency:</p> <ul style="list-style-type: none"> • Develop a waste management infrastructure 	<p>In 2012 the Environment Minister, through the Waste Authority, established the Strategic Waste Infrastructure Planning Working Group, which over two years undertook research which was intended to inform the first of five proposed waste infrastructure plans for Western Australia, each geographically</p>

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<p>plan for Western Australia</p> <ul style="list-style-type: none"> • Progress regulatory reforms to establish a framework for planning and siting of landfills. • Implement a moratorium on new private landfill approvals until adoption of a durable planning framework. 	<p>based.</p> <p>The Working Group finalised its Investigation Report in June 2014, the Report was released in late 2015. WALGA wrote to the Waste Authority and Environment Minister seeking clarification on the next steps in the development of a Strategic Waste Infrastructure Plan for the Perth/Peel. The responses indicated that:</p> <ul style="list-style-type: none"> • The Government considers there is sufficient land available for waste management infrastructure. • There needs to be improved planning alignment between State and Local Governments and private entities. • The Government review of the <i>Waste Avoidance and Resource Recovery Act 2007 (WARR Act)</i> proposed improved waste planning through existing mechanisms including Part 4 of the WARR Act, which focuses on Local Government waste plans. • The Waste Authority will be largely focusing on these plans to promote improved consistency of waste planning within the Local Government sector. <p>WALGA is awaiting further detail on how these plans, developed at an individual Local Government level, will be used to improve consistency and address the need for strategic waste planning.</p>
<p>4.8 <u>Management of Narrow Leafed Cotton Bush (05-046-03-0010 MB)</u></p> <p>That WALGA Lobby the Minister for Agriculture and Food seeking support for a multi-tiered approach to the management of Narrow Leafed Cotton Bush including:</p> <ul style="list-style-type: none"> • Training Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests. • Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival. • Make Changes to the Biosecurity and 	<p>WALGA has raised the issues with the new Minister for Agriculture and Food in June 2016. The Biosecurity and Agricultural Management Act (2007) is due for review in 2017, and WALGA envisages proposing significant changes to the legislation to ensure DAFWA provides greater regulatory and financial support to recognised biosecurity groups.</p> <p>In December 2015 WALGA released a discussion paper on biosecurity and followed up in January and February 2016 with a series of workshops across the south west land division. The outcomes of that process have been released to the sector for comment. Feedback from the sector will inform the revision of the existing WALGA policy position, in the</p>

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<p>Agriculture Management Act 2007 (BAM) to ensure any pest rate raised stays within the district</p> <ul style="list-style-type: none"> Request cabinet address the issue of cotton bush and the inaction of state departments in managing their own land. That WALGA be requested to conduct a state wide forum on issues around biosecurity, including the management of narrow leaved cotton bush, and its impact on Local Governments across the State with all key stakeholders to be invited. 	<p>lead up to the statutory legislative review and the WALGA submission and subsequent advocacy.</p>
<p>4.9 <u>Illegal Camping (05-034-01-0007 JMc)</u></p> <p>That WALGA is to investigate legislation changes to allow Local Governments to recover fines issued to illegal campers through vehicle hire companies (as a majority of offenders are from overseas using hire vans/vehicles), as an example, to try and assist Local Governments to control this activity and recover costs incurred in policing illegal camping.</p>	<p>Investigation continues into both the legislative and complex cross-jurisdictional fines enforcement arrangements that will be necessary to pursue fines involving vehicles belonging to hire companies that are based either in Western Australia or interstate.</p>
<p>4.10 <u>Non-rateable Properties: Charitable use of Land (05-034-01-0007 JMc)</u></p> <p>That WALGA increases it's lobbying for an amendment to the Local Government Act 1995 Section 6.26(2)(g) to allow land used for charitable purposes to be rateable if it is used for housing.</p>	<p>In correspondence to the WALGA President in February 2016, the Minister for Local Government gave notice of his unequivocal support for the current rating exemptions prescribed under Section 6.23(2)(g) of the Local Government Act. WALGA will continue to maintain a policy position that a review the rate exemption provisions is critical to ensuring the recipients of this benefit are as Parliament intended when proclaiming the Local Government Act.</p>
<p>4.11 <u>Financial Limits for Tenders (05-034-01-0001 JMc)</u></p> <p>That the <i>Local Government (Functions and General) Regulations 1996</i> (as amended from time to time) be amended so the minimum threshold for the purchase of a good or service, be altered to match the threshold level from time to time gazetted under the State Supply Policies for State Government Departments and instrumentalities.</p>	<p>The Local Government (Functions and General) Regulations 1996 were amended in October 2015; an amendment raised the tender threshold to \$150,000. WALGA will continue advocating for alignment with the tender threshold under State Supply Policies (currently \$250,000) when the Regulations next come under review.</p>

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<p>4.14B <u>Rate Capping (05-034-01-0001 TB)</u></p> <p>That WALGA:</p> <ol style="list-style-type: none"> 1. Oppose the introduction of rate-capping for Western Australian Local Governments as reported to be proposed by the current State Government. 2. Develops a policy which ensures that the sector is prepared to oppose any attempt by the government to introduce rate-capping in the future. 3. Express its opposition to continued cost shifting by the State Government to Local Government by requiring Local Government to assume responsibility for services previously provided by the State. 	<p>Opposition to rate capping and cost shifting remain key WALGA policy positions.</p> <p>A comprehensive policy that argues against the introduction of rate capping was endorsed by State Council in December 2015.</p> <p>The policy outlines a cogent rationale against rate capping, based on the following key points:</p> <ol style="list-style-type: none"> I. Local Government is a legitimate and essential sphere of Government with the democratically enshrined mandate to raise revenue through rates to fund infrastructure and services for the benefit of their community; II. Councils' deliberative rate setting processes reference their Integrated Planning Framework and draw upon the community's willingness and capacity to pay; III. Rate-capping prejudices Local Government's long-term financial management and can lead to significant infrastructure maintenance and renewal backlogs; IV. Rate capping places undue pressure on sound financial management at a time when Local Governments are subjected to increasing costs beyond their control, often imposed by other spheres of Government; and V. Local Government rates have remained steady for many years at approximately 3.7 percent of GDP in Australia; meaningful tax reform would require thorough investigation of the total taxation burden, not an external cap on Local Government rates.
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13.1.2 SALE OF LOT 39 (11) DEMPSTER STREET, NORTHAM

Name of Applicant:	Stuart Dodemaide
Name of Owner:	Estate Late William Dempster
File Ref:	A10509
Officer:	Jason Whiteaker
Officer Interest:	Nil.
Policy:	Nil.
Voting:	Simple Majority

PURPOSE

For Council to consider an offer received to sell Lot 39 (11) Dempster Street, Northam.

BACKGROUND

In September 2008, Officer's identified a number of properties within the Northam townsite that had outstanding rates for many years. Staff prepared a report to Council which was considered at its Council meeting held on 3 September 2008 where it endorsed the following;

That in accordance with Section 6.64 of the Local Government Act 1995, Council initiate legal action to take possession of Lot 10 (103) Katrine Road, Lot 66 (276) Duke Street, Lot 39 Dempster Street, Lot 5 (140) Chidlow Street and Lot 15 Madden Street.

The rates for this property have been outstanding in excess of 10 years. Perpetual Trustee Company Limited is the executor of the deceased's estate. Essentially, the property was an un-administered parcel of land that was not detected when the deceased's estate was administered in or about 1942.

Several attempts were made between 2012 to 2015 to sell this property however these attempts were unsuccessful and the scheduled auction fell through on a number of occasions due to implications with complying with the *Local Government Act 1995* (i.e. timeframes for advertising requirements were not achieved). Bob Davey Real Estate were approached to auction the property, this was held on 15 August 2015 however no one attended the auction and the property was passed in. Bob Davey Real Estate listed the property on their website for \$65,000.

The following advice was received from Valenti Lawyers on 28 August 2015;

Pursuant to clause 3 of Schedule 6.3 of the Local Government Act 1995 (WA) if the property is offered for sale by public auction, but does not sell then the local government may sell the land by private contract on such terms as the local

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government thinks fit provided that the purchase manner is applied in the order of priority set out in clause 5 of Schedule 6.3.

Accordingly, if there are purchasers interested in the property for the price of \$65,000.00 then the Shire may negotiate with them to sell the land by private agreement – if there is not interest, it may be advisable to reduce the sale price.

Alternatively, it is now possible for the Shire to transfer the land to itself or to the Crown. Please advise if you would like some more information on these avenues.

Bob Davey Real Estate has approached the Chief Executive Officer on 22 June 2016 and advised that an offer of \$34,000 has been received for this property. There is currently \$53,657.87 of outstanding rates and charges and if Council were to accept this offer the remaining sum would need to be written off.

STATUTORY IMPACTS

Section 6.64 of the Local Government Act 1995 authorises a local government to proceed with the sale of land on which rates have been unpaid for at least 3 years. This action can only be taken if Council has at least once, in the previous 3 year period, attempted to recover the overdue rates by legal action under section 6.56.

As soon as a rates debt approached 3 full years, a letter should be sent to the ratepayer advising that Council has the authority to sell land and recover rates which have been outstanding for at least 3 years.

If after a reasonable period of time, no response has been received, and legal action has been attempted at least once during the previous 3 year period, staff can report the matter to Council, with a recommendation that the land be sold under the provisions of section 6.64.

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

N/A

FINANCIAL IMPLICATIONS

There is currently \$54,815.53 outstanding against this property.

Council will be required to write off the outstanding rates and legal fees being a loss of \$20,815.53.

OFFICER'S COMMENT

As Council are aware, this property has been an ongoing issue for non-payment of rates and charges for several years. Staff have attempted to dispose of this property however

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have been unsuccessful. Prior to receiving this offer, Officer's current position was to prepare a report to Council to write off the total debt (\$54,815.53) and transfer the land into crown.

Clause 3 of Schedule 6.3 of the Local Government Act 1995 details that a local government has the power to sell the whole or part of the land either together or in lots by private contract if the land has been offered for sale by public auction, and it has not been sold. If a contract for sale has not been entered into within 12 months from the date that the land is offered for sale by public auction notice (29 July 2016), the proceedings for the power to sell the land cease to have effect.

Proceedings can however be recommenced after this 12 months period, and the same power of sale of land proceeding requirements apply again for any proposed future sale. As the land was offered for public auction on 15 August 2015, Council are still within the 12 month period to enter into a contract for sale.

The following special conditions have been detailed on the offer/contract of sale;

- 1] Bank west agrees to redraw on existing loan.
- 2] The actual size of the property is 1050m² or more.
- 3] The land is zoned light industrial or light / service industrial.
- 4] The council will allow. The construction of retaining walls at the rear of the property and filling to make ground reduced level equal to natural GL.
Then construction of a septic system across the rear of the block, with set backs from the side and rear boundaries of 1.8m. I know the septic system must be 1.0m above the water table, the fill should allow a semi inverted system to be installed.
- 5] This offer remains open for 30 days from date of offer.

Staff recommend that any sale of the property be subject to a requirement for obtaining development approval and an appropriate on-site effluent disposal system. The subject lot is located within the designated floodplain of the Mortlock River, is within the Avon-Mortlock Special Control Area of Local Planning Scheme No 6 and has a potentially high water table level. The lot has potential restrictions in terms of conventional septic tanks and leach drain configuration and as such further assessment would be required including the potential use of the property."

As there has been little to no interest in the purchase of this property, staff believe that Council should accept this offer and write off the remaining outstanding debt.

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RECOMMENDATION / COUNCIL DECISION

Minute No: C.2758

Moved: Cr Little
Seconded: Cr Rumjantsev

That Council;

- 1. Authorise the CEO to execute the contract for sale of land for Lot 39 (11) Dempster Street for a sum of \$34,000.00 subject to;**
 - a. The issue of a development approval for the proposed use; and**
 - b. The aerobic treatment unit (ATU) be permitted for effluent disposal.**
- 2. Write off the remaining outstanding debt for Lot 39 (11) Dempster Street being a total sum of \$20,815.53.**

CARRIED 9/0

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11 Dempsey St

Bob Davies and Northam Shire CEO
150 Fitzgerald St
Northam
6401

Stuart Dodemaide
P.O. box 782
Toodyay
6566

Dear Sir's,

I understand you both asking for my offer to be increased. My offer was based on my understanding of the costs of construction on a very difficult to build site, with on going high costs due to the flood plain. It was already at my upper end and I believe possibly over capitalized.

On consulting with friends, I said to Bob I would raise the offer by the [\$3,000.00] value of my time put into the project already. Bob asked me to go to \$5,000.00. As an absolutely final offer I have split the difference and offered \$34,000.00 this is a 12% increase on an already over valued offer.

This new offer dose not prejudice any of my conditions in my original offer in any way.

I believe this to be a very good offer. It has been suggested to me that the shire wants to get the unpaid rates. At this point the land value is not near the lost rates. By selling the land the shire will get a rate payer and more business in the shire. At the same time remover their liability of maintaining the property IE fire breaks etc, that look in very pour condition.

I hope we can do business on this occasion, if not I wish you all the best on sale of the property.

Yours Sincerely

S G Dodemaide

S G Dodemaide

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Conditions of offer to purchase lot 39 Dempster St Northam

- 1] Bank west agrees to redraw on existing loan.
- 2] The actual size of the property is 1050m² or more.
- 3] The land is zoned light industrial or light / service industrial.
- 4] The council will allow. The construction of retaining walls at the rear of the property and filling to make ground reduced level equal to natural GL.
Then construction of a septic system across the rear of the block, with set backs from the side and rear boundaries of 1.8m. I know the septic system must be 1.0m above the water table, the fill should allow a semi inverted system to be installed.
- 5] This offer remains open for 30 days from date of offer.

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13.2. DEVELOPMENT SERVICES

Cr R W Tinetti declared an "Impartiality" interest in item 13.2.1 – Application for a Stallholder Permit at Mitre 10 as the applicant is well known to him.

13.2.1 APPLICATION FOR A STALLHOLDER PERMIT AT MITRE 10

Name of Applicant:	Internal Report
Name of Owner:	Shire of Northam
File Ref:	4.1.2.1
Officer:	Chadd Hunt / Gill Mansfield
Officer Interest:	Nil
Policy:	Local Government Act 1995 Activities on Thoroughfares and Public Places and Trading Local Law 2008
Voting:	Simple Majority

PURPOSE

The purpose of this report is to consider an application from Colin Fernihough, a commercial participant, who has a mobile food business trading as El Mule O's Coffee. The food business is registered in respect to premises at 9 Gregory Street, Northam, WA 6401. The application is for a stallholders permit under the Activities on Thoroughfares and Public Places and Trading Local Law 2008 (the Local Law) to operate from the Mitre 10 car park, Saturday and Sunday mornings, during store trading hours from July 23 to August 28.

BACKGROUND

The activity proposed by the applicant is considered to be a 'stall' under the Local Law and the car park is considered by definition to be a 'public place'. As such the conduct of a 'stall' in a 'public place' requires a stall holders permit from the Shire.

Delegations at officer level are normally exercised in determining stallholder applications, however approval of applications from commercial participants have been confined to stalls being either part of an approved event, sports fixture or community market. Stall approvals outside of the three categories mentioned have been restricted to charitable and sporting organisations raising funds through a wood raffle, usually outside the Boulevard or a sausage sizzle.

Council on 19 August 2015 (C.2513) considered an application requesting authorisation to conduct a commercial food stall – fish van, on Shire land. The resolution of council was:-

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“That Council;

- 1. Advise B & B Fisheries Pty Ltd, trading as Direct Seafood's that Council currently will not permit Shire land to be used for the purpose of commercial trading unless it is within an approved event, sports meeting or markets; and*
- 2. Request the Chief Executive Officer to draft a policy to provide guidance to applicants and staff in relation to stalls and trading in a public place.”*

Council on 16 March 2016 considered a draft policy submitted by staff in response to the above resolution. The draft policy restricted stall trading by commercial participants to events, sporting fixtures and markets. The resolution of Council (C.2665) was:-

“That Council;

- 1. Advertise the attached draft policy (Trading on Thoroughfares and Public Places) for community consultation by placing on the web site and advertisement in the newspaper for a one month period; and*
- 2. Request the Chief Executive Officer to provide comments to Council following consultation and the matter be referred back to Council for discussion and determination.”*

Subsequently public comment was sought via the Shire's web page and through two notices in the Hills Gazette on 22 & 29 April and the Advocate on 27 April & 4 May 2016 requesting written feedback. No feedback or comment was received until the matter was again under the consideration of Council on 15 June 2016. Council on 15 June 2016 considered a further report regarding the draft policy and an address to Council by Shayne Lucy from Mitre 10 to put forward his views on the draft policy. Mr Lucy's comments were recorded as:

“We at Mitre 10 are striving to make a difference and we believe that to have a simple coffee van at our front door on the weekend will be one of many future changes to our business to improve services. Our chosen supplier is also a long term rate payer, Colin Fernihough, who has also invested into this business of making coffee and I think he would also like the chance to grow his business.”

Council's resolution of 15 June 2016 (C.2714) was:

“That the matter lie on the table.

Reason for Change

Council determined that there was a need for a workshop to be held by staff for the elected members. Council wanted to ensure that the matter is investigated in

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more detail as concerns were raised around the impacts this policy may have on improving services and encouraging new opportunities within the Shire.”

Following on from that meeting Mr Lucy has liaised with the stallholder and submitted an application for a mobile food stall – coffee van for the consideration of Council. A petition also accompanied the application.

STATUTORY REQUIREMENTS

The Activities on Thoroughfares and Public Places and Trading Local Law 2008, clause 6.1 defines:-

stallholder as a person in charge of a stall;

stall as a moveable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire”;

trading as including (inter alia) –

- (a) the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods or services in a public place;
- (b) displaying goods in any public place for the purpose of –
 - (i) offering them for sale or hire;
 - (ii) inviting offers for their sale or hire;
 - (iii) soliciting orders for them; or
 - (iv) carrying out any other transaction in relation to them; and
- (c) going from place to place, whether or not public places, and
 - (i) offering the goods for sale or hire; or
 - (ii) inviting offers or soliciting orders for the sale or the hire of goods or services, but does not include the delivery of pre-ordered goods and services to the purchaser of those goods and services....”

public place as including –

- (a) any thoroughfare or place which the public are allowed to use whether or not the thoroughfare or place is on private property; and
- (b) local government property.

Clause 6.5 Relevant considerations in determining application for permit

- (1) In determining an application for a permit for the purposes of this Division, the local government is to have regard to—
 - (a) any relevant policies of the local government;
 - (b) the desirability of the proposed activity;

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- (c) the location of the proposed activity;
 - (d) the principles set out in the Competition Principles Agreement; and
 - (e) such other matters as the local government may consider to be relevant in the circumstances of the case.
- (2) The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds—
- (a) that the applicant has committed a breach of any provision of this local law or of any written law relevant to the activity in respect of which the permit is sought;
 - (b) that the applicant is not a desirable or suitable person to hold a permit;
 - (c) that—
 - (i) the applicant is an undischarged bankrupt or is in liquidation;
 - (ii) the applicant has entered into any composition or arrangement with creditors; or
 - (iii) a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property; or
 - (d) such other grounds as the local government may consider to be relevant in the circumstances of the case.

Clause 6.6 Conditions of permit

- (1) If the local government approves an application for a permit under this Division subject to conditions, those conditions may include—
- (a) the place, the part of the district, or the thoroughfare to which the permit applies;
 - (b) the days and hours during which a permit holder may conduct a stall or trade;
 - (c) the number, type, form and construction, as the case may be, of any stand, table, structure or vehicle which may be used in conducting a stall or in trading;
 - (d) the goods or services in respect of which a permit holder may conduct a stall or trade;
 - (e) the number of persons and the names of persons permitted to conduct a stall or trade;
 - (f) the requirement for personal attendance at the stall or the place of trading by the permit holder and the nomination of assistants, nominees or substitutes for the permit holder;
 - (g) whether and under what terms the permit is transferable;
 - (h) any prohibitions or restrictions concerning the—
 - (i) causing or making of any noise or disturbance which is likely to be a nuisance to persons in the vicinity of the permit holder;
 - (ii) the use of amplifiers, sound equipment and sound instruments;

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- (iii) the use of signs; and
 - (iv) the use of any lighting apparatus or device;
- (i) the manner in which the permit holder's name and other details of a valid permit are to be displayed;
 - (j) the care, maintenance and cleansing of the stall or any structure used for trading and the place of the stall or any structure;
 - (k) the vacating of the place of a stall or trading when the stall is not being conducted or trading is not being carried on;
 - (l) the acquisition by the stallholder or trader of public risk insurance;
 - (m) the period for which the permit is valid; and
 - (n) the designation of any place or places where trading is wholly or from time to time prohibited."

Clause 6.7 Exemptions from requirement to pay fee or to obtain a permit

(1) In this clause—

charitable organisation means an institution, association, club, society or body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and from which any member does not receive any pecuniary profit except where the member is an employee or the profit is an honorarium; and

commercial participant means any person who is involved in operating a stall or in conducting any trading activity for personal gain or profit.

- (2) The local government may waive any fee required to be paid by an applicant for a stallholder's permit or a trader's permit on making an application for or on the issue of a permit, or may return any such fee which has been paid, if the stall is conducted or the trading is carried on—
- (a) on a portion of a public place adjoining the normal place of business of the applicant; or
 - (b) by a charitable organisation that does not sublet space to, or involve commercial participants in the conduct of a stall or trading, and any assistants that may be specified in the permit are members of that charitable organisation.
- (3) The local government may exempt a person or a class of persons, whether or not in relation to a specified public place, from the requirements of this Division."

CONFORMITY WITH COMMUNITY STRATEGIC PLAN / CORPORATE PLAN

OBJECTIVE C2: Provide services and processes to enhance public safety.

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

BUDGET IMPLICATIONS

No budget implications apart from application fee.

OFFICER'S COMMENT

The applicant has requested approval to conduct a stall, as a commercial participant, selling tea, coffee and packaged biscuits for which his food business is registered as a mobile food business under the Food Act 2008. He is requesting approval to operate the mobile food business from the public car park, which is a "public place", at the Mitre 10 hardware store in Peel Terrace on weekend mornings, during store trading hours. Although the food business is registered under the Food Act 2008 it also requires Shire approval to operate as a stall under the Activities on Thoroughfares and Public Places and Trading Local Law 2008.

In the past Mitre 10 have engaged the services of charitable and sporting organisations to provide a sausage sizzle and drinks at the store and to date only charitable and sporting organisations have been approved by staff, under delegation, to conduct a stall other than at events, sporting fixtures or markets.

The local law provides that in determining an application for a permit the local government is to have regard to relevant policies, desirability of the proposed activity, location, National Competition Principles and such other relevant matters. The local law also provides that the local government may refuse to approve the application on such grounds as the local government may consider to be relevant in the circumstances of the case. Conversely, the local law provides that the local government may approve the application with conditions.

Therefore in determining this application consideration should be given to each of the determining factors which are addressed from staff's perspective, as follows:

- (a) Policies – the Shire does not currently have a policy on trading but Council has requested a workshop to discuss the matter and potentially a policy, which identifies areas where trading is or is not permitted, will be the outcome;
- (b) Desirability of the proposed activity – the activity of selling coffee from a registered food vehicle is not considered undesirable however the flow on effect of others wanting to do the same from various locations may have a detrimental effect on existing businesses;
- (c) Location – the location of the activity is not likely to be detrimental to public health or affect any road users and is approx. 630m from a food business selling coffee (McDonald's) and is operated only at weekends;

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(d) National Competition Principles (NCP) – The legislative review element of NCP in essence say's that legislation (or in this case policy) should not restrict competition unless it can be demonstrated that:

- the benefits of the restriction to the community as a whole outweigh the costs; and
- the objectives of the local laws can only be achieved by restricting competition.

(e) Such other matters as the local government may consider to be relevant in the circumstances of the case – The Council is currently in the process of determining a policy direction in relation to stallholders and trading.

Should this application be approved it is considered necessary that conditions be imposed as would normally be the case in any stallholders permit. Also as Council is currently in the process of policy development on this matter, it is staffs opinion that any approval should be temporary only for the dates applied for, pending the outcome of policy development or be refused until Council has determined a policy direction on the matter.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2759

Moved: Cr Proud

Seconded: Cr Tinetti

That Council issue a temporary permit under *the Activities on Thoroughfares and Public Places and Trading Local Law 2008* to Mr Fernihough trading as El Mule O's Coffee for the period applied for being 8am – 12pm on July 23, 24, 30, 31 and August 6, 7, 13, 14, 20, 21, 27, 28 subject to payment of applicable fees, notification under the *Food Act 2008*, all waste be contained and refuse removed daily.

CARRIED 9/0

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13.2.2 DEVELOPMENT APPLICATION FOR AN EXTRACTIVE INDUSTRY - LOT 16904 NO.480 JENNAPULLIN ROAD, SOUTHERN BROOK

Name of Applicant:	Naughton Earthmoving
Name of Owner:	Naughton Earthmoving
File Ref:	A1785/P16055
Officer:	Chadd Hunt / Courtney Wynn
Officer Interest:	Nil
Policy:	<i>Local Planning Scheme No.6</i> <i>Extractive Industry Local Law 2008</i>
Voting:	Simple Majority

PURPOSE

Council is requested to consider an application for development approval for an extractive industry at Lot 16904 No.480 Jennapullin Road, Southern Brook. This application is being referred to Council as objections were received during the public advertising period.

BACKGROUND

Date	Item / Outcome
13 th May 2016	Shire Officers conducted a site inspection of the proposed excavation site.
23 rd May 2016	The Shire received the development application.
26 th May 2016	The development application was referred to surrounding landowners located within 1km of the site.
16 th June 2016	The advertising period closed with three submissions received.
1 st July 2016	A report was prepared for Council.

The Proposal

Lot 16904 No.480 Jennapullin Road, Southern Brook is zoned 'Rural' under Local Planning Scheme No.6 and is currently primarily used for agricultural purposes along with the proponents residence located on the adjoining lot (Appendix 1). The subject site is adjoined by other land parcels also zoned 'Rural' to the north, south and east. There is a reserve denoted for the purpose of 'Government Requirements' and 'Gravel'.

The proposal involves the extraction of an estimated 10,000m³ of sand and gravel material per year over a total 10 year period from a portion of the lot. The area of extraction is approximately 72,000m² to a maximum depth of 1.5m below Natural Ground Level as depicted on the site plan (Appendix 2 & 3). The extractive industry will involve the use of a hydraulic excavator, front end loader and bobcat.

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The materials will be carted off site via Jennapullin Road which connects with the Great Eastern Highway and Southern Brook Road. The applicant has advised that they expect that there will be up to a maximum of 18 heavy vehicle movements per day on occasions when operating at maximum capacity. The hours of operation are proposed to be Monday to Saturday between 7am and 5pm excluding public holidays.

The application specifies that rehabilitation will be undertaken in stages. Once the material is extracted from a particular section, the site will be backfilled using stockpiled soil fill and the removed topsoil to reinstate the land to the natural ground levels. The land will then either be returned to farmland and used for agricultural purposes or native trees planted depending on the suitability of the soil for agriculture.

STATUTORY REQUIREMENTS

SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO 6

Lot 16904 No.480 Jennapullin Road, Southern Brook is zoned 'Rural' under the Shire's Local Planning Scheme No.6 (the Scheme).

Clause 3.2.8 of the Scheme identifies the following objectives for the 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.*

The proponent requires development approval from the local government for the following reason:

- The use of the land for an 'Industry - Extractive' is classified under the Scheme as an 'A' use. This means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 64 (3) of Schedule 2, Part 8 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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The Scheme defines the term 'industry-extractive' as follows:

“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;

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) specifies the planning matters to be considered by the local government when determining an application.

The following subsections under Clause 67 of the Regulations are deemed to be matters relevant to the proposal in front of Council:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) the adequacy of —*
 - (i) the proposed means of access to and egress from the site; and*
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application;*

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- (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.”*

Extractive Industries Local Law 2008

The *Extractive Industry Local Law 2008* is the legislation in which the Shire's operates under when dealing with extractive industries. The Local Law outlines the requirements and limitations for extractive industry operations. The application has been assessed and found to be compliant with the Local Law.

State Planning Policy 2.4 - Basic Raw Materials

State Planning Policy 2.4 sets out the matters which are to be taken into account by the local government in considering an application for an extractive industry involving basic raw materials (such as sand). The objectives of the policy are as follows:

- Identify the location and extent of basic raw material resources;
- Protect Priority Resource Locations, Key Extraction Areas and Extraction Areas from being developed for incompatible land uses which could limit future exploitation;
- Ensure that the use and development of land for the extraction of basic raw materials does not adversely affect the environment or amenity in the locality of the operation during or after extraction;
- Provide a consistent planning approval process for extractive industry proposals including the early consideration of sequential land uses.

Environmental Protection (Noise) Regulations 1997

Noise is governed by the *Environmental Protection (Noise) Regulations 1997* (the Noise Regulations) with enforcement provisions available to the local authority and police. Under the Noise Regulations, noise is deemed unreasonable if it exceeds a prescribed standard or if the noise unreasonably interferes with the health, welfare, convenience, comfort or amenity of the occupier making the complaint.

EPA Guidance Statement No.3

The Environmental Protection Authority (EPA) lists extractive industry - sand and limestone extraction under its *Separation Distances between Industrial and Sensitive Land Uses Guidelines* (2005) as a land use that may potentially affect nearby sensitive land uses (including residential dwellings). The Guidelines advise that the separation buffers between sand extraction sites should be a minimum of 300m - 500m depending on the size of the proposal.

PUBLIC CONSULTATION

The application was advertised for a period of 21 days in accordance with and Schedule 2 Part 8 Clause 64 (3) of the Regulations and the Shire's Local Planning Policy 20 - Advertising of Planning Proposals.

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Officers gave notice of the application on 26th May 2016 to all land owners located within 1km of the subject site.

During the advertising period, three (3) submissions were received in total, which comprised of 3 objections.

The submissions generally raised concerns in relation to the potential impacts upon Jennapullin Road, and potential impacts upon the amenity of the local area. These issues have been summarised and are discussed in the attached Schedule of Submissions and the Officer's Comment section below.

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN

STRATEGY E1.2: Support the identification, protection and control of the mineral resources industry through careful development and planning.

STRATEGY E1.3: Promote a diverse mix of development opportunities throughout the Shire.

BUDGET IMPLICATIONS

There are no financial/budgetary implications for the Shire of the recommendations of this report.

The applicant has paid the statutory fees prescribed by the *Planning and Development Regulations 2009*.

OFFICER'S COMMENT

The submissions received from surrounding land owners identified concerns regarding potential impacts to amenity including dust and noise impact resulting from the proposed extractive industry along with the safety and maintenance concerns regarding the use of heavy vehicles along Jennapullin Road as access to and from the subject site.

Noise

The proposed extractive industry is considered to be of smaller scale and will only involve the use of a hydraulic excavator, front end loader and bobcat along with noise typically associated with heavy vehicle movements and the loading of sand and gravel into trucks. The applicant has advised that all machinery will be fitted with noise filtering devices and that they have no need for the use of reversing alarms as they will be providing a demarcated loading zone.

There are 4 dwellings located within a 1km radius of the subject site. The EPA Guidelines stipulate that the minimum buffer distance between a sand extractive industries should be 300-500m depending on size. The applicant's house is the closest house to the site and is located approximately 160m away. The nearest house on a

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neighbouring property is located approximately 300m from the subject site which is consistent with the guidelines considering the small scale of this proposal.

The hours of operation are proposed to be Monday to Saturday between 7am and 5pm excluding public holidays which is compliant with the *Environmental Protection (Noise) Regulations 1997*. The hours of operation would be enforced as a recommended condition of approval.

Dust

It is considered that the proposed extractive industry is likely to generate some dust resulting from onsite extraction activities and associated vehicle movements over unsealed roads. Dust control measures including vegetation buffers located between the site, road and residential properties can help to dissipate dust.

It is considered that the applicant has undertaken extensive tree planting over a 25,000m² area to provide a buffer between the proposed extractive industry site and Jennapullin Road. There is a heavily vegetated reserve located to the west and further vegetation planted to the south and east of the proposed site along the properties internal roads which will further help dissipate dust and act as screening.

The application also specifies that a windrow of no less than 1m in height will be constructed around the perimeter of the subject site and that a water truck will be available on site.

Therefore, the proposed strategies are considered sufficient and can be appropriately managed through the imposition of appropriate conditions.

Visual Amenity

Officers have conducted a site inspection and consider that the proposed extractive industry will not be visible from Jennapullin Road or nearby properties due to the extensive existing and recently planted native vegetation which acts as sufficient screening.

Bushfire

One of the submissions raised concerns regarding the bushfire risk present on this site and the adjoining Reserve. It should be noted that the subject site is located within a Designated Bushfire Prone area and that any on site activities would be subject to hot works bans during the bushfire season.

Jennapullin Road

All three submissions have raised concerns regarding the proposed use of Jennapullin Road by the proponent of this application. Jennapullin Road is a Main Roads Western Australia approved RAV2 route which requires heavy vehicle operators to obtain an annual permit from the Shire. The designation of a RAV route indicates that the road has been identified as being suitable for use by heavy vehicles up to a certain size.

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The proponent is proposing on average an increase of 2 heavy vehicle movements per day along Jennapullin Road, with a maximum of 18 vehicle movements per day on occasion when operating a maximum capacity. The Shire's Engineering Department has reviewed the proposal and is satisfied that the proposed additional vehicle movements will not have any further detrimental impact upon the condition of Jennapullin Road.

The proponent would also be required to comply with the Main Roads RAV Routes Assessment Guidelines which addresses potential conflicts with other road uses including school buses, maximum permitted size of vehicles and hours of operation. The Guidelines also stipulate maximum permitted speed limit limits along with other safety measures including restricting heavy vehicles from the road during school bus drop off and collection times.

Environmental Impact & Site Rehabilitation

There are no existing waterways on the site and the proposed extractive industry is to take place on an area of land that has been cleared of native vegetation for agricultural purposes and does not involve the removal of further native vegetation. The site adjoins a Reserve which is vested for the purpose of extractive industries including 'Gravel' and 'Government Requirements' rather than for environmental conservation purposes. Therefore a study into the impacts upon native flora and fauna within adjoining reserve as suggested in one of the submissions was not required.

The application specifies that rehabilitation will be undertaken in 26 individual stages. Once the material is extracted from a particular section, the site will be backfilled using the removed topsoil to restore the site to natural ground levels. The land will then either be returned to farmland and used for agricultural purposes or native trees planted depending on the suitability of the soil for agriculture.

Conclusion

It is recommended that Council resolve to approve the application for an 'industry-extractive' land use at Lot 16904 No.480 Jennapullin Road, Southern Brook subject to conditions.

RECOMMENDATION

That Council resolves to grant a time limited development approval for the proposed 'Industry-Extractive' land use at Lot 16904 No.480 Jennapullin Road, Southern Brook, subject to the following conditions:

GENERAL CONDITIONS

- 1. This development approval is valid for 10 years from the date of approval and will expire on 20/07/2026.**
- 2. The development hereby permitted must substantially commence within two years from the date of this determination notice.**
- 3. The development hereby permitted taking place in accordance with the approved plans dated 20/07/2016 in addition to any documentation**

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endorsed with an 'Approved' stamp by the Shire of Northam.

4. Hours of operation on the site shall be limited to between 07.00 to 17.00 hours, Monday to Saturday, excluding public holidays.
5. The Rehabilitation Plan approved by the Shire of Northam is to be adhered to at all times to the satisfaction of the local government.
6. A maximum of 18 heavy vehicle movements associated with the extractive industry are permitted along Jennapullin Road per day.

CONDITIONS TO BE MET PRIOR TO THE COMMENCEMENT OF THE WORKS/USE

7. Prior to the commencement of the use, the proponent is to obtain a valid extractive industry licence from the local government under the Shire's *Extractive Industries Local Law 2008*.
8. Prior to the commencement of the use, warning signs are to be placed along each of the boundaries of the area excavated under this licence which are no more than 200 metres apart, not less than 1.8m high and not less than 1 metre and bears the words 'DANGER EXCAVATIONS KEEP OUT'.
9. Prior to commencement of the use, the applicant to provide a rehabilitation bond for \$10,000 (ten thousand dollars) and such bond or bank guarantee to be unconditional (no expiry date).
10. Prior to commencement of the use, the applicant must upgrade the ingress and egress point with Jennapullin Road to Austroads standards to the satisfaction of the Local Government.
11. Prior to commencement of the use, a detailed road condition report prepared by a suitably qualified civil engineer to the satisfaction of the Local Government, must be submitted to and approved by the Local Government.
12. Prior to commencement of the use, the applicant to provide a road maintenance bond for \$50,000 (fifty thousand dollars) and such bond or bank guarantee to be unconditional (no expiry date).
13. Prior to commencement of the use, the applicant must install and maintain approved road signs along the transport route, warning other road users of trucks entering and using the public road system.

CONDITIONS REQUIRING ONGOING COMPLIANCE

14. Areas of existing native vegetation are to be retained and maintained to screen the extractive industry from Jennapullin Road and adjoining properties to the satisfaction of the Local Government.
15. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the Local Government.
16. All heavy vehicles transporting product off the site are to be fitted with suitable dust covers to the satisfaction of the local government.
17. The ingress and egress point with Jennapullin Road must be maintained

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on an ongoing basis to the satisfaction of the Local Government

ADVICE NOTES

NOTE 1: If the development the 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 2: Shire Officer's will undertake a routine annual inspection of the site at the time the extractive industry licence renewal is applied for.

NOTE 3: 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 4: 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.

NOTE 5: In relation to Condition 5, upon completion of the site rehabilitation, the applicant is to notify the Local Government in writing. At this time, Local Government Officers will conduct a site visit to ensure that the site has been rehabilitated to the satisfaction of the Local Government.

NOTE 6: No operation of heavy vehicles are allowed from 7.00AM to 8.30 AM and 4.00pm to 5.00pm.

NOTE 7: In relation to Condition 6, the proponent should take appropriate measures to minimise heavy vehicle movements along Jennapullin Road during school bus pick up and drop off times.

NOTE 8: Prior to the commencement of the use, the operator is required to obtain a written approval from the local government, permitting use of the road, must be carried and produced on demand. No operation on unsealed segment when visibly wet. Vehicle not to exceed 25m in total length.

NOTE 9: The maximum permitted size for heavy vehicles using Jennapullin Road is not to exceed Main Roads Requirements for designated RAV routes.

NOTE 10: The extractive industry is to be carried out in accordance with the Shire's *Extractive Industries Local Law 2008* at all times.

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NOTE 11: The extractive industry is to operate in accordance with the requirements of the *Environmental (Noise) Protection Regulations 1997*.

NOTE 12: The extractive industry may require registration or a licence as a 'prescribed premise' from the Department of Environment and Regulation under Part V of the *Environmental Protection Act 1986 (Environmental Protection Regulations, 1987, Schedule 1)* if:

- **Category 12:** Licensing is required if the material is screened, washed, crushed, ground, milled, sized or separated and more than 50000 tons/annum is processed.
- **Category 70:** Registration is required if the material is screened, washed, crushed, ground, milled, sized or separated and more than 5000 tons/annum but less than 50,000 tonnes per annum is processed.
- **Category 80:** Registration is required if non-metallic minerals are being processed (crushed, ground, milled or separated) and more than 100 tonnes/annum is processed.

NOTE 12: Approval for an Extractive Industry is not transferable unless written approval is granted by the Shire of Northam, and provided all conditions of the existing approval are met.

NOTE 13: Site operation to comply with the *Mines Safety and Inspection Act 1994* at all times.

NOTE 14: In relation to Condition 12, the applicant is advised that the \$50,000 road maintenance bond is the estimated cost of reconstructing 1km of Jennapullin Road. If at any time the Local Government determines the extractive industry has caused damage to Jennapullin Road, the Local Government may give a written notification to the applicant identifying the damage and require it to be made good in accordance with the Local Government's standards. Any work required to be done by the notice must be completed within 14 days following the date the notice is given, unless a greater period is stipulated in the notice.

In order to allow the Local Government to carry out necessary repair works in the event of the applicant's default, the bond/bank guarantee may be drawn on by the Local Government without notice. If the Local Government draws on the bond/bank guarantee, the applicant must, within a period of 14 days thereafter, reinstate the bond/guarantee to the amount of \$50,000. When the extractive industry ceases the Local Government may review the condition of the Jennapullin Road and, if necessary, draw on the bond/bank guarantee to pay for any work required to return the road to its

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present standard. Any balance of the bond/bank guarantee which thereafter remains will to be refunded to the applicant. The Local Government may require the applicant to enter into a legal agreement, prepared by the Local Government's solicitors at the applicant's cost, in order to deal with any additional matter of detail concerning the requirements of this approval.

NOTE 15: With respect to Condition 11, the applicant is advised that the Road Condition Report has to address the following:

- Shoulder conditions
- Condition of seal
- Condition of rutting and deformation of pavement.
- Extent of road to be assessed is \$4.08 - \$5.08

MOTION

Moved: Cr Beresford
Seconded: Cr Little

That Council resolves to grant a time limited development approval for the proposed 'Industry-Extractive' land use at Lot 16904 No.480 Jennapullin Road, Southern Brook, subject to the following conditions:

GENERAL CONDITIONS

1. This development approval is valid for 10 years from the date of approval and will expire on 20/07/2026.
2. The development hereby permitted must substantially commence within two years from the date of this determination notice.
3. The development hereby permitted taking place in accordance with the approved plans dated 20/07/2016 in addition to any documentation endorsed with an 'Approved' stamp by the Shire of Northam.
4. Hours of operation on the site shall be limited to between 07.00 to 17.00 hours, Monday to Saturday, excluding public holidays.
5. The Rehabilitation Plan approved by the Shire of Northam is to be adhered to at all times to the satisfaction of the local government.
6. A maximum of 18 heavy vehicle movements associated with the extractive industry are permitted along Jennapullin Road per day.

CONDITIONS TO BE MET PRIOR TO THE COMMENCEMENT OF THE WORKS/USE

7. Prior to the commencement of the use, the proponent is to obtain a valid extractive industry licence from the local government under the Shire's *Extractive Industries Local Law 2008*.

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8. Prior to the commencement of the use, warning signs are to be placed along each of the boundaries of the area excavated under this licence which are no more than 200 metres apart, not less than 1.8m high and not less than 1 metre and bears the words 'DANGER EXCAVATIONS KEEP OUT'.
9. Prior to commencement of the use, the applicant to provide a rehabilitation bond for \$10,000 (ten thousand dollars) and such bond or bank guarantee to be unconditional (no expiry date).
10. Prior to commencement of the use, the applicant must upgrade the ingress and egress point with Jennapullin Road to Austroads standards to the satisfaction of the Local Government.
11. Prior to commencement of the use, a detailed road condition report prepared by a suitably qualified civil engineer to the satisfaction of the Local Government, must be submitted to and approved by the Local Government.
12. Prior to commencement of the use, the applicant to provide a road maintenance bond for \$50,000 (fifty thousand dollars) and such bond or bank guarantee to be unconditional (no expiry date).
13. Prior to commencement of the use, the applicant must install and maintain approved road signs along the transport route, warning other road users of trucks entering and using the public road system.

CONDITIONS REQUIRING ONGOING COMPLIANCE

14. Areas of existing native vegetation are to be retained and maintained to screen the extractive industry from Jennapullin Road and adjoining properties to the satisfaction of the Local Government.
15. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the Local Government.
16. All heavy vehicles transporting product off the site are to be fitted with suitable dust covers to the satisfaction of the local government.
17. The ingress and egress point with Jennapullin Road must be maintained on an ongoing basis to the satisfaction of the Local Government
18. Preferred route to be south to Great Eastern Highway along Jennapullin Road.

ADVICE NOTES

NOTE 1: If the development the 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 2: Shire Officer's will undertake a routine annual inspection of the site at the time the extractive industry licence renewal is applied for.

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- NOTE 3:** 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 4:** 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.
- NOTE 5:** In relation to Condition 5, upon completion of the site rehabilitation, the applicant is to notify the Local Government in writing. At this time, Local Government Officers will conduct a site visit to ensure that the site has been rehabilitated to the satisfaction of the Local Government.
- NOTE 6:** No operation of heavy vehicles are allowed from 7.00AM to 8.30 AM and 4.00pm to 5.00pm.
- NOTE 7:** In relation to Condition 6, the proponent should take appropriate measures to minimise heavy vehicle movements along Jennapullin Road during school bus pick up and drop off times.
- NOTE 8:** Prior to the commencement of the use, the operator is required to obtain a written approval from the local government, permitting use of the road, must be carried and produced on demand. No operation on unsealed segment when visibly wet. Vehicle not to exceed 25m in total length.
- NOTE 9:** The maximum permitted size for heavy vehicles using Jennapullin Road is not to exceed Main Roads Requirements for designated RAV routes.
- NOTE 10:** The extractive industry is to be carried out in accordance with the Shire's *Extractive Industries Local Law 2008* at all times.
- NOTE 11:** The extractive industry is to operate in accordance with the requirements of the *Environmental (Noise) Protection Regulations 1997*.
- NOTE 12:** The extractive industry may require registration or a licence as a 'prescribed premise' from the Department of Environment and Regulation under Part V of the *Environmental Protection Act 1986 (Environmental Protection Regulations, 1987, Schedule 1)* if:
- Category 12: Licensing is required if the material is screened, washed, crushed, ground, milled, sized or separated and more than 50000 tons/annum is processed.
 - Category 70: Registration is required if the material is screened, washed, crushed, ground, milled, sized or separated and more

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than 5000 tons/annum but less than 50,000 tonnes per annum is processed.

- **Category 80: Registration is required if non-metallic minerals are being processed (crushed, ground, milled or separated) and more than 100 tonnes/annum is processed.**

NOTE 12: Approval for an Extractive Industry is not transferable unless written approval is granted by the Shire of Northam, and provided all conditions of the existing approval are met.

NOTE 13: Site operation to comply with the *Mines Safety and Inspection Act 1994* at all times.

NOTE 14: In relation to Condition 12, the applicant is advised that the \$50,000 road maintenance bond is the estimated cost of reconstructing 1km of Jennapullin Road. If at any time the Local Government determines the extractive industry has caused damage to Jennapullin Road, the Local Government may give a written notification to the applicant identifying the damage and require it to be made good in accordance with the Local Government's standards. Any work required to be done by the notice must be completed within 14 days following the date the notice is given, unless a greater period is stipulated in the notice.

In order to allow the Local Government to carry out necessary repair works in the event of the applicant's default, the bond/bank guarantee may be drawn on by the Local Government without notice. If the Local Government draws on the bond/bank guarantee, the applicant must, within a period of 14 days thereafter, reinstate the bond/guarantee to the amount of \$50,000. When the extractive industry ceases the Local Government may review the condition of the Jennapullin Road and, if necessary, draw on the bond/bank guarantee to pay for any work required to return the road to its present standard. Any balance of the bond/bank guarantee which thereafter remains will to be refunded to the applicant. The Local Government may require the applicant to enter into a legal agreement, prepared by the Local Government's solicitors at the applicant's cost, in order to deal with any additional matter of detail concerning the requirements of this approval.

NOTE 15: With respect to Condition 11, the applicant is advised that the Road Condition Report has to address the following:

- **Shoulder conditions**
- **Condition of seal**
- **Condition of rutting and deformation of pavement.**
- **Extent of road to be assessed is Slk4.08 - Slk 5.08**

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MOTION / COUNCIL DECISION

Minute No: C.2760

Moved: Cr Antonio

Seconded: Cr Rumjantsev

That the motion lie on the table.

CARRIED 7/2

Reason for Council Decision

To allow officers to investigate the following issues and refer back to Council;

- a) The money currently budgeted (as detailed in the Monthly Report) for the widening of Jennapullin Road, be allocated and applied for widening of Jennapullin Road, starting North from Clydesdale Road.
- b) Jennapullin Road is brought up to the new Shire road standard, including creek crossing barriers, crest ahead signs and appropriate road signage, verge clearing and no passing ahead/bridge sign and annual verge grading.

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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Shire of Northam Local Planning Scheme No.6 Proposed Extractive Industry - Lot 16904 No.480 Jennapullin Road, Southern Brook Schedule of Submissions					
Number	Name	Summary of Submission	Key Themes Identified in Submission	Applicants Response	Officers Comment
1	Richard Brazier Property Affected: 329 Jennapullin Road, Grass Valley	<p>The sealed sections of Jennapullin Road, of most concern to us, are barely four metres wide. As stated in the proposal, truck movements are estimated at 9 – 18 loads a day.</p> <p>We have lived at 329 Jennapullin Road for 25 years, and in that time the maintenance of Jennapullin Road has been less than satisfactory, the only serious improvement has been re-alignment of the North Grass Valley Road / Jennapullin Road intersection, this was done following a serious accident, which involved the Shire in a substantial settlement with the person concerned.</p> <p>The Shire will need to do serious road widening and sealing on Jennapullin Road going north and south from the entrance to 480 Jennapullin Road. Going South to Grass Valley from the North Grass Valley Road / Jennapullin</p>	<i>Condition of Jennapullin Road, traffic movements, noise, amenity,</i>	<p>As stated in section 3, Stage 1 will be 10,000m³ carted per year, best case scenario. All though on very occasional days two trucks would be carting, the lead would have to be very short to meet a 1 hour turn around. Deliveries to town would be more like 1.5hr turn around. So at best case scenario on the more common route, there would be 12 trucks leaving the pit a day on occasion.</p> <p>There are approximately 313 carting days per year, carting a maximum of best case scenario 10000m³ this equates to 31m³ a day which equates to 1.5 trucks leaving the pit a day, with the route being split between Clydesdale and Southern Brook crossroads.</p> <p>Only Naughton's Earthmoving</p>	<p><u>Jennapullin Road</u> Jennapullin Road is a Main Roads Western Australia approved RAV2 route which requires heavy vehicle operators to obtain an annual permit from the Shire. The designation of a RAV2 routes indicates that the road has been identified as being suitable for use by heavy vehicles up to a certain size.</p> <p>The Shire's Engineering Department has reviewed the proposal and is satisfied that impacts to Jennapullin Road can be appropriately managed through appropriate conditions.</p> <p>The proponent would also be required to comply with the Main</p>

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	<p>Road intersection there is a crest (not sign posted) which is dangerous with the volume of traffic that uses it today, let alone with a further 9/18 truck movements a day.</p> <p>This section of road is also a school bus route, as are other parts of Jennapullin Road going north from 480 Jennapullin Road.</p> <p>The Shire has a duty of care, with the road, and cannot possibly agree to allow the proposal to go ahead, unless major works are done on the road.</p> <p>Noise: Section 2.3.1B paragraph xii We accept that the proponent will have noise filtering devices fitted to exhaust and muffler systems. The problem will be the reversing indicators which are of a high pitch and the sound carries a long way. I spoke to Joe Naughton about this several years ago when he first moved in, that I could tell when he was moving machinery, because of the reversing indicators that clearly carried to where we lived.</p> <p>Lifestyle: We have lived here for 25 years and have enjoyed a normal rural lifestyle, and have the usual rural noises</p>		<p>trucks will have access to the pit and it will not be open to the public. Naughton's Earthmoving is a Main Roads Accredited operator with an extensive safety management system in place for environmental and OH&S and has an impeccable safety record with no incidents.</p> <p>In passing conversation I was alerted to my reverse beepers having an impact on my neighbours and on that very day they were disconnected which is backed up by the 3rd submission. As this pit is of very small scale and is demarcated by a demarcated loading zone there will be no need for reverse beacons. My plant meet all statutory regulations and are a lot quieter than ag machinery.</p> <p>There has been over 30000 trees been established on the property, many of which have been grown as a visual, dust, and noise buffer. The excavation site cannot be seen from Jennapullin Road or adjoining landowner's properties. Along with a tree buffer a water</p>	<p>Roads RAV Routes Assessment Guidelines which addresses potential conflicts with other road uses including school buses, maximum permitted size of vehicles and hours of operation. The Guidelines also stipulate maximum permitted speed limit limits along with other safety measures including restricting heavy vehicles from the road during school bus drop off and collection times.</p> <p><u>Noise</u> The applicant has advised that all machinery will be fitted with noise filtering devices and that they have no need for the use of reversing alarms as they will be providing a demarcated loading zone.</p> <p>The hours of operation are proposed to be Monday to Saturday between 7am and 5pm excluding public holidays which is compliant with the <i>Environmental Protection (Noise) Regulations 1997</i>. The hours of operation would be enforced as a recommended condition of</p>
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		<p>occurring ie. seeding time, harvest time, hay making time, and usual vehicle movements related to farming. We accept that the proponent has every right to apply for an extractive license, however, lifestyle for the residents who are going to be inconvenienced must be considered. Noise, dust and land values must be taken into account.</p> <p>Road Safety: The Shire was forced to realign the North Grass Valley Road / Jennapullin intersection following the serious accident that occurred. According to the criteria that has been used on the Southern Brook Road for tree removal and pruning, makes the Jennapullin Road suspect to say the least. The Shire could be liable if an accident occurred involving one of these trees. I am lead to believe that the Shire is year's behind in regards to this programme.</p> <p>Until satisfactory improvements are made to make the road safe to cater for an increase in traffic, we will be objecting to the proposal being granted.</p>		<p>truck is available to suppress any dust issues. Only 0.7ha will be excavated at any one time and rehabilitation is progressive as stated in section 3-3 (ii).</p> <p>As owners living on the property we also have a vested interest in quality of life for ourselves and our neighbours. We believe this small scale extractive industry can be managed with minimal impact.</p>	<p>approval.</p> <p><u>Dust</u> The applicant has undertaken extensive tree planting to provide a buffer between the proposed extractive industry site and Jennapullin Road. There is a heavily vegetated reserve located to the west and further vegetation planted to the south and east of the proposed site along the properties internal roads which will further help dissipate dust and act as screening.</p> <p>The application also specifies that a windrow of no less than 1m in height will be constructed around the perimeter of the subject site and that a water truck will be available on site to assist with dust suppression if required.</p> <p><u>Land Value</u> Perceived impact on property value is not a material planning consideration identified under the Schedule 2 Part 9 Clause 67 of the <i>Planning and Development (Local Planning Schemes)</i></p>
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					<p><i>Regulations 2015</i> and therefore, cannot contribute to making a determination on this application.</p> <p>The amount of sand proposed to be removed each year is of small scale and is unlikely to trigger the minimum requirement for a registration or licences for a 'prescribed premises' from Department of Mines & Petroleum or the Department of Environment Regulation.</p>
2	<p>Angus & Grant Cook (M.Cooke & Sons) Property Affected: 500 Jennapullin Road</p>	<p>We do not support the proposal for an extractive industry on Lot 169 Jennapullin Road, for the following reasons:</p> <ol style="list-style-type: none"> 1) Will devalue surrounding locations and titles 2) Already extractive industries eyesores in the area eg. Southern Brook / Jennapullin cross roads. Moore Road/Clydesdale Road. 3) Amenity and Lifestyle destroyed by noise, dust and big increases in heavy traffic on local area roads. 4) Shire roads are not up to standard/unsafe and could not handle an increase in traffic for the next ten years. Shire would 	<p><i>Amenity, Noise, Dust, Traffic Movements, Bushfire Hazard, Environmental Values, Compliance</i></p>	<ol style="list-style-type: none"> 1) The extractive industry we are proposing is on a very small scale with only .7ha being excavated at any one time and progressive rehabilitation. 2) Site cannot be seen from Jennapullin Road or adjoining landowner's properties with many trees being planted as a visual, noise and dust buffer. 3) Reverse beacons are not required on machinery at site. Water truck is available to suppress and dust issues. As stated in section 3, Stage 1 will be 	<ol style="list-style-type: none"> 1. Perceived impact on property value is not a material planning consideration identified under the Schedule 2 Part 9 Clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and therefore, cannot contribute to making a determination on this application. 2. Existing native vegetation will provide sufficient screening and the extractive industry will not be visible from

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		<p>be negligent as roads already not maintained.</p> <p>5) Two school bus routes utilise roads in this vicinity. Danger to children in Grass Valley area.</p> <p>6) Surrounding area is farmland / small lifestyle blocks. An extractive industry does not belong here.</p> <p>7) Bushfire hazard during summer months and Harvest Bans.</p> <p>8) "C" class Reserve along west side will be affected by dust / noise as it is a flora and fauna Reserve. Wildlife will be disrupted. Shire to do Flora / Fauna study.</p> <p>9) Who will control rehabilitation after 10 years – usually either sold or forgotten about? Does shire take on this responsibility if proponent goes broke or sells.</p> <p>10) How many extractive industry licences are already operational in Northam Shire?</p>		<p>10,000m3 carted per year, best case scenario. All though on very occasional days two trucks would be carting, the lead would have to be very short to meet a 1 hour turn around. Deliveries to town would be more like 1.5hr turn around. So at best case scenario on the more common route, there would be 12 trucks leaving the pit a day on occasion. There are approximately 313 carting days per year, carting a maximum of best case scenario 10000m3 this equates to 31m3 a day which equates to 1.5 trucks leaving the pit a day, with the route being split between Clydesdale and Southern Brook crossroads.</p> <p>5) Only Naughton's Earthmoving trucks will have access to the pit and it will not be open to the public. Naughton's Earthmoving is a Main</p>	<p>Jennapullin Road.</p> <p>3. As per the above, the applicant is proposing sufficient measures to suppress dust and noise impacts. A condition limiting the number of heavy vehicle movements on Jennapullin Road per day to 18 is recommended as a Condition of approval.</p> <p>4. Jennapullin Road is a Main Roads Western Australia approved RAV route which requires heavy vehicle operators to obtain an annual permit from the Shire. The designation of a RAV route indicates that the road has been identified as being suitable for use by heavy vehicles up to a certain size.</p> <p>5. The proponent would be required to comply with the Main Roads RAV Routes Assessment Guidelines which addresses potential conflicts with other road</p>
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				<p>Roads Accredited operator with an extensive safety management system in place for environmental and OH&S and has an impeccable safety record with no incidents.</p> <p>6) As owners living on the property we also have a vested interest in quality of life for ourselves and our neighbours. We believe this small scale extractive industry can be managed with minimal impact.</p> <p>7) Living in a rural area we are aware of the bush fire risk and the enforcement of machinery bans during summer months. Naughton's Earthmoving is a Main Roads Accredited operator with an extensive safety management system in place for environmental and OH&S and has an impeccable safety record with no incidents.</p> <p>8) There is a 20m buffer</p>	<p>uses including school buses, maximum permitted size of vehicles and hours of operation. The Guidelines also stipulate maximum permitted speed limit limits along with other safety measures including restricting heavy vehicles from the road during school bus drop off and collection times.</p> <p>6. The Shire can consider an application for an extractive industry on any lot zoned 'Rural' as an extractive industry is classified as an 'A' (Advertising) land use under the Scheme.</p> <p>7. All on site activities would be subject to hot works bans during the bushfire season.</p> <p>8. The site adjoins a Reserve which is vested for the purpose of extractive industries including 'Gravel' and 'Government Requirements' rather than for environmental</p>
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				<p>zone between the reserve and the excavation site. Again, this is a small venture with minimal impact on wildlife and flora.</p> <p>9) Rehabilitation is progressive with an area of .7ha being excavated at any one time.</p>	<p>conservation purposes. Therefore a study into the impacts upon native flora and fauna within adjoining reserve was not required.</p> <p>9. The proponent is required to rehabilitate the site sequentially over the 10 year period in accordance with the Shire's Extractive Industries Local Law 2008. A recommended condition of approval requires the payment of a bond which would be released once the site has been rehabilitated to the Shire's satisfaction.</p> <p>10. There are 12 existing extractive industry licences currently active in the Shire of Northam.</p>
3	<p>Andrea McCandlish Property Affected: 330 Jennapullin Road, Southern Brook</p>	<p>I have a number of concerns about this proposal given the close proximity of the site of the sand pit to my residence.</p> <p>These concerns include:</p> <p>1. Noise - in ordinary weather conditions, the noise of the</p>	<p><i>Noise, Dust, Amenity, Traffic Movements, Condition of Jennapullin Road</i></p>	<p>1) As this pit is of very small scale and is demarcated by a demarcated loading zone there will be no need for reverse beacons.</p> <p>2) Water truck is available to suppress any dust issues. There</p>	<p>1. Please refer to the above comments regarding noise impacts.</p> <p>2. Please refer to the above comments regarding dust impacts.</p>

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		<p>reversing indicators of the heavy machinery used by Mr Naughton is intrusive. In conditions when the wind is from the east, this noise is downright distracting. Mr Naughton has, when asked, disconnected the indicators in the past but I would expect that he cannot do this legally in a commercial situation. The beeping noise of the indicators can be heard clearly over 600m from the site.</p> <p>2. Dust - I disagree that the vegetation of the reserve adjoining 330 and 480 Jennapullin Road is sufficient barrier for the dust of such an activity. There is little understorey or shrub vegetation between the site of the pit and my residence.</p> <p>However, I respect Mr Naughton as a responsible operator who will do whatever he can to alleviate the effects of both these concerns. If the application is approved, I would expect to speak with Joe to ensure he understands my concerns for the amenity of my residence.</p>		<p>has been over 30000 trees been established on the property, many of which have been grown as a visual, dust, and noise buffer. The excavation site cannot be seen from Jennapullin Road or adjoining landowner's properties. Along with a tree buffer a water truck is available to suppress any dust issues. Only .7ha will be excavated at any one time and rehabilitation is progressive as stated in section 3-3 (ii).</p> <p>3) As owners living on the property we also have a vested interest in quality of life for ourselves and our neighbours. We believe this small scale extractive industry can be managed with minimal impact.</p> <p>We would be more than happy to speak to you in regards to any concerns you may have for the amenity of your residence and any other concerns.</p>	<p>Jennapullin Road is a Main Roads Western Australia approved RAV route which requires heavy vehicle operators to obtain an annual permit from the Shire. The designation of a RAV routes indicates that the road has been identified as being suitable for use by heavy vehicles up to a certain size.</p> <p>The Shire's Engineering Department has reviewed the proposal and is satisfied that impacts to Jennapullin Road can be appropriately managed through appropriate conditions.</p>
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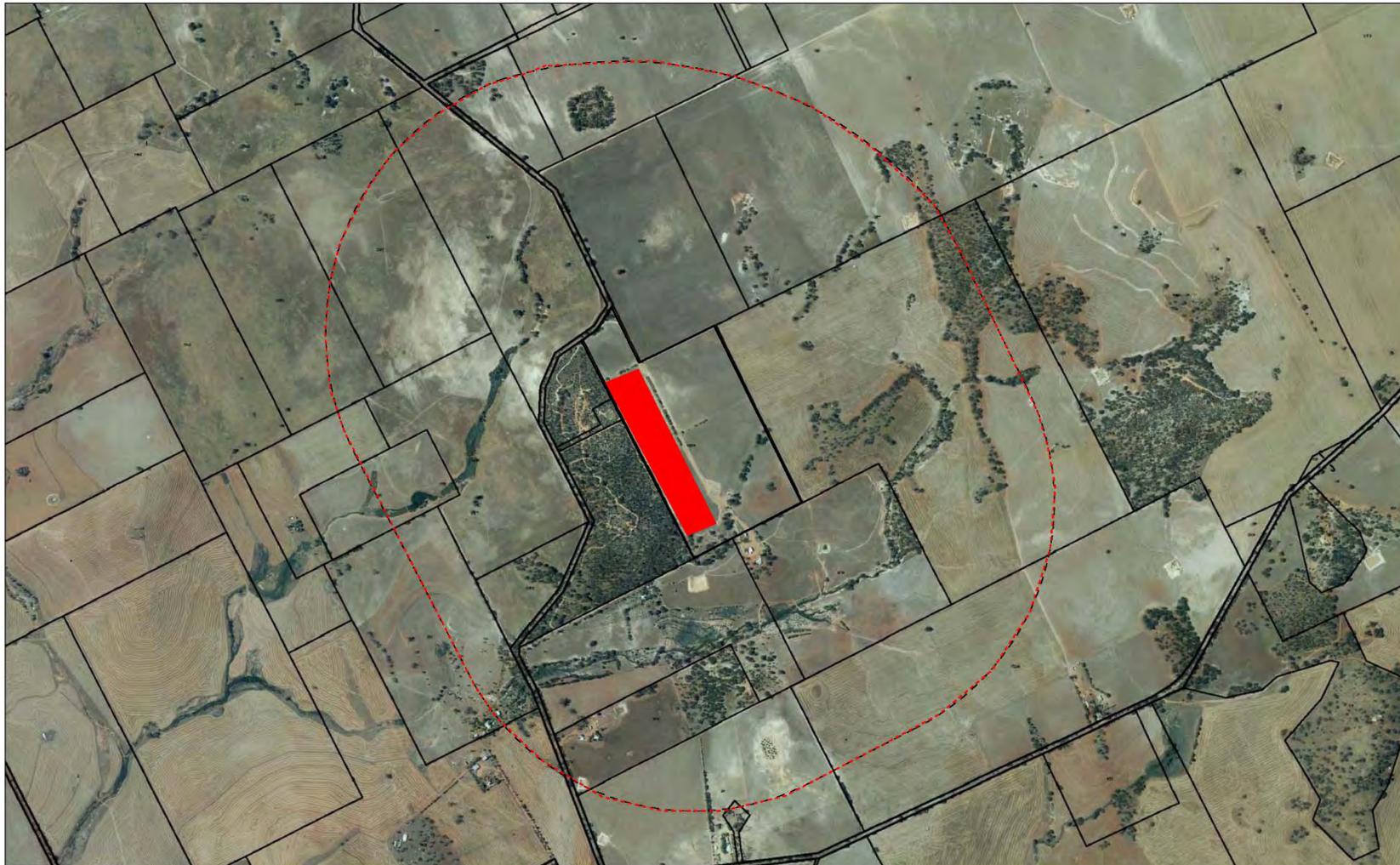
	<p>My main concern and reason to lodge an objection to this application lies outside Mr Naughton's capacity to do much about.</p> <p>Section 2.3.1 (8) Works and Excavation Programme (viii) states that on 6 days per week between 9 and 18 loaded trucks may leave the sand pit. This means that there is a possibility of between 18 and 36 truck movements along Jennapullin Road between 7am and 5pm, six days a week.</p> <p>The condition of Jennapullin Road south of Naughton's property is abysmal. This section of road has a long history of minor accidents and near-misses. It is also a school bus route.</p> <p>During the harvest period every year, grain trucks degrade the road and road shoulders to a dangerous degree. The constant destruction of roadside markers is an indication of the problem. Extra heavy truck traffic is simply not safe or acceptable without major upgrades to this section of road.</p> <p>Danger spots include the winding road between my property (330) and Naughton's property, the sharp bend</p>		<p>4) As stated in section 3, Stage 1 will be 10,000m³ carted per year, best case scenario. All though on very occasional days two trucks would be carting, the lead would have to be very short to meet a 1 hour turn around. Deliveries to town would be more like 1.5hr turn around. So at best case scenario on the more common route, there would be 12 trucks leaving the pit a day on occasion. There are approximately 313 carting days per year, carting a maximum of best case scenario 10000m³ this equates to 31m³ a day which equates to 1.5 trucks leaving the pit a day, with the route being split between Clydesdale and Southern Brook crossroads. Only Naughton's Earthmoving trucks will have access to the pit and it will not be open to the public.</p>	
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		<p>from the creek causeway northwards that includes my driveway, poor visibility for both north and south bound traffic approaching the creek crossing, the dog-leg bend at the intersection of Jennapullin Road and Grass Valley North Road and the crest about 200m south of the dog-leg bend. While there has been some work done on sections of road in the past few years, it is not enough to cope with heavy trucks and is still dangerous for ordinary traffic. Official statistics do not show the number of minor accidents and run-offs or the nearmisses that occur frequently on this stretch of road, particularly on the dog-leg bend.</p> <p>Therefore, I lodge an objection to the approval of the establishment of the sand pit due to the unsuitable condition of Jennapullin Road to cope with the extra truck traffic the sand pit will generate.</p>		<p>Naughton's Earthmoving is a Main Roads Accredited operator with an extensive safety management system in place for environmental and OH&S and has an impeccable safety record with no incidents.</p>	
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ATTACHMENT 2 – LOCATION MAP



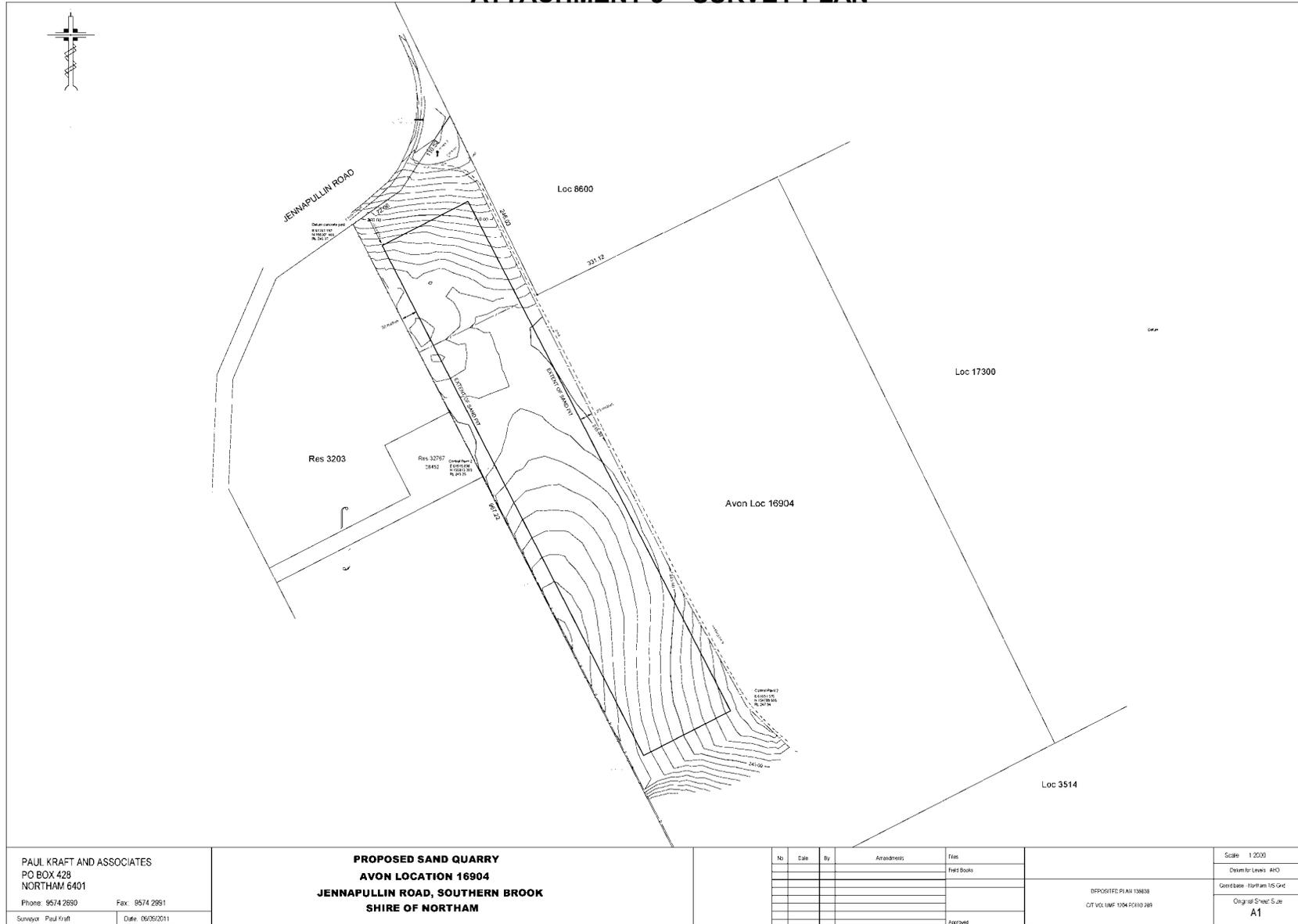
PAUL KRAFT AND ASSOCIATES PO BOX 428 NORTHAM 6401 Phone: 9574 2690 Fax: 9574 2991	FEATURE SURVEY OF	C/T Volume:	Folio:	Scale: 1:14000
				Datum: A.H.D.
				Original Sheet Size A3
Surveyor: P Kraft	Date: 20/05/2016			

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ATTACHMENT 3 – SURVEY PLAN



PAUL KRAFT AND ASSOCIATES
 PO BOX 428
 NORTHAM 6401
 Phone: 9574 2690 Fax: 9574 2991
 Surveyor Paul Kraft Date: 06/05/2011

PROPOSED SAND QUARRY
AVON LOCATION 16904
JENNAPULLIN ROAD, SOUTHERN BROOK
SHIRE OF NORTHAM

No.	Date	By	Amendment	Files
				Field Books
				Approved

DEPOSITED PLAN 138838
 CT VCL 1004 100410 289

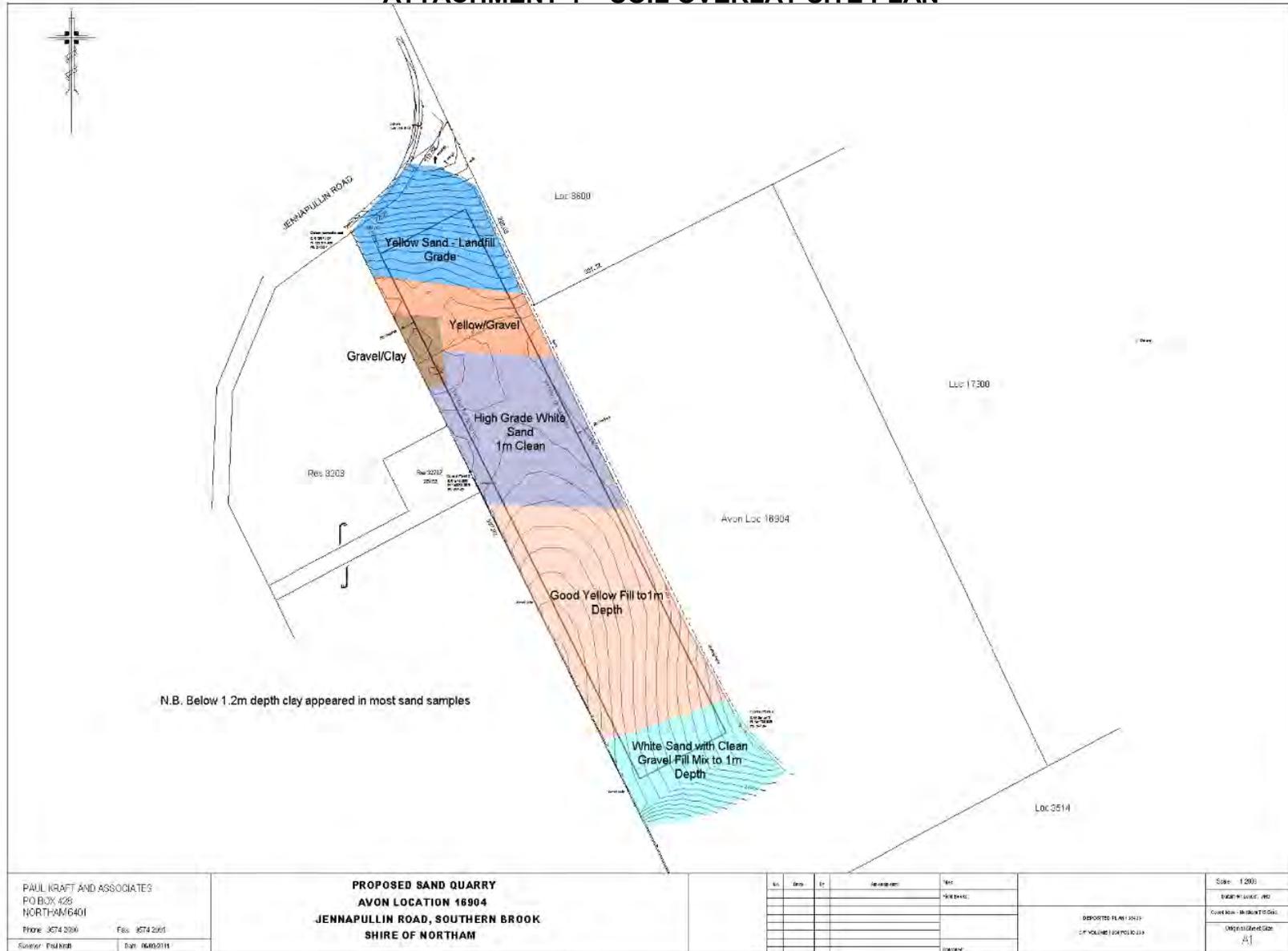
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 Contours: Northam NS Grid
 Original Sheet Size
A1

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ATTACHMENT 4 – SOIL OVERLAY SITE PLAN



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ATTACHMENT 5 – APPLICATION REPORT

Extractive Industry License Proposal
Lot 16904
Southern Brook, Shire of Northam, Western Australia,
Australia

By;
JG Naughton & Glenrothers Nominees Pty Ltd
T/A
Naughton's Earthmoving & Sand Supplies
ABN: 68 361880 704

May 2016

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3. SECTION 2.3.1 (B) WORKS AND EXCAVATION PROGRAMME	2

Figures:

Figure 1 - Estimated Position of Sand Pit

Attached Documents:

local_law_extractive_industries_08[1].pdf
Fees & Charges 2010-2011[1].pdf

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1. OVERVIEW

(1) Subject to subclause (3), a person seeking the issue of a licence in respect of any land shall apply in the form determined by the local government from time to time and must forward the application duly completed and signed by each of the applicant, the owner of the land and any occupier of the land to the CEO together with the below information.

2. REQUIRED BY LICENSED SURVEYOR/DRAFTSPERSON

Required by licensed surveyor/draftsperson.

Section 2.3.1 (a) as below.

(a) 3 copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing;

- (i) The existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals;
- (ii) The land on which the excavation site is to be located;
- (iii) The external surface dimensions of the land;
- (iv) The location and depth of the existing and proposed excavation of the land;
- (v) The location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
- (vi) The location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
- (vii) The location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;
- (viii) The location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
- (ix) The location and description of existing and proposed fences, gates and warning signs around the land; and
- (x) The location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere;

(d) Evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public

(e) A certificate from a licensed surveyor certifying the correctness of -

- (i) The plan referred to in paragraph (a); and
- (ii) The datum peg and related point referred to in paragraph (d);

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3. SECTION 2.3.1 (B) WORKS AND EXCAVATION PROGRAMME

(i) The nature and estimated duration of the proposed excavation for which the licence is applied;

- This proposal is to extract sand for construction purposes i.e. house pads and site establishment. During the excavation period, the excavation will be progressed in stages.

(ii) The stages and the timing of the stages in which it is proposed to carry out the excavation;

- Stage one of the excavations will see an estimated 10,000m³ of material removed. This is approximately 10% of the entire proposed area to be excavated.
 - This initial stage is estimated to take approximately 12 – 24 months.
- Once the initial stage is completed, the remaining stages will be excavated according to demand.

(iii) Details of the methods to be employed in the proposed excavation and a description of any on-site processing works;

- Excavation will be performed by means of hydraulic excavator, front end loader & bobcat.
- As excavation progresses the batters will be completed to a grade of 1:5, 20% , 11.3°

(iv) Details of the depth and extent of the existing and proposed excavation of the site;

- Total extents of the proposed excavation are:
 - 600m Length
 - 120m Width
 - From approximately 1.0m to 1.5m depth

(v) An estimate of the depth of and description of the nature and quantity of the overburden to be removed;

- Existing overburden is historic farmed soil. This material is of sandy nature, with little clay content.
- Topsoil removal to a depth of 0.15m
- Total 10800m³ of topsoil to be removed & stockpiled for placement upon excavation completion.

(vi) A description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;

- Land proposed for the excavation site is farm land, with no existing native bush, or clearing required.
- Overburden/topsoil will be removed by means of hydraulic excavator, front end loader, tracked dozer & bobcat.
- Overburden/topsoil material will be stockpiled on the site for use in rehabbing the excavated pit.

(vii) A description of the means of access to the excavation site and the types of thoroughfares to be constructed;

- Access will be via the western boundary of the excavation. Between the natural reserve and excavation.
- This road will then be connected to the farm access road to the east of the proposed excavation.
- This road is constructed of gravel/sand backfill & will be maintained as part of the excavation operations.
- This eastern boundary road connects to Jennapullin Road, north of Grass Valley Road.

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- Access onto the eastern boundary road will be controlled via locked gates.
- (viii) Details of the proposed number and size of trucks entering and leaving the Site each day and the route or routes to be taken by those vehicles;
 - Truck size to be in line with Main Roads & Shire regulations. In general 42.500t gross But not exceeding network 2 conditions.
 - On nominated haulage days, Monday to Saturday (excluding Public Holidays) 7am – 5pm, it is expected that there will be normally one and on occasion two highway sized trucks which will service the excavation site.
 - It is estimated that there will be one to two loads leaving the excavation site per hour, per 9 hour working day.
 - Total of 9 to 18 loads per day best case scenario.
 - The proposed route would be utilised as to reduce the effect on shire access roads.
- (ix) A description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
 - No other improvements will be constructed on the excavation site.
 - Existing nearby facilities will be used to service the excavation area.
- (x) Details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
 - Drainage of the excavation site will be via perimeter drainage and windrows constructed at the top of the excavation.
 - There are no natural water courses which will be altered by this excavation.
 - The land falls to the North West which drains through natural bush land.
 - Soil characteristics of the excavation are of a porous & unconsolidated nature. Therefore is expected to be free draining.
- (xi) A description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
 - Minimal soil disturbance will be conducted prior to the area being excavated.
 - A windbreak to the east and natural bush land to the west will provide relief from the effects of wind.
 - No identified areas of natural watercourse have been identified.
 - Windrows of no less than 1m in height will be constructed around the perimeter of the site.
 - Warning signs will be placed on the external boundaries of the excavation lot.
 - Signs will read: Danger: Open Excavation.
 - Gates will be locked and secured at the eastern access road & the entrance to the western access road during non-excavation times.
- (xii) A description of the measures to be taken to comply with the *Environmental Protection (Noise) Regulations 1997*;
 - Excavation will only be conducted during the day. Commencing no earlier than 7am.
 - All machines will be fitted with noise filtering devices i.e. well maintained exhaust and muffler systems.
- (xiii) A description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
 - Currently, the proposed excavation site is level & cleared farm land. This area has historically been used to grow farm crops.
 - Due to the nature of the surrounding land, it is anticipated there will be minimal or no effect on the surrounding area.
- (xiv) Details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation;

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- As the land is previously cleared, no destruction of existing vegetation is anticipated.

(xv) A description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas;

- The excavation site lies to the east of a natural bush land reserve. This reserve will screen the excavation site from the nearest main thoroughfare, being Jennapullin Road.
- To the north of the excavation site natural bush land is on the edge of the road and will screen the excavation site.

3 copies of a rehabilitation and decommissioning programme indicating –

(i) The objectives of the programme, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;

- The objectives of the rehabilitation programme are;
 - Establish a safe & visually pleasing site.
 - Promote re-growth of native vegetation.
 - Or return back to farm cropping.
 - Utilise storm water capturing and utilisation where possible.

(ii) Whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;

- Batters and slopes will be progressively rehabbed as the operation progresses.
- Promotion of re-vegetation and planting of new plants or return back to farm cropping will be done progressively.

(iii) How any face is to be made safe and batters sloped;

- Side walls are to be battered at;
 - 1V:5H, 20% , 11.3°
- Vertical excavation faces will be collapsed at the completion of each day, to prevent unsafe face position & potential collapse.

(iv) The method by which topsoil is to be replaced and revegetated;

- Topsoil will be spread via front end loader and will be re-seeded using seeding equipment.

(v) The numbers and types of trees and shrubs to be planted and other landscaping features to be developed;

- A native seed mix will be used & sown into the ground. This mix will contain shrub & tree seed.
- No other landscaping features will be developed.

(vi) How rehabilitated areas are to be maintained;

- Monitoring of plant growth will be conducted whilst they are growing.
- Re-seeding will be performed if the plants do not grow.

(vii) The programme for the removal of buildings, plant, waste and final site clean up;

- No buildings or plant will be installed at the excavation site.
- General rubbish will be taken to the local rubbish disposal site.
- Final clean up will be conducted by front end loader.

thoroughfare or such other land in the vicinity;

(f) evidence that the requirements of subclauses 2.2(1) and (2) have been carried out;

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2.2 Applicant to Advertise Proposal

(1) Unless the local government first approves otherwise, a person seeking the issue of a

Licence shall, before applying to the local government for a licence –

(a) Forward by registered mail a notice in the form determined by the local government from time to time to –

(i) The owners and occupiers of all land adjoining the land upon which it is proposed to excavate, or within an area determined by the local government as likely to be affected by the granting of a licence, advising of the application and specifying that they may, within twenty-one days from the date of service of the letter, object to or make representations in writing in respect of the issue of a licence by the local government;

(ii) Every authority or person having control or jurisdiction over any of the things referred to in subclause 2.3(1)(a)(vi) and (vii) within 500 metres from the boundaries of the land, or within an area determined by the local government as likely to be affected by the granting of a licence; and

(b) As soon as practicable after complying with the requirements of paragraph (a) –

(i) Forward a copy of the notice to the CEO; and

(ii) Publish the notice in a newspaper circulating in the area in which the proposed excavation is located.

(2) The local government may, within 14 days after receiving a copy of a notice referred to in subclause (1), cause to be displayed, or require the proposed applicant to display, in a prominent position on the land one or more notices –

(a) In the form determined by the local government from time to time;

(b) The content, size and construction of which have been approved by the CEO;

(c) Specifying particulars of the proposed excavation; and

(d) Inviting objections or comments within 21 days from the placement of the notice.

(g) copies of all land use planning approvals required under any planning legislation;

- Not required as we are not altering/creating any building & we are submitting this license application.

(h) copies of any environmental approval required under any environmental legislation;

- None required as we are not clearing any bush or altering any natural water courses.

(i) copies of any geotechnical information relating to the excavation site;

- Not required.
- Stipulated batter angles are well within tolerances for safe batter angles.

(j) the consent in writing to the application from the owner of the excavation site;

(k) the licence application fee specified by the local government from time to time;

3. Determining a development application for an extractive industry where the development has not commenced or been carried out \$739

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Figure 1 - Estimated Position of Sand Pit

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(l) any other information that the local government may reasonably require.

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13.2.3 CONSIDERATION OF SUBMISSIONS AND FINAL ADOPTION OF LOCAL PLANNING POLICY NO.18 – HERITAGE PRECINCTS

Name of Applicant:	N/A
Name of Owners:	N/A
File Ref:	3.1.11.1
Officer:	Chadd Hunt / Kobus Nieuwoudt
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

For Council to consider submissions and final adoption of Local Planning Policy No.18 – Heritage Precincts.

It is recommended Council resolve to adopt the as-advertised Policy without modification.

BACKGROUND

At the Ordinary Council Meeting held on 17 February 2016, Council resolved as follows in respect of Item 13.2.3: -

“That Council:

- 1. Receive the draft revised Local Planning Policy No. 18 – Heritage Precincts and associated appendices that forms the subject of Attachments 2, 3 and 4 to the Report;*
- 2. Readvertise, in accordance with Clause 9(3), (4) and (5) of the deemed provisions for local planning schemes, draft revised Local Planning Policy No. 18 – Heritage Precincts that formed the subject of Attachments 2, 3 and 4 to the Report;*
- 3. Invite submitters who made a submission during the original advertising period, to make a new submission;*
- 4. After the expiry of the period within which submissions may be made, review the proposed Policy in the light of any submissions made.*
- 5. Invite affected land owners to attend a forum held by the Shire at a suitable time and date at the beginning of the second public advertising period.”*

Officers have actioned items 2 to 5 of Council’s resolution and the matter is now returned to Council for consideration of the submissions and to make a decision as to whether or not to adopt the Policy for final approval.

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STATUTORY REQUIREMENTS

Statutory basis for preparation of local planning policies

Local Planning Policies are provided for in Part 2, Division 2, Clause 3 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'). Clause 3(1) states that a local government may prepare a local planning policy in respect of any matter relating to the planning and development of the Scheme area.

In accordance with clause 3(2) of the Regulations a local planning policy –

- (a) may apply generally or in respect of a particular class or classes of matters specified in the policy; and
- (b) may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.

In accordance with clause 3(3) of the Regulations a local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.

Clause 3(4) of the Regulations gives the local government the ability to amend or repeal a local planning policy and clause 3(5) determines that the local government must have regard to each local planning policy to the extent that the policy is consistent with the Scheme.

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 Regulations as follows:

- “(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;*

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- (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.”*

PUBLIC CONSULTATION

The original version of the Policy was advertised from 11th August 2015 until 18th September 2015. In response to the submissions received during this advertising period, the Policy has been reformatted into a more ‘user friendly’ document.

Following the February Ordinary Council Meeting, Shire officers wrote to the affected landowners and invited them to attend a community forum on 27th April 2016 hosted by the Shire at the Northam Recreation Centre. Approximately 20 people from the community attended the forum including several elected members, key Shire staff and the heritage consultant who prepared the original policy and development guidelines.

Following the forum on 27th April, the Policy was readvertised for public comment. Public consultation commenced on 10th May 2016 and closed on the 31st May 2016. A total of 2 submissions were received. A total of 10 submissions were received during the original advertising period. Because the submissions received during the original advertising period have not yet been considered by Council, they have been included in the Schedule of Submissions for Council’s consideration and determinations. Refer Attachment 1 – Schedule of Submissions.

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CONFORMITY WITH COMMUNITY STRATEGIC PLAN

The following objectives in the Shire's Strategic Community Plan has a bearing on this proposal:

OBJECTIVE P2: Accessible and legible communities.

BUDGET IMPLICATIONS

There will be approximately \$300 of advertising costs.

OFFICER'S COMMENT

It is considered the forum that Council hosted at the Northam Recreation Centre on 27th April 2016 resolved most of the concerns raised by landowners during the original advertising period. This is demonstrated through the two submissions Council received during the readvertising period, which cited support for the Policy.

It is recommended Council resolves to adopt the Local Planning Policy No.18 – Heritage Precincts without modification.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2761

Moved: Cr Beresford

Seconded: Cr Antonio

That Council:

- 1. Receive the Schedule of Submissions that forms the subject of Attachment 1 to the report;**
- 2. Determine the submissions by resolving to adopt the recommendations in the Schedule of Submissions that formed the subject of Attachment 1 to the report;**
- 3. In accordance with Clause 3(b)(i) of the *deemed provisions for local planning schemes*, adopt Local Planning Policy No.18 – Heritage Precincts (as advertised) without modification.**
- 4. Publish a notice in the local newspaper advertising the final adoption of Local Planning Policy No.18 – Heritage precincts in accordance with Clause 4(4) of the *deemed provisions for local planning schemes*.**

CARRIED 9/0

Four (4) members of the Gallery departed the Council Chambers at 5.57pm.

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<i>Shire of Northam Local Planning Scheme No.6</i> Proposed Local Planning Policy 18 – Heritage Precincts Schedule of Submissions					
Number	Name	Property Affected	Summary of Submission	Key Themes Identified in Submission	Officer Comments and Recommendations
1	Gabriel & Mariangela Sorbara 92 Burlinaston Road, Homebush NSW 2140	68 Fitzgerald Street, Northam	Due to the small number of lots nominated for considerable contribution “less than 30%” on Fitzgerald Street, I feel there should be no restrictions or Heritage placed on my lot or business building.	<i>Objection</i>	Noted. Within the heritage precinct, the primary objective is to ensure the conservation of those elements that contribute to the area’s significance. Not every building will be significant, and the removal or alteration of non-significant fabric or the development of these sites, is not usually a major concern. The objective is to ensure that where development does occur, it occurs in a manner which is appropriate to the significance, character and appearance of the Policy area. Modification of Policy not required.
2	DC & JD Host 56 Gordon Street, Northam	56 Gordon Street	Request for further information to determine level of acceptance/rejection of proposal. Generally we agree in principle that the preservation of the heritage fabric of the town in warranted and better late than never. However as a householder in the proposed area there are many questions we wish to ask to determine the impact if the proposal is adopted as a policy. Our property has been	Objection/Questions	Noted. With respect to the submitters’ first question, the answer is no. The Shire does not intend to undertake a property value assessment. Research has shown that heritage listings is normally not a significant factor in determining property value either at the

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		<p>rated as “considerable Contribution” however is surrounded by properties of lesser classification. So until the questions have been answered and clarification been given we must lodge that we object at this stage.</p> <p>We have read the entire associated documents on your web page and need clarification on the following points.</p> <ol style="list-style-type: none"> 1. Has property value assessment been undertaken to determine the impact of the proposal? If so can this be made available to all property owners and if not will it be conducted? <p>It may be argued values will be protected by the fact that the fabric of the street will be maintained however what impact will result from the restrictions on subdivision and proposed alterations.</p> <p>As you will be aware capital growth of properties in Northam is not strong and especially lately appears to have declined some. Development restrictions on the larger area properties in Gordon Street may have a significant impact to their value.</p> <ol style="list-style-type: none"> 2. Have proposed R code changes been 		<p>time of listing or following.</p> <p>It is, more than often, difficult to estimate the specific effects of “heritage areas” (heritage precincts) on the value of a property since heritage controls in planning schemes and/or policies <u>do not prohibit development, subdivision or demolition</u> but require the Council’s prior approval to be obtained.</p> <p>Where there is some capacity to develop a place and achieve additional development on the land without seriously compromising the heritage significance of the place, the impact on values may not be as great as where the capacity for further development is more limited.</p> <p>With respect to the submitters’ second question, all the properties that form the subject of the Gordon Street Residential Heritage Precinct are zoned “Residential R15/30” (dual-coded) by Council’s Local Planning Scheme No. 6.</p> <p>Clause 4.3.1 of the Scheme states as follows:</p> <p><i>“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</i></p>
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			<p>determined; if so can we be notified. If they haven't been determined will they be prior to the proposal being voted on by Council. Also will subdivision and multi dwellings be ruled out at the documents indicates that they will not be supported? If so will it apply to all properties or could be in the position of multi dwellings on both adjoining properties and we have restrictions due to the differences in classification.</p> <p>As our property has a back lane a previous study by Council supported subdivision activity. Will this proposal over rise the previous?</p> <p>3. In the documents there are references to items such as Planning Permissions, Heritage Impact Statements. What costs would be associated with such items? We know this is difficult to answer, as it would depend on the complexity of an application however examples would be helpful.</p> <p>4. "Not visible from the street" needs clarification for us, as it will have a significant impact for a planned extension we have. Our interpretation of the document is that our proposal would be acceptable as it is at the rear</p>		<p><i><u>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.</u></i> (underlined emphasis added).</p> <p>The dual-coding applies to all the lots that form part of the Policy Area.</p> <p>This Policy will not override Council's laneway policy. The Shire will be required to have 'due regard' for both Policies when making a recommendation to the Western Australian Planning Commission regarding a subdivision proposal in the Policy Area.</p> <p>With respect to the submitters' third question, the submitters is advised that the Shire does not have such an example.</p> <p>With respect to the submitters' fourth question, if any works are visible from the street, then the Development Guidelines for Gordon Street Residential Heritage Precinct will apply.</p> <p>As a general comment, planning officers will support any works that are deemed to comply with the <u>intent</u> of the policy. Planning policy provide <u>guidance</u> on planning, land use and development assessments and are a</p>
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			<p>of the existing dwelling, however one wall would be facing the street. It will have a significant setback (around 21m) and be obscured mostly by the existing carport and garden. The question is that we are proposing a weatherboard type cladding will we be forced to use brick on the facing wall?</p> <p>5. How restrictive will the material choice be for alterations such as hardstand for the driveway and glass around front doors? Does an application need to be submitted, to what detail of research and who makes the decision?</p> <p>We wish to do both and as far as we are aware an application is not currently required, if the proposal is approved what will be the impact on us with respect to building material and cost?</p> <p>6. Who defines “maintenance adversely affects the contributory fabric of the place”? If we perform maintenance in good faith are we likely to be picked up for a breach and what are the penalties associated with such a breach? Do all maintenance activities be ratified by council and is by discussion or restricted by a formal</p>		<p>fundamental aspect of planning. They are more <u>flexible</u> than statutory provisions, yet they play an important role in assisting how development is to be assessed, especially where discretion is to be exercised. The Shire must have due regard to its established policy and its objectives before making its decision.</p> <p>With respect to the submitters’ fifth question, the Policy encourages the use of ‘like for like’ materials and detailing. Shire officers recommended landowners / proponents contact the Shire for advice prior to submitting a formal application.</p> <p>With respect to the submitters’ sixth question, if planning officers are of the view that a proposal will adversely impact on the traditional character of the streetscape or on the contributory fabric or setting of any contributory place, the proposal will be referred to a qualified heritage consultant.</p> <p>Maintenance in good faith: The Shire’s position is to work with landowners in the Policy Area to resolve alleged breaches without the need to impose penalties.</p> <p>Maintenance activities: Maintenance activities should ideally be discussed with planning officers for advice prior to</p>
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			<p style="text-align: center;">application?</p> <p>Without experience in the application of such a proposal there seems to be many areas that could be subjective and be a matter of interpretation. This concerns us as we have plans for enhancing our property and don't want to agree to a proposal that may end up being time consuming and costly.</p> <p>Another recent observation is that council may also be confused about heritage characteristics and would appreciate your views.</p> <p>Within the last week in the heritage area of Fitzgerald Street at the corner of Gairdner Street planted sections have been altered. To our surprise limestone colored edging has been installed and we don't observe that colour material being a heritage feature in the town. Has this been overlooked in the planning of the upgrade?</p> <p>We see the proposal will go to Council for consideration after the September 18th, so can you please respond to the above questions prior to it going to a vote and also articulate how objections will be processed and resolved prior.</p> <p>Thank you for the opportunity to comment</p>		<p>submitting a formal application.</p> <p>Modification of Policy not required.</p>
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			and we look forward to your response with adequate time to consider prior to the proposal going to council and possibly being adopted as policy.		
3	Andrew Ditchburn 35 Gordon Street, Northam	35 Gordon Street	Good Idea and should go ahead	Support	Noted.
4	Pamela Peters 17 Gordon Street, Northam	17 Gordon Street	This is an excellent idea but wish it could have happened 40 or more years ago when I think of the buildings which the town has lost.	Support	Noted.
5	Doreen Parker 24 Gordon Street, Northam	24 Gordon Street, Northam	I don't really know how to respond to this, but I must certainly don't want my house on any heritage listing. If ever I was in a position to rebuild this place it would be done in the style it is now but more workable interior. I really don't believe that? has the right to first heritage list ? just for the sake of ? on.	Partial objection	Noted. The Heritage Precincts Policy does not apply to the interior design of buildings. The objective of the Policy is to ensure that where development does occur, it occurs in a manner which is appropriate to the significance, character and appearance of the Policy area. Modification of Policy not required.
6	Geoff & Kay Ruscoe 70 Gordon Street, Northam	70 Gordon Street, Northam	We have been residents of 70 Gordon Street from 1978 to 1992 as tenants and now as owners since 1993. After over 100 years it is proposed by Council that alterations and additions to the building or grounds that would limit public view of the house will no longer we allowed.	Objection	Noted. Further subdivision or amalgamation of sites within the Policy Area will not generally be supported by the Shire unless it is satisfied that: a) The proposal will not adversely impact on the traditional character

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			<p>Hopefully subdivision of the back of the block would remain acceptable, though we have previously been advised that 500mmX40m width has already been lost to Council with no compensation.</p> <p>Is this fair to innocent owners?</p>		<p>of the streetscape.</p> <p>b) Any proposed demolition of existing building(s) is consistent with the guidelines for demolition in this Planning Policy.</p> <p>c) The development proposal for the subdivided/amalgamated site reflects the patterns and proportions of the traditional development in that part of the Policy Area and is consistent with the guidelines for new development in this Planning Policy.</p> <p>d) The proposal will not adversely impact on the heritage fabric or setting of any contributory place.</p> <p>Modification of Policy not required.</p>
7	David & Raylene Sims PO Box 973 Northam	226-224 Fitzgerald Street, Northam	<p>As part owner of 226-224 Fitzgerald Street I would like to express my concern in the proposed heritage listing of the above buildings. I would like to voice my strong objection to the proposed heritage listing of the premises at 224 Fitzgerald Street, Northam.</p> <p>Avon Shearing occupied 226 Fitzgerald Street for some 26 years but has now moved. In the past 25 years the premises at 224 Fitzgerald Street has had several tenants. I appreciate the fact that you consider 226 Fitzgerald Street to be of little or no contribution to any</p>	Objection	<p>Noted.</p> <p>Places that have been assessed as making little/no contribution, redevelopment is generally permissible, but is still required to be designed to complement the traditional streetscape character of the Policy Area.</p> <p>Demolition of non-contributory buildings will generally be permissible.</p> <p>Modification of Policy not required.</p>

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heritage value, however the concern is that both 224 and 226 Fitzgerald Street are on one title.

I have had 26 years' experience in business in my town and I believe the current retail atmosphere/economic climate is not encouraging and the premises may remain unoccupied, I am certainly not optimistic the premises will be occupied in the near future. This would not be a 'good look' for Northam.

For this reason, my wife and I have agreed to sell the building. As both premises are on one title, it was our hope that the premises would attract a prospective buyer interested in redeveloping or refurbishing the site. It is my view that an attractive façade and updated interior would lend itself to a progressive, successful retail outlet, which in turn would benefit the town of Northam.

Please bear in mind that shops are on one title, so if a prospective buyer was considering purchasing the building and developing it so that it was one business premises, I wouldn't like him or her to be discouraged by the fact that the building or part thereof was heritage listed.

Having been a resident of Northam for 40 years, I appreciate the Shire's concern that

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			<p>Northam does not lose any of its heritage value. I believe that Northam has many buildings deserving a heritage listing and preservation for more so than 224/226 Fitzgerald Street.</p> <p>I also believe that an occupied, lively, busy and charming main street can only bring good things to Northam.</p>		
8	Eric Gibson	221-215 Fitzgerald Street, Northam	Common-sense should prevail to repair or replace we do not need government interference to hold up or delay improvements & developments in Northam for its buildings.	Objection	<p>Noted.</p> <p>The Heritage Precincts Policy does not seek to “hold up or delay improvements and developments”.</p> <p>The objective of the Policy is to ensure that where development does occur, it occurs in a manner which is appropriate to the significance, character and appearance of the Policy area.</p> <p>Modification of Policy not required.</p>
9	Peter Byfield	90 Fitzgerald Street, Northam	<p><u>Building Envelope</u> I understand this to mean the current structure that exists as at 19 August 2015. To be confirmed by Shire that this is correct. This being the case, I have no objection to this structure being assessed as of “considerable contribution”.</p> <p><u>Detailing of First Floor Façade</u> I understand this to mean the top floor. To be</p>	Questions/likely objection	<p>Noted.</p> <p><u>Building Envelope</u> – submitter’s understanding of the policy is correct.</p> <p><u>Detailing of First Floor Façade</u> – submitter’s understanding of the policy is correct.</p> <p><u>Use by the Northam Road Board Offices</u> – noted.</p>

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			<p>confirmed by the Shire. This being the case I have no objection to the first floor façade being assessed of “Considerable Contribution”</p> <p><u>Use by the Northam Road Board Offices</u> I have no objection to the historical use being assessed as of “considerable Contribution”</p> <p><u>Impact of Considerable Contribution assessment</u> I have no objection to the impact of this assessment on this property on this proviso that it has no impact on any further development to the balance of the property outside the current building area facing Minson Avenue and that the Minson Avenue Design Guidelines remain unaffected by the policy. This needs to be confirmed by the Shire.</p>		<p><u>Impact of Considerable Contribution assessment</u> – Within the heritage precinct, the primary objective is to ensure the conservation of those elements that contribute to the area’s significance. The removal or alteration of non-significant fabric or the development of a site that has been assessed to be of Considerable Contribution, is not a major concern. The objective of the Policy is to ensure that where development does occur, it occurs in a manner which is appropriate to the significance, character and appearance of the Policy area.</p> <p>Modification of Policy not required.</p>
10	State Heritage Office Received 14/9/15	N/A	<p>The following comments are made on behalf of the State Heritage Office:</p> <ol style="list-style-type: none"> 1. It is encouraging to see the Shire taking an active approach towards guiding the development in the Fitzgerald Street Commercial and Civic Centre Heritage Precinct and Gordon Street Heritage Precinct through the introduction of new planning policies. 2. The Shire is supported in providing two overarching guideline policies (commercial and residential) which provide detail on appropriate 	Support	<p>Noted.</p> <p>Modification of Policy not required.</p>

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			<p>development within a heritage area.</p> <p>3. We are also supportive of the specific subsections which thoroughly identify specific issues and elements relating to the Fitzgerald Street and Gordon Street Heritage Precincts, including places with considerable, some and little/no significance to the area.</p> <p>There are several places of State cultural heritage significance which fall within, and are adjacent to these heritage areas. Please note that any development proposals which may affect a State Registered Place will need to ensure that its heritage significance is retained.</p>		
Submissions Received during the Second Advertising Period					
11	Mrs Joan Williams Received 9/5/16	N/A	<p>It is agreeable to have purpose listed areas. My personal interests are for the betterment of the town of Northam.</p> <p><u>Gordon Street:</u> Extend the (heritage) area on Gordon Street from Fitzgerald Street to Throssell Street. Gordon Street being too long to be effective.</p> <p>Shorten the (heritage area) distance by half of Chidlow Street, then Chidlow through to Throssell Street. Include houses immediately east and west for at least two blocks. A real heritage area compact and not spread too far.</p> <p><u>Fitzgerald Street:</u></p>	Support/Suggestions	<p>Noted.</p> <p>The suggestions are welcomed but final consideration of the Policy does not depend on it.</p> <p>Modification of Policy not required.</p>

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			<p>Close Fitzgerald Street from Gordon Street to Grey Street, a closed mall to all vehicle traffic; garden oriented shopping mall. There is access from the shops in that section of Fitzgerald Street to the areas behind from Wellington Street and Minson Avenue for vehicle access re goods inwards/outwards also Northam Boulevard.</p> <p>Upgrade the appearance of the shops to be more attractive; Shire of Northam to apply to the State Government for funding to update the appearances of the shops. Small 'pop up' seasonal shops. Smaller shops are more inviting.</p> <p>Not modernising/updating the shops to extreme, in preference to the appearance of plain shops that look derelict. People will want to set up businesses in a welcoming garden environment.</p> <p>Fitzgerald Street in its present state does not attract future business.</p> <p>Attached copy listing Northam businesses and houses in 1932.</p>		
12	Isabella (Belle) Moore	N/A	My personal interest is for Northam Heritage, for building locations and heritage sites to be appreciated and conserved for the future. Northam has a significant role in the advancement and development of the Avon &	Support/Suggestions.	<p>Noted.</p> <p>The suggestions are welcomed but final consideration of the Policy does not depend on it.</p>

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		<p>Wheatbelt region.</p> <p>Fitzgerald Street to be closed between Gordon and Grey Streets, Minson Avenue and Wellington Street to be made one-way streets corresponding to the closed section of Fitzgerald Street. Improve the drab appearance of Fitzgerald Street, without going overboard and maintaining historic site etc.</p> <p>Gordon Street to be expanded in smaller sections, extending at least 3 blocks east and west, developing an extended heritage precinct.</p>		<p>Modification of Policy not required.</p>
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

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ATTACHMENT 2 – LPP18 AS ADVERTISED

Shire of Northam Local Planning Scheme No.6
Local Planning Policy No.18 – Heritage Precincts



LOCAL PLANNING SCHEME NO.6

LOCAL PLANNING POLICY NO.18
'Heritage Precincts'

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 'deemed provisions for local planning schemes' or 'deemed provisions') 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 deemed provisions.

1.2 Relationship of this Policy to the Scheme and Part 3 of the deemed provisions for local planning schemes

If a provision of this Policy is inconsistent with the Scheme and the deemed provisions, the Scheme and the deemed provisions prevail.

This Local Planning Policy is not part of the Scheme and the deemed provisions 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.

1.3 Relationship of this Policy to State Planning Policy 3.5 – Historic Heritage Conservation

If a provision of this Policy is inconsistent with *State Planning Policy 3.5 – Historic Heritage Conservation*, the State Planning Policy prevails.

2. APPLICATION OF THE POLICY

2.1 Purpose

The purpose of this Local Planning Policy is to ensure that additions or alterations to existing buildings and new development maintains and complements the traditional streetscape character of the Fitzgerald Street and Gordon Street Heritage Precincts.

2.2 Application

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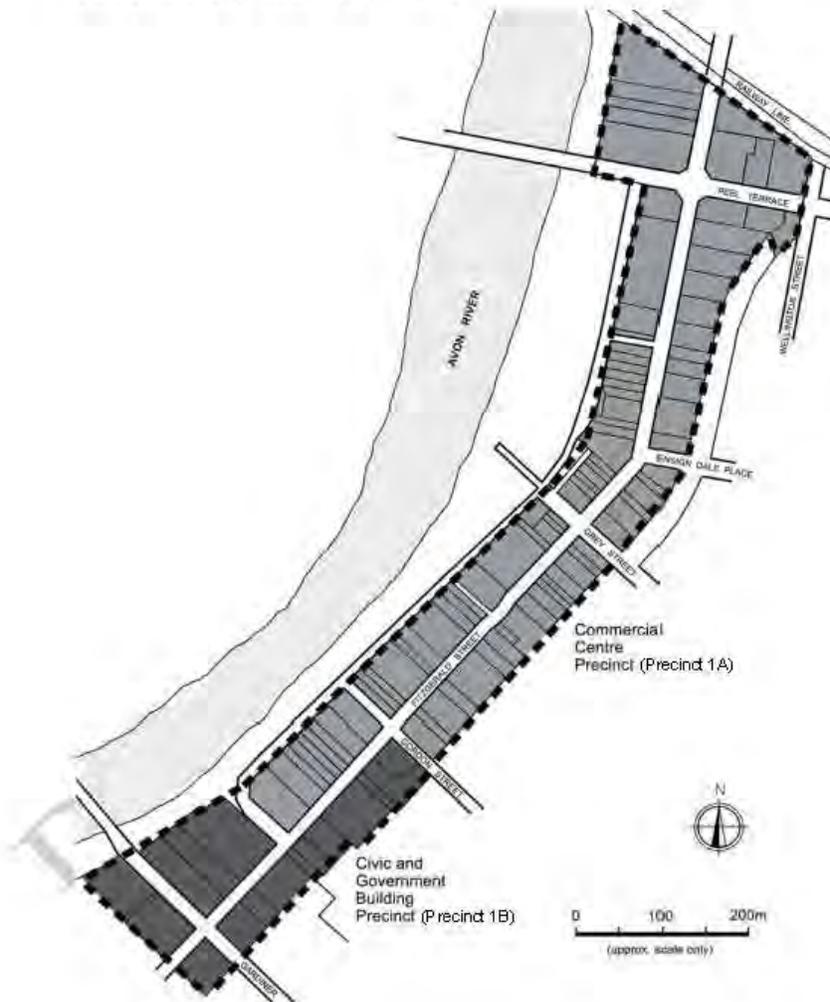
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This Policy applies to all land within the: -

- Fitzgerald Street Commercial (Precinct 1A) & Civic Centre Heritage Precinct (Precinct 1B) Policy Area; and
- the Gordon Street Residential Heritage Precinct Policy Area.

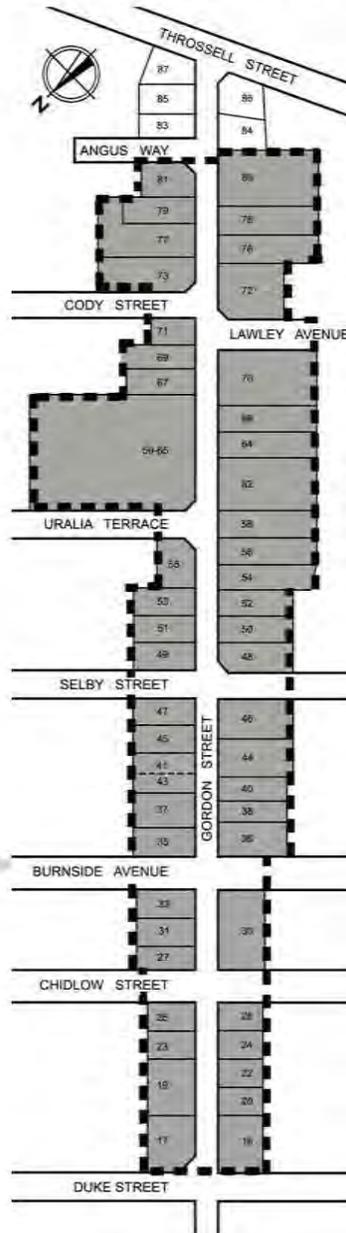
Figure 1: Policy Area: Fitzgerald Street Commercial (Precinct 1A) & Civic Centre Heritage (Precinct 1B) Precincts



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Figure 2: Policy Area: Gordon Street Residential Heritage Precinct (Precinct 2)



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2.3 Relationship of this Policy to other Local Planning Policies, Municipal Heritage Inventory and Development Guidelines

This Policy is to be read in conjunction with: -

- Local Planning Policy No. 2 – Site Development and General Construction Guidelines;
- Local Planning Policy No. 16 – Signage;
- *Northam Municipal Heritage Inventory, September 2012*;
- Design Guidelines for the Fitzgerald Street Commercial & Civic Centre Heritage Precinct (refer Appendix 1 of this Policy); and
- Development Guidelines for the Gordon Street Residential Heritage Precinct (refer Appendix 2 of this Policy).

3. **POLICY OBJECTIVES**

The primary objectives of this Policy are to –

- a) Conserve and protect the cultural heritage significance of the respective Heritage Precinct Policy Areas;
- b) Ensure that new buildings, alterations and additions can be accommodated within the respective Policy Areas without adversely affecting the Policy Areas' significance;
- c) Conserve the contributory fabric of those places which have been identified as making a considerable or some contribution to the Policy Area's cultural heritage values and traditional streetscape character; and
- d) Provide improved certainty to landowners and community about the planning processes for development within the area.

4. **APPROVAL REQUIREMENTS**

4.1 Development Control Principles and Relevant Considerations for Development Assessment

In considering any Development Applications in relation to a place located within a Heritage Precinct, the Shire of Northam will apply and have regard to the: -

- matters set out in section 6.5 of the State Planning Policy 3.5 Historic Heritage Conservation;
- development control principles set out in sections 6.5 and 6.6 of the State Planning Policy 3.5 Historic Heritage Conservation;
- design guidelines set out in Appendix 1 and Appendix 2 of this Policy; and
- structural condition of a contributory place, and whether a place is reasonably capable of conservation.

4.2 Need for a Building Permit

A Building Permit (and/or Demolition Permit) is required to be sought and issued for any structures prior to on-site works commencing. Building Permit fees and levies are payable in accordance with the current Shire of Northam Fees and Charges.

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5. **PRECINCT 1 – FITZGERALD STREET COMMERCIAL AND CIVIC CENTRE HERITAGE PRECINCT**

5.1 Background

This Policy highlights the importance of the *Fitzgerald Street Commercial & Civic Centre Heritage Precinct* as a focal point of the Shire of Northam's town centre. It outlines the heritage values of the area, lists the key features that underpin the traditional character of the streetscape (as developed in the period c.1890-1950), identifies the contributory places and elements, and provides guidelines to assist property owners and the Shire to achieve good development outcomes within an important heritage context.

Fitzgerald Street was a well-established and prosperous commercial street by the end of the first decade of the twentieth century and, despite highs and lows, continued to grow and prosper through the early interwar years. Development slowed dramatically with the onset of the Great Depression in 1929, but in the late 1930s projects such as the construction of a chain store by G J Coles Ltd and a new National Australia Bank illustrated renewed confidence in the importance of Northam as a regional centre. Further retail confidence was engendered by the establishment of a large military camp in Northam during World War II, and by the post-war influx of migrants and refugees.

Development undertaken since the mid-twentieth century has included demolition of a number of the early twentieth century buildings, and a mixture of sympathetic and unsympathetic alterations and new development. However, the underlying character of the traditional streetscape can still be readily understood and the aim of this policy is to ensure that additions or alterations to existing buildings and new developments maintain and complement the traditional streetscape character of the precinct.

5.2 Statement of Significance

5.2.1 *Precinct 1A – Fitzgerald Street Commercial Heritage Precinct*

The cultural heritage values of the section of Fitzgerald Street that extends from Beavis Place to the railway line to along the western side of the road and from Gordon Street to the railway line along the eastern side of the road include:

- Its role as the commercial heart of Northam since the beginning of the twentieth century;
- The traditional character of the core of this area as a largely continuous row of predominantly single storey shops and professional suites, interspersed by two storey banking chambers and hotels;
- The manner in which the contributory buildings illustrate the progressive development and prosperity of Northam during the early twentieth century and inter-war eras (c.1890-1950).
- The manner in which the streetscape contributes to a 'sense of place' for the Northam community – with reference to its aesthetic, historic and social values as the traditional town centre.

5.2.2 *Precinct 1B – Fitzgerald Street Civic Centre Heritage Precinct*

The cultural heritage values of the section of Fitzgerald Street that extends from the Gairdner Street intersection to Beavis Place along the western side of the road and from the Gairdner Street intersection to Gordon Street along the eastern side of the road include:

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- The aesthetic, historic and cultural values associated with the development of the Northam Post Office and two substantial government office buildings in this area in the period c.1909-1913;
- The aesthetic, historic and cultural values associated with the development of the civic centre of Northam in this area from the late 1920s;
- The aesthetic, historic and cultural values associated with the development of other community service buildings in this area in the post WWII era (comprising the RSL Hall and Ambulance Station);
- The aesthetic and historic values associated with the progressive development of the Northam Flour Mill and the Avon Bridge Hotel adjacent to the Avon River Bridge since the mid-nineteenth century. This includes their landmark qualities at one of the primary entrances to the town centre.

5.3 Levels of Contribution

Places within the Policy Area will fall into one of the following categories, as depicted in figures and tables below.

Table 1: Precinct 1 – Fitzgerald Street Commercial (1A) & Civic Centre (1B) Heritage Precinct

LEVEL OF CONTRIBUTION	DESCRIPTION	DESIRED OUTCOME
Considerable contribution	These places have generally retained clear evidence of their traditional external detailing, character and/or form to all or part of the street façade(s), are prominent streetscape elements and/or have important historical associations.	Conservation of the place is highly desirable. Any external alterations or extensions should reinforce the significance of the area, in accordance with the Design Guidelines.
Some Contribution	These places are generally more modest examples of the retail/commercial development of the early to mid-twentieth century and/or have undergone more substantial external alterations over time (particularly to the ground floor shopfronts and awnings).	Conservation of the place is desirable. Any external alterations or extensions should reinforce the significance of the area, in accordance with the Design Guidelines.
Little / No Contribution	These places have been assessed as making no particular contribution to the cultural heritage values of the Policy Area. They are typically buildings that were constructed after World War Two and include some buildings that were designed in a manner that is compatible with the traditional streetscape, as well as some that are intrusive (in form, scale, detailing and/or materials).	Existing fabric does not need to be retained. Any new (replacement) development on the site should reinforce the significance of the area, in accordance with the Design Guidelines.

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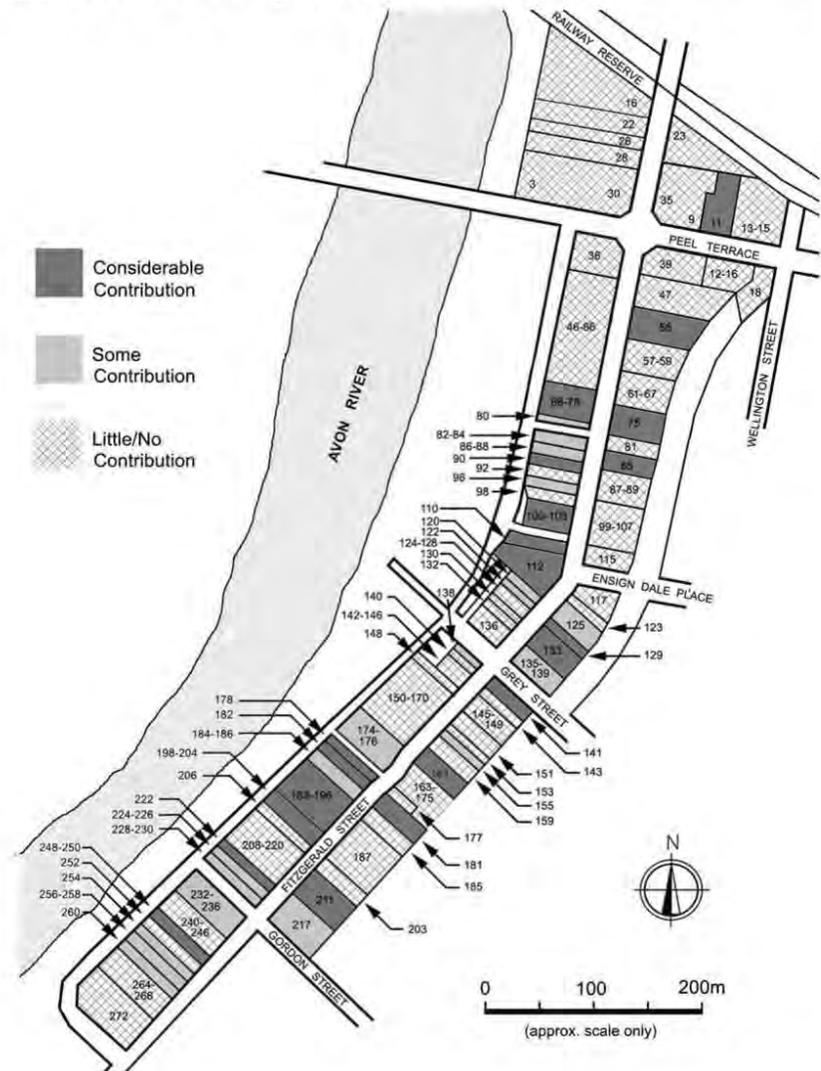
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Figure 3: Precinct 1A – Commercial Precinct – Levels of Contribution (to be read in conjunction with Table 2 below, which provides further information about how this relates to the component parts of each place).

Note: While some of the premises constructed since 1950 are sympathetic with the traditional streetscape these are not considered to be contributory places within the context of the cultural heritage values of the Commercial Precinct.



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Table 2: Precinct 1A – Commercial Precinct - Levels of Contribution

Considerable Contribution	Some Contribution	Little/No Contribution
<ul style="list-style-type: none"> • 55 Fitzgerald Street • 68-78 Fitzgerald Street <i>This relates to the very early shopfront to #70 and the other traditional timber framed shopfronts to #s 74 & 76.</i> • 75 Fitzgerald Street • 85 Fitzgerald Street • 90 Fitzgerald Street <i>This relates to the building envelope and the detailing of the first floor façade. It also relates to its historical use by the Northam Road Board offices.</i> • 100-108 Fitzgerald Street <i>This relates to the form and detailing of the parapet and early detailing to the shopfronts to #s 102 and 108.</i> • 110 Fitzgerald Street • 112 Fitzgerald Street • 129 Fitzgerald Street • 133 Fitzgerald Street • 141 Fitzgerald Street • 161 Fitzgerald Street • 178 Fitzgerald Street • 181 Fitzgerald Street • 182 Fitzgerald Street <i>This primarily relates to the detailing of the mid-twentieth century shopfront.</i> • 188-196 Fitzgerald Street • 198-204 Fitzgerald Street <i>This relates to the building envelope, the traditional form and detailing of the parapet and the early shopfront to #202.</i> • 211-215 Fitzgerald Street <i>This relates to the building envelope and the traditional form and detailing of the parapet.</i> 	<ul style="list-style-type: none"> • 80 Fitzgerald Street <i>This relates to the building envelope, the detailing of the first floor façade, the Nind Street facade and the original parapet.</i> • 82-84 Fitzgerald Street <i>This relates to the form and detailing of the parapet and the shopfront to #82.</i> • 86-88 Fitzgerald Street <i>This relates to the general building envelope and the openings to the first floor façade.</i> • 96 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 120 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 122 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 125 Fitzgerald Street <i>This relates to the building envelope of the original house and shop and the original parapet.</i> • 135-139 Fitzgerald Street <i>This relates to the general building envelope and surviving original detailing (noting that the authenticity of the place has been diminished by later alterations)</i> • 138 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 155 Fitzgerald Street <i>This relates to the building envelope and the traditional form and detailing of the parapet.</i> • 174-176 Fitzgerald Street • 177 Fitzgerald Street <i>This relates to the general building envelope and the historical associations of the</i> 	<ul style="list-style-type: none"> • 16 Fitzgerald Street • 22 Fitzgerald Street • 23-25 Fitzgerald Street • 26 Fitzgerald Street • 28 Fitzgerald Street • 30 Fitzgerald Street • 36 Fitzgerald Street • 39 Fitzgerald Street • 47 Fitzgerald Street • 46-48 Fitzgerald Street • 58-66 Fitzgerald Street • 57-59 Fitzgerald Street • 61-67 Fitzgerald Street • 81 Fitzgerald Street • 89 Fitzgerald Street • 92 Fitzgerald Street • 98 Fitzgerald Street • 99-107 Fitzgerald Street • 115 Fitzgerald Street • 117 Fitzgerald Street • 123 Fitzgerald Street • 124-128 Fitzgerald Street • 130 Fitzgerald Street • 132 Fitzgerald Street • 136 Fitzgerald Street • 140 Fitzgerald Street • 142-146 Fitzgerald Street • 143 Fitzgerald Street • 145-149 Fitzgerald Street • 148 Fitzgerald Street • 150-170 Fitzgerald Street • 151 Fitzgerald Street • 153 Fitzgerald Street • 159 Fitzgerald Street • 165-175 Fitzgerald Street

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Considerable Contribution	Some Contribution	Little/No Contribution
<ul style="list-style-type: none"> • 222 Fitzgerald Street • 239 Fitzgerald Street • 245 Fitzgerald Street • 211-215 Fitzgerald Street <i>This relates to the form, detailing and materials of the parapet.</i> • 263 Fitzgerald Street • 265 Fitzgerald Street • 305 Fitzgerald Street • 11 Peel Terrace 	<p><i>place.</i></p> <ul style="list-style-type: none"> • 184-186 Fitzgerald Street <i>This relates to the general building envelope and its Inter-War style adaptations.</i> • 217 Fitzgerald Street <i>This relates to the building envelope and the traditional form and detailing of the parapet.</i> • 224-226 Fitzgerald Street <i>This relates to the form and detailing of the parapet and the form and detailing of the shopfront to #224.</i> • 232-236 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 228-230 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 254 Fitzgerald Street <i>This relates to the form and detailing of the parapet and to the end walls of the shopfront.</i> • 256-258 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 260-262 Fitzgerald Street <i>This relates to the form and detailing of the parapet.</i> • 269 Fitzgerald Street • 277 Fitzgerald Street • 325 Fitzgerald Street 	<ul style="list-style-type: none"> • 185 Fitzgerald Street • 187 Fitzgerald Street • 203 Fitzgerald Street • 206 Fitzgerald Street • 208-220 Fitzgerald Street • 240-246 Fitzgerald Street • 243 Fitzgerald Street • 252 Fitzgerald Street • 264-266 Fitzgerald Street • 272 Fitzgerald Street • 281 Fitzgerald Street • 3 Peel Terrace • 9 Peel Terrace • 12-16 Peel Terrace • 13-15 Peel Terrace • 18 Peel Terrace

Figure 4: Precinct 1B – Civic Centre Precinct – Levels of Contribution (to be read in conjunction with Table 3 below, which provides further information about how this relates to the component parts of each place).

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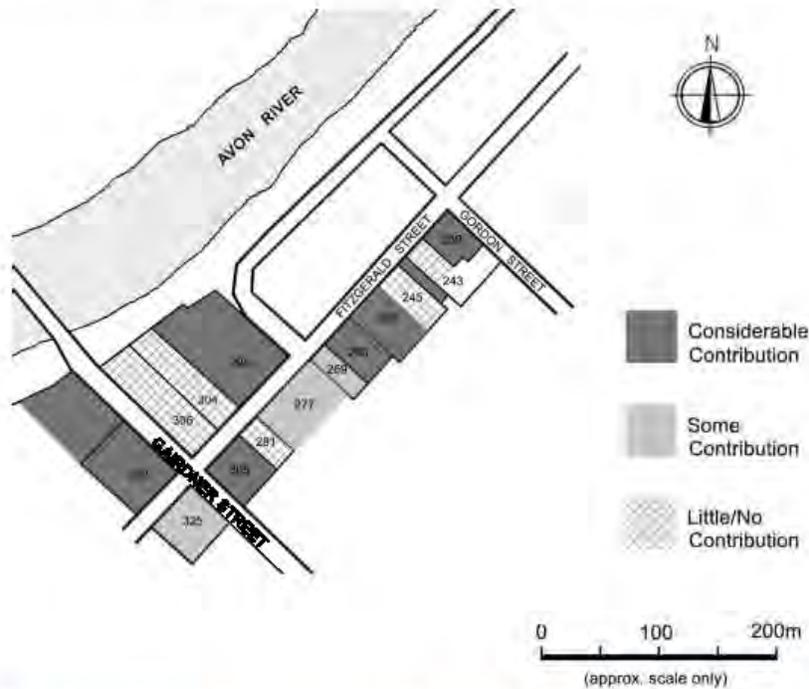


Table 3: Precinct 1A – Civic Centre Precinct - Levels of Contribution

Considerable Contribution	Some Contribution	Little/No Contribution
<ul style="list-style-type: none"> • 239 Fitzgerald Street • 245 Fitzgerald Street • 263 Fitzgerald Street • 265 Fitzgerald Street • 305 Fitzgerald Street 	<ul style="list-style-type: none"> • 243 Fitzgerald Street • 269 Fitzgerald Street • 277 Fitzgerald Street 	<ul style="list-style-type: none"> • 243 Fitzgerald Street • Carpark attached to 263 Fitzgerald Street • 281 Fitzgerald Street

6. PRECINCT 2 – GORDON STREET HERITAGE PRECINCT

6.1 Background

The town of Northam is situated approximately 100 kilometres east of Perth, in the Avon Valley. This fertile area, which was explored by Ensign Dale in 1830, attracted agricultural settlers from the Swan River Colony, who were eager to obtain large grants of land. Between 1830 and 1870, Northam developed as an important agricultural area and service centre for other Avon Valley towns.

Northam was established as a municipality in 1879, but the development of the town was slow until the 1890s, when Northam became the point of departure for the railway to the Western Australian goldfields. In the early twentieth century the population continued to increase as more land in the Avon Valley

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and the surrounding area was acquired by farmers, who used new methods to increase and improve agricultural yields from their properties.

Residential development within the *Gordon Street Residential Heritage Precinct* appears to have commenced at the beginning of the twentieth century. This included four large gentlemen's villas, which helped to establish the character of the street as a desirable place of residence – 'Cody House' (77 Gordon Street, constructed for Michael Cody, pre-1903); 'Uralia' (59-65 Gordon Street, constructed in 1903 for George Throssell); 'Belrieve' (30 Gordon Street, constructed in 1903 for James Byfield, now known as Byfield House); and A.W. Byfield's house (80 Gordon Street, constructed in c.1904 for Alfred William Byfield). Good quality homes were also built along the street other local business and professional men, interspersed by a small number of modest cottages.

By circa 1913 there were about 20 houses, plus the Freemasons Lodge, within the Precinct.

No further development appears to have taken place along this section of Gordon Street between 1914 and c.1922, after which infill development was encouraged by further subdivisions and land sales, including the Uralia estate (around Uralia Avenue) and Alfred Byfield's property (at the top of Gordon Street). By 1937 the number of houses within the Study Area had nearly doubled, with 19 houses along both the south-western and north-eastern sides of the street.

During that time, local business and professional men continued to be the owner/occupiers of new houses in Gordon Street, indicating that it had maintained its reputation as a desirable place of residence – and earning the street the colloquial name, 'Nobs Hill'.

Development then ceased until the post WWII era and 11 of the existing houses were constructed after 1945 – only one of which was constructed on the site of a former house (#50).

6.2 Statement of Significance

The cultural heritage values of the residential heritage area defined by 17-81 and 16-80 Gordon Street, Northam include:

- Its role as a desirable place of residence during the early twentieth century – as illustrated by the colloquial reference to this area as 'Nobs Hill';
- The historical, social and cultural values associated with its initial development with gentleman's villas on spacious estates, together with the suburban houses of local businessmen and public servants in the period c.1900-1913;
- Its direct association with a number of Northam's prominent business and professional men, plus local and state politicians, including:
 - James Byfield, wheelwright & coach builder, miller, farmer, and building contractor; Northam councillor, serving as mayor in 1893 (#30)
 - Alfred William Byfield, building contractor and farmer; Northam councillor, serving as mayor in 1916-1921 (80-82 Gordon Street. House severely damaged by fire, 1924).

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- Michael Cody, hotel proprietor (#77)
- Albert Redvers George Hawke, MLA (#19)
- Henry John Leeder, farmer, publican, breeder of thoroughbred horses and racing identity (#35)
- Patrick Pearson Lyon, solicitor (#17)
- James William Purslowe, wheelwright, carpenter and undertaker (#22)
- Joseph Thomas Reilly, journalist and newspaper proprietor (#40)
- James Albert Rogers, grocery and hardware merchant (#45)
- James Spargo Nicholls, printer and newspaper proprietor (#46)
- George Lionel Throssell, merchant and machinery importer (#59-65)
- The historical and aesthetic values associated with its consolidation as a desirable 'middle class' residential address, when further development (including subdivision of some of the larger estates) took place during the Inter-War era (and more specifically in the period c.1922-1937);
- The post 1950 development is generally consistent in scale and form but does not contribute to the assessed cultural heritage values of the street.

6.3 Levels of Contribution

Places within the Policy Area will fall into one of the following categories, as depicted in Figure and List below.

Table 4: Precinct 2 –Gordon Street Residential Heritage Precinct

LEVEL OF CONTRIBUTION	DESCRIPTION	DESIRED OUTCOME
Considerable contribution	These places have generally retained clear evidence of their traditional external detailing, character and/or form, are prominent streetscape elements and/or have important historical associations.	Conservation of the place is highly desirable. Any external alterations or extensions should reinforce the significance of the area, in accordance with the Design Guidelines.
Some Contribution	These places are generally more modest examples of local residential (or associated) development and/or have undergone more substantial external alterations over time.	Conservation of the place is desirable. Any external alterations or extensions should reinforce the significance of the area, in accordance with the Design Guidelines.
Little / No Contribution	These places have been assessed as making no particular contribution to the Gordon Street Residential Heritage Precinct.	Existing fabric does not need to be retained. Any new (replacement) development on the site should reinforce the significance of the area, in accordance with the Design Guidelines.

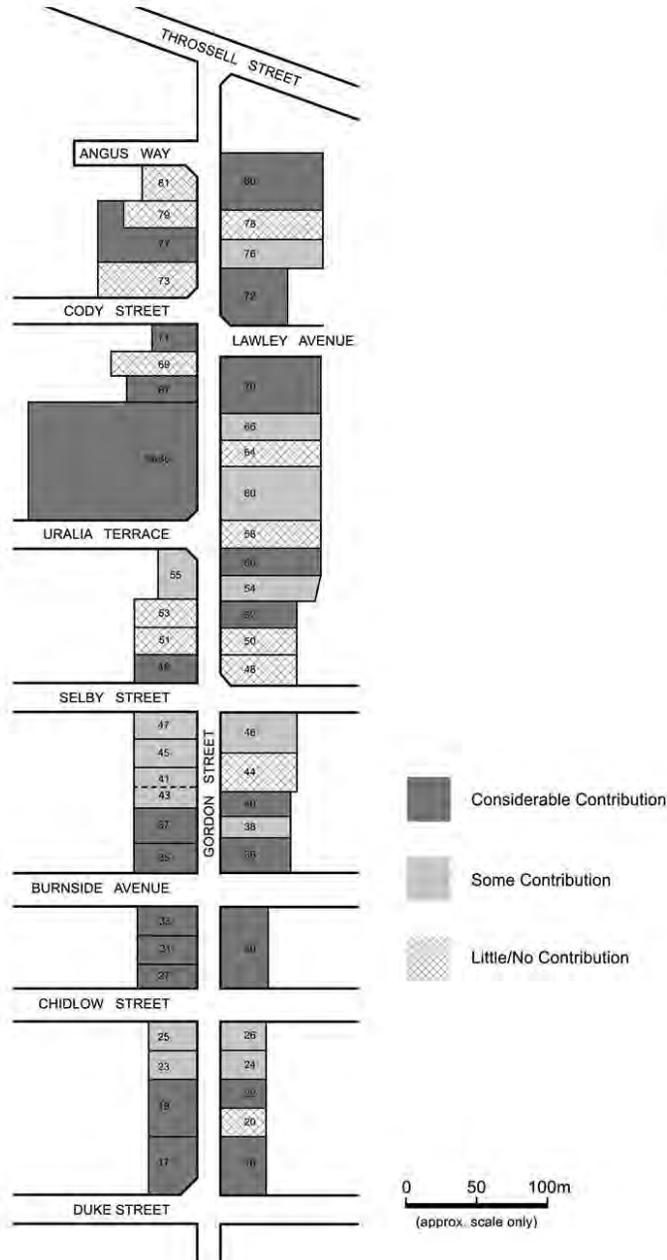
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Figure 5: Precinct 2 – Gordon Street Residential Precinct – Levels of Contribution (to be read in conjunction with Table 5 below, which provides further information about how this relates to the component parts of each place).



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Table 5: Precinct 2 – Gordon Street Residential Heritage Precinct - Levels of Contribution

Considerable Contribution	Some Contribution	Little/No Contribution
<ul style="list-style-type: none"> • 16 Gordon Street • 17 Gordon Street • 19 Gordon Street • 22 Gordon Street • 27 Gordon Street • 30 Gordon Street • 31 Gordon Street • 33 Gordon Street • 35 Gordon Street • 36 Gordon Street • 37 Gordon Street • 40 Gordon Street • 49 Gordon Street • 52 Gordon Street • 56 Gordon Street • 59 Gordon Street • 67 Gordon Street • 70 Gordon Street • 72 Gordon Street • 71 Gordon Street • 77 Gordon Street • 80 Gordon Street 	<ul style="list-style-type: none"> • 23 Gordon Street • 24 Gordon Street • 25 Gordon Street • 26 Gordon Street • 38 Gordon Street • 41-43 Gordon Street (semi-detached houses) • 45 Gordon Street • 46 Gordon Street • 47 Gordon Street • 54 Gordon Street • 55 Gordon Street • 60 Gordon Street • 66 Gordon Street • 76 Gordon Street 	<ul style="list-style-type: none"> • 20 Gordon Street • 44 Gordon Street • 48 Gordon Street • 50 Gordon Street • 51 Gordon Street • 53 Gordon Street • 58 Gordon Street • 64 Gordon Street • 69 Gordon Street • 73 Gordon Street • 78 Gordon Street • 79 Gordon Street • 81 Gordon Street

The buildings and spaces within the *Gordon Street Residential Heritage Precinct* are considered to have collective cultural heritage values that contribute to the statement of cultural heritage significance (above). Individually they range from highly significant buildings (some of which have been recognised through entry in the State Register of Heritage Places) through to places that make a general contribution to the history and traditional streetscape character of the area. Additionally, there are a number of places that do not contribute to the assessed heritage values, although most of these are still of a compatible scale and form.

A professional assessment of the historical and physical values of each of the following places determined their level of contribution to the traditional streetscape.

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7. APPLICATIONS FOR PLANNING APPROVAL – ACCOMPANYING MATERIAL

The Shire of Northam may require an applicant to provide one of more of the following to assist the local government in the determination of its application. This is additional to the requirement for accompanying material set out in Clause 63 of Part 8, Schedule 2 of the deemed provisions for local town planning schemes (*Planning and Development (Local Planning Schemes) Regulations 2015*).

7.1 Heritage Impact Statement

Consistent with the provisions of Clause 11 of Part 3, Schedule 2 of the deemed provisions for local planning schemes, if a proposal will have a substantial impact on the exterior fabric of a place of Considerable Contribution or Some Contribution, the local government may require a heritage impact statement to be submitted addressing three main questions:

- How will the proposed works affect the significance of the place and area?
- What alternatives have been considered to ameliorate any adverse impacts?
- Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

If a proposal affects a place that is entered in the State Register, or a large or complex place of Considerable significance, the local government may require a Conservation Plan to be prepared. Such cases will be rare.

7.2 Structural Condition Assessment in the case of demolition

If structural failure is cited as a justification for the demolition of a place of Considerable significance or Some significance, evidence should be provided from a registered structural engineer that the structural integrity of the building has failed, to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs.

7.3 Archival Recording in the Case of Demolition

If a proposal is for the demolition of a place of Considerable significance or Some significance, the local government may require the applicant as a condition of approval to submit an archival record of the place, prior to the commencement of development.

The archival record is to be in accordance with the State Heritage Office's standard for archival recording.

7.4 Council Owned Property

The Shire of Northam will seek to lead by example by managing its own property within the Policy Areas in accordance with this Policy.

Date Adopted:

Date Effective:

Date Reviewed:

Next Review:

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ATTACHMENT 3 – LPP18 APPENDIX 1 AS ADVERTISED

Local Planning Scheme No.6
Local Planning Policy No.18 – Heritage Precincts
Appendix 1: Design Guidelines for the Fitzgerald Street Heritage Precinct  Shire of Northam

- APPENDIX 1 -
LOCAL PLANNING POLICY NO.18
'Heritage Precincts'

DEVELOPMENT GUIDELINES FOR
THE FITZGERALD STREET HERITAGE PRECINCT

1. INTRODUCTION

1.1 Scope

These Development Guidelines:

- a) Relate specifically to the parts of each place that impact on the character of the streetscape;
- b) Address the conservation and development of contributory places;
- c) Address the manner in which alterations to non-contributory places, or redevelopment of these sites, impacts on the traditional streetscape character.

Alterations, additions or other works that are not visible from the street do not need to comply with these guidelines.

Explanatory notes and examples have been included in separate text boxes.

1.2 Application of the Development Guidelines

These guidelines need to be carefully considered as part of the design process for any works that impact on the streetscape within the Policy Area, with the aim of achieving a high standard of development that protects/enhances contributory places and the traditional streetscape character. Issues to be considered on a case-by-case basis include the level of significance of the subject place and the nature of the place and its detailing. Consideration also needs to be given to the level of contribution and character of nearby places and the manner in which the new development will visually impact on their setting.

An underlying principle of these guidelines is that loss of, or unsympathetic alteration to, the surviving traditional elements of contributory buildings and/or the construction of new unsympathetic building fabric, would erode the heritage significance and character of the area as a whole. Variation to these guidelines will therefore generally only be considered where the applicant submits a Heritage Impact Statement that satisfactorily demonstrates that the outcome will be consistent with the overall intent of the Planning Policy.

2. CONSERVATION PRINCIPLES

The following principles should be applied to all works affecting the street facades of contributory buildings:

- a) The key positive features/elements of the Fitzgerald Street Commercial & Civic Centre - Heritage Precinct should be retained and enhanced.
- b) When undertaking repairs or alterations to a contributory place, change as little of the contributory fabric as possible.

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- c) Where conservation works are necessary, match the traditional techniques, materials, profiles and finishes as far as practical.

For example: The aesthetic qualities of traditional face-brick work are often diminished by mortar repairs that do not match the style, colour and quality of finish of the traditional mortar joints. Physical damage can also be caused by the use of modern cement rich mortars to replace softer lime-rich mortars, as this can accelerate fretting of the brickwork where there is a problem with penetrating damp.

- d) When undertaking reconstruction of missing or severely deteriorated heritage fabric, base the new works on an investigation of any physical and documentary evidence, and/or a sound understanding of the traditional detailing of comparable structures.
- e) When upgrading or replacing non-contributory elements, the work should either reconstruct the place to a known earlier state (as above) or interpret the traditional detailing in a sympathetic modern manner (reinforcing the key positive features/elements of the precinct).
- f) New building fabric should be discernible at close inspection, and should not obscure an understanding of the original scale and design of the place.

In general, it is recommended that conservation works be undertaken in accordance with The Australia ICOMOS Charter for Places of Cultural Significance (*The Burra Charter*).

Conservation of original interior detailing is generally encouraged as a positive heritage outcome, but alterations, additions or other works that do not impact on the streetscape are not covered by these guidelines.

3. **STREETSCAPE CHARACTER AND KEY FEATURES**

3.1 **Commercial Centre Precinct**

The following key features underpin the traditional character of the streetscape:

- Largely continuous row of buildings at the core of the commercial streetscape;
- Mixture of single and two-storey facades dating from the Federation and Inter-War eras;
- Important landmark quality of the more substantial two-storey bank and hotel buildings scattered along the street;
- Prominent horizontal lines defined by elements such as parapets, string courses, verandahs/awnings (horizontal rhythms);
- Façade arrangements with prominent vertical elements and repeated vertical details, such as pilasters and window patterns (vertical rhythms);
- Roofs generally concealed by parapets from a close ground level view, but with important glimpses of elements such as chimneys in some instances;
- Articulated or highly articulated parapets with varied detailing;
- Use of verandahs and awnings across the street frontage of shops and hotels (notwithstanding that some of the present awning and verandah designs are inappropriate);

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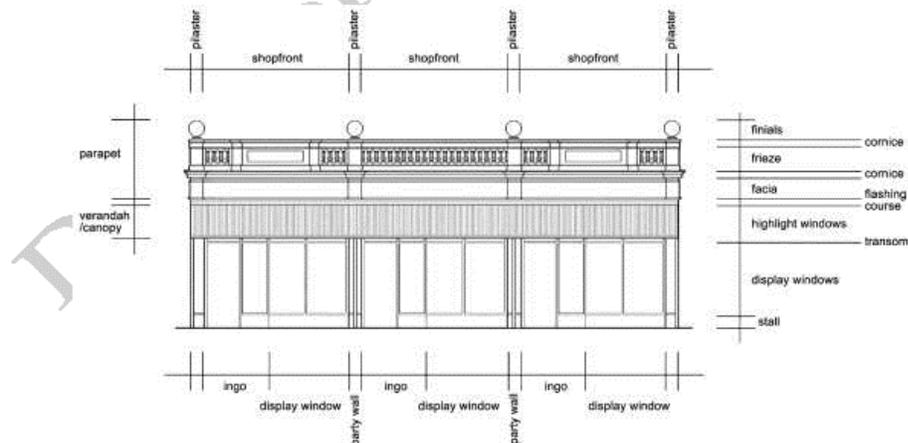
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- Traditional early twentieth century use of raked, bullnose or concave verandahs set on robust chamfered posts and the late Inter-War introduction of slimline suspended boxed awnings;
- Lack of verandahs and awnings across the street frontage of the monumental bank buildings and Federation Free style offices;
- High level of articulation to the traditional shopfronts, with particular reference to the use of recessed entries (ingos), pilasters, plinths/stalls and highlight windows;
- Traditional use of contrasting materials including red face-brick, part rendered and rendered walls and parapets;
- High ratio of window to wall to ground floor shopfronts;
- Lower ratio of window to wall for hotels and banking building;
- Building alignments at or near the street boundary;
- Varied block widths, but typically developed with a regular pattern of smaller shopfronts or bays;
- Transition to a more open, mixed streetscape at the northern end of the Study area, around Peel Terrace (reflecting the development of this area with a mixture of houses, motor garages, light engineering works and small factories in the early to mid-twentieth century); and
- Street trees (note these were an established part of the early twentieth century streetscape, although the original trees had been removed by the 1903s).

Figure 1: Examples of the traditional elements that define the vertical and horizontal rhythms of the commercial streetscape



The following key features detract from the traditional character of the streetscape:

- Painting or rendering of original face brick walls;

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- Use of strong, modern, corporate colours that detract from the traditional character and detailing of a Federation or Inter-War style building;
- Removal of verandah/balconies from two storey buildings that included this element as a key feature of the original design;
- Replacement of original verandahs with deep boxed awnings (particularly to shopfronts dating from the pre-1930 era and where this conceals some of the traditional parapet detailing from pedestrian views);
- Addition of new verandahs that are inconsistent with the date and style of the building (considering issues such as traditional proportions, alignments and/or detailing);
- Use of plain shopfronts that sit flush to the street and do not interpret the articulation and detailing of the traditional shopfronts;
- Modern developments that have:
 - Long frontages that do not interpret the traditional vertical and horizontal rhythms of the streetscape
 - Large setbacks from the street frontage(s)
 - A low ratio of window to wall along the ground floor street frontage (and which otherwise fail to interpret this important element);
 - Large plain parapets with little or no articulation
 - Facade materials that do not complement the traditional building materials (such as large areas of cream brick), and/or
 - Colour schemes that do not harmonise with the traditional streetscape.
- Low level of maintenance to some parapets and shopfronts;
- Large open carparks.

3.2 Civic Centre Precinct

The following key features underpin the traditional character of the streetscape:

- Free-standing buildings of varied sizes and building envelopes;
- Varied setbacks;
- Varied block widths;
- Manner in which these buildings illustrate the changing design of civic and government buildings from c.1910 to the present day;
- Key early twentieth century landmark buildings including the:
 - Northam Post Office, 239 Fitzgerald Street
 - Northam Lands Office (fmr), 263 Fitzgerald Street
 - Goldfields Water Supply (fmr), 305 Fitzgerald Street
 - Avon Bridge Hotel, 322 Fitzgerald Street
 - Northam Flour Mill, 6 Gardiner Street
- Key mid-late twentieth century landmark buildings, being the:
 - Northam Town Council Offices & Library, 298 Fitzgerald Street
 - RSL Hall, 265 Fitzgerald Street
 - St John Ambulance Building, 269 Fitzgerald Street

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4. KEY DEVELOPMENT CONSTRAINTS AND OPPORTUNITIES

For those places that have been assessed as contributory, opportunities for alterations and additions are constrained by the need to conserve contributory fabric, ameliorate any previous unsympathetic alterations, and avoid any adverse visual or physical impacts on the traditional streetscape presentation. It should be noted however, that some of these constraints also create positive business and tourism opportunities relating to the heritage character of the individual place and the town centre.

For those places that have been assessed as making little/no contribution, redevelopment is generally permissible, but is constrained by a requirement to complement the traditional streetscape character of the Policy Area.

The key development constraints are summarised below:

- Contributory buildings should not generally be demolished;
- The contributory fabric and traditional streetscape character of contributory buildings should be conserved;
- Conservation works (as relevant to this policy) should generally form an integral part of any major works proposals for contributory buildings;
- New development should respect the bulk, scale, setbacks and detailing of nearby contributory buildings and not adversely impact on streetscape views to those places;
- Street front development should remain at one to two storeys, as defined by the traditional floor to ceiling and parapet heights along the street;
- Any higher development should be set back from the street and designed so that it does not unduly impact on streetscape views.
- The design of new buildings and major additions, as visible from the main street frontage(s), should respond to, and complement, the vertical and horizontal rhythms and the other key positive features/elements of the traditional streetscape.

It is not the intention of this policy that new development should mimic the contributory buildings, but rather that high quality modern design should be applied in a complementary manner. Innovative solutions should be investigated, as necessary, to achieve the desired development outcomes without adversely impacting on heritage values.

5. GENERAL GUIDELINES

5.1 Subdivision and Amalgamation

Further subdivision or amalgamation of sites within the Policy Area will not generally be supported by the Shire unless it is satisfied that:

- a) The proposal will not adversely impact on the traditional character of the streetscape.
- b) Any proposed demolition of existing building(s) is consistent with the guidelines for demolition in this Planning Policy.
- c) The development proposal for the subdivided/amalgamated site reflects the patterns and proportions of the traditional development in that part of the Policy Area and is consistent with the guidelines for new development in this Planning Policy.
- d) The proposal will not adversely impact on the contributory fabric or setting of any contributory place.

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5.2 Demolition

In considering an application for demolition the Shire shall have due regard to the following:

- a) Applications for demolition of a building, or any part of a building that is visible from the street, will be required to demonstrate that the building fabric to be demolished does not contribute to the heritage significance or traditional streetscape character of the Policy Area.
- b) Demolition of part of the rear section of a contributory place may be acceptable, but this must include the retention of a meaningful section of the front portion of building. Retention of the façade only (as a 'skin' to a new building) will generally not be considered.
- c) If it is considered that conservation is not viable due to the degree of structural deterioration, the Shire may consider demolition approval for all or part of a contributory building on the grounds of structural inadequacy, as demonstrated by a detailed structural condition assessment (to be prepared by a qualified structural engineer at the expense of the applicant).

In these cases, the Shire may also seek their own independent advice from a structural engineer with experience in the conservation of heritage buildings.

- d) If there is evidence that structural inadequacy is a result of a long-term lack of maintenance (otherwise known as demolition by neglect), reconstruction to a known earlier state may be required.
- e) Demolition approval will not generally be considered for a contributory building solely on the grounds of economic/other gain for redevelopment of the land.
- f) Demolition of non-contributory buildings may be permissible, however, the Shire may defer consideration of the application for demolition of any building that addresses the main street frontage(s) until there is a planning approval granted for a new building that complies with this Planning Policy.

5.3 Alterations – general principles for contributory buildings

The detailing of parapets, verandah/awnings, shopfronts, first floor facades and roofscapes, are all dominant features of both the current and traditional streetscape.

In considering an application for alterations to contributory buildings, the Shire shall have due regard to the following:

- a) New works should not distort an understanding of the original design.
- b) Alterations should not generally remove, change or obscure contributory fabric or detailing (except as part of required conservation works or as essential to meet universal access requirements or other current building standards). This includes, but is not limited to, works impacting on parapets or visible roof forms; materials; wall finishes and details; windows and window openings; and doors and door openings.
- c) Alterations should not introduce new 'heritage' detailing that is inconsistent with the style of the building and/or the physical or documentary evidence, as this distorts an understanding of the original character and design of the place.

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- d) Where original fabric has been previously removed or unsympathetically altered, restoration/reconstruction of the street facades and verandahs/awnings to their original form and detailing is encouraged, where practical. This should be based on evidence such as remaining traces of earlier fabric and/or old photographs of the place.

In the absence of sufficient physical or historical information about the individual place, conjectural reconstruction of a missing element or a complementary modern interpretation of the element is generally supported. Conjectural reconstruction or interpretation should be based on an informed analysis of other places of the same age, style, scale and level of detail.

- e) If contributory fabric has deteriorated to the point where it requires replacement, the use of 'like for like' materials and detailing is encouraged. However, the introduction of alternative materials and techniques that have a similar appearance to the original may also be acceptable, provided the new fabric will not adversely impact on the streetscape character of the place.
- f) As far as practical, restoration/reconstruction of damaged or missing detailing should be undertaken as an integral part of any major development/works programs.

5.4 Additions to contributory buildings

New additions should ideally be located at the rear of a contributory building and not impact on streetscape views.

Where additions to the side of a contributory place are the only feasible option, they should be set back from the main façade by a minimum of 1.2m.

Where upper storey additions to a contributory place are the only feasible option, they should be set below the line of sight from the opposite side of the street.

If any proposed additions will be visible from the street, the Development Application will need to clearly document the bulk of the proposed addition in relation to the contributory building and its relationship to a line of sight for a pedestrian standing on the opposite footpath. If the addition will be clearly visible in such views (either above or to the side of the building), or if it may adversely impact on public views to another near-by contributory building, the Shire may require a Heritage Impact Statement to be prepared by the applicant.

Additions that are visible from the main street frontage(s) should be carefully designed to:

- a) Respect the scale, massing, proportions and materials of the existing building and its key design elements;
- b) Enable the traditional design and scale of the contributory place to be readily understood;
- c) Ensure the original part of the building remains the prominent element in streetscape views to the site;
- d) Not adversely impact on public views of this or other near-by contributory buildings.

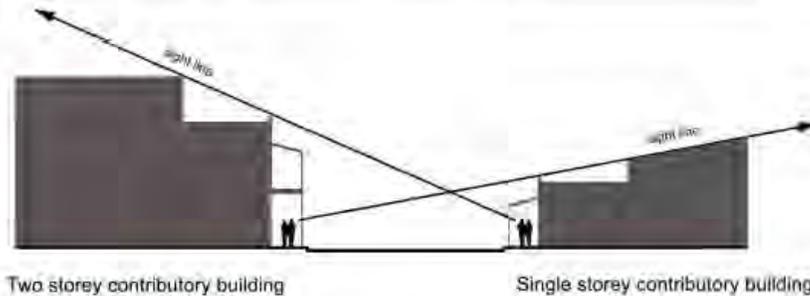
Figure 2: Indicative sight lines for upper floor additions to contributory places.

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5.5 Change of use for contributory buildings

Where a change of use is proposed, particular care needs to be taken to ensure that any required works do not adversely impact on the contributory fabric. In particular, the traditional rhythm and detailing of the doors and windows, and the proportion of openings to walls, should be maintained.

For example, if a former shop is being adapted as an office, the shop-front windows should not be blocked up or removed, and alternative methods for achieving the required level of privacy should be considered (such as using the window bay as an information display area or for other community purposes, such as historical displays or public art).

Similarly, if a former bank or office is adapted for retail purposes it may not be appropriate to increase the level of street front exposure by widening window openings or creating new openings.

5.6 New development and alterations/additions to non-contributory buildings

The heritage values of the Policy Area are embodied in the contributory buildings. New development on non-contributory sites and alterations/additions to non-contributory buildings present an opportunity for good modern design that complements the traditional streetscape character in that area and harmonises with the nearby contributory buildings, without overtly mimicking heritage styles or detailing.

In designing new buildings, it should be noted that different styles were traditionally used for shops, hotels, offices and banks. Subject to the visual impact on the traditional streetscape, this can be used to influence new design and maintain the diversity and vitality of the Policy Area.

- a) When relevant new works are proposed, consideration should be given to adapting or replacing features that are intrusive within the context of the traditional streetscape character with more sympathetic detailing.

This should be informed by the list of the key features that contribute to or detract from the traditional character of the streetscape under Sections 2.2 (Civic and Government Building Precinct) and 2.3 (Commercial Precinct).

For example: a simple modern interpretation of a traditional verandah/awning or of a traditional shopfront can have a significant impact on the manner in which a non-contributory building complements the streetscape.

- b) The construction of a new building will generally only be considered where the guidelines for subdivision/amalgamation and demolition and have been met, as relevant (see above).

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- c) At the street frontage, new development and alterations/additions should generally be single storey (although well-designed two-storey buildings could help to reinforce some of the corner sites on the main cross roads).
- d) New buildings and additions should not adversely impact on public views to any near-by contributory buildings.

For example: if a large new building is proposed adjacent to a small single storey contributory building, the bulk, scale, setbacks and detailing at the street frontage should be carefully designed to ensure that it does not overwhelm the contributory place.

- e) Where visible, side facades were typically of a simple, functional design and largely free of decorative detailing, unless designed to formally address a cross street. This should generally be reflected in new development.
- f) 'Reproduction' heritage designs and ornate 'heritage' detailing (such as turned timber verandah posts, Victorian era iron lacework or Federation era timber valances, overtly classical mouldings etc) detract from an understanding and appreciation of the original buildings and will generally not be supported.

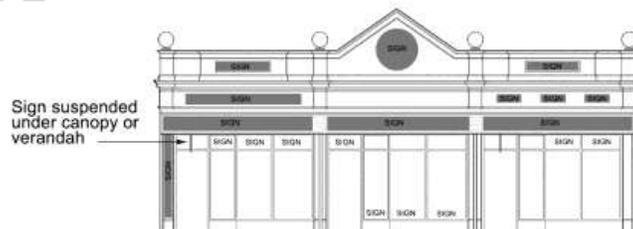
For example: a slimline boxed awning or simple raked verandah is generally more appropriate for a modern building than a bullnose verandah.

5.7 Signage

Within the Policy Area it is important to strike a balance between the needs of businesses to have adequate exposure, and the need to ensure that new signage does not become a dominant element that detracts from the aesthetic qualities of the area.

The location and design of retail and commercial signage in the early to mid-twentieth century was highly diverse. For example, panels or painted signs were located on the face of parapets, over or under verandahs, on the leading edge of awnings, to stall boards, on side walls, etc. Painted signs were also applied to roofs, shopfront display windows and to the glazing of upper floor windows. Diversity is therefore supported, but new signage should still be carefully designed as a complementary element of both the individual place and the streetscape.

Figure 3: Examples of appropriate signage locations



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Figure 4: Examples of inappropriate signage



Where a provision of the Shire of Northam Local Planning Policy No.16 – Signage is inconsistent with the guidelines for the *Fitzgerald Street Commercial & Civic Centre - Heritage Precinct*, this Policy prevails:

- a) The design of new signage should be complementary to the traditional streetscape in terms of size, location, colour, proportions, etc.
- b) Simple modern signage is generally appropriate. Unless it is based on historical evidence, or directly linked to the function of the building, elaborate "olde worlde" styles and typefaces are not generally appropriate.
- c) New signs should not obscure or detract from a significant feature of, or streetscape views to, any contributory place.
- d) Signage should be designed in size and proportion to complement the proportions of the place and the element on which they are mounted (e.g. laid out symmetrically within the face of an awning, within a plain panel to the parapet or vertically along the face of an otherwise plain pier).
- e) Signage on shop windows should be designed to retain open views into the shop and/or to displays of goods within the shopfront area (e.g. windows should not be painted out or views obscured by large or multiple decals).
- f) The mounting of new signs should not require the removal of, or undue damage to, any contributory fabric. Any fixing holes etc should be able to be satisfactorily repaired when the sign is removed at a future date.

5.8 Colour Schemes

Colour schemes should be complementary to the traditional character of the streetscape while still retaining a level of diversity and interest (see also Section 3.4.9, Public Art).

- a) Where repainting of contributory facades is proposed, reinstatement of original colour schemes is encouraged. Any new colour scheme should sympathetically interpret traditional colour schemes, as relevant to the age and style of the place.

Note: In the early twentieth century, light to medium colours were typically used for painted walls, with either lighter or darker contrasting colours for mouldings, verandah posts and trim. For complex trim or rendered moulding, additional complementary colours were sometimes used to accentuate the detailing. During the inter-war years, however, paint schemes were generally more restrained with fewer colours used, although strong contrast was often provided by the use of glazed tiles in colours such as dark red, brown or dark green.

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Historical photographs of shop fronts dating from the first half of the twentieth century can also provide important information about 'typical' colour variation across the different parts of a façade and the balance of light and dark.

The range of paint colours was relatively limited prior to World War II, and the simplest method of choosing a 'traditional' paint scheme for a contributory building is to refer to the 'heritage' paint charts provided by many of the commercial paint companies (particularly at their web sites).

In many cases, physical evidence of former paint schemes can be investigated by paint scrapes (using a sharp scalpel to cut diagonally through the paint layers), by careful sanding or by applying successive layers of chemical strippers to small areas to reveal the layers of old paint. The aim of the last two methods is to carefully reveal the various layers of paint by working in either concentric circles or "ladders" (retaining sections of each level for comparison). As different colours are likely to have been applied to various features, the investigation should consider the different parts of the building – noting that surface colours may have faded over time and that the lowest layer, and possibly some intervening layers, are likely to have been undercoats.

A comparison of the findings of these investigations with colours from 'heritage' paint charts can help owners approximate the original and later colour schemes. This can then be used as the basis for reinstating an early colour scheme, interpreting that scheme to suit personal preferences, or selecting a complementary modern scheme.

If a fully authentic result is desired, professional advice and analysis is recommended.

- b) Contributory fabric that is unpainted (such as face-brick walls) should not be rendered or painted.
- c) Where some of the painted surfaces of a contributory building were traditionally unpainted careful removal of the paint and conservation of the underlying surface is encouraged, if practical. If the painted finish is to be retained, any new paintwork should aim to interpret the traditional colours to the different parts of the façade. This includes differentiation between the main wall finish and original detailing such as contrasting stringcourses, nameplates, quoins, plinths etc.

For example: Painted brick walls could be repainted in a dark brown or red, selected to closely match the colour of the original brickwork.

- d) Where there is more than one shop within a single original development, the parapet or upper level should have a unified colour scheme. Expression of individual identity should be reflected in signage and shop displays rather than wall colour.
- e) Where repainting of non-contributory buildings is proposed, this should use a palette that is complementary to both the overall streetscape and the style of the individual place. However, 'heritage' colour schemes are not required, and are generally not appropriate, for non-contributory buildings or modern infill.
- f) Visually prominent 'corporate' colour schemes that are inconsistent with the traditional character of the streetscape will generally not be supported.

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- g) Painted signs should not be applied to face-brick walls to the main façade of any building.
- h) Modern company and business signs and logos should not dominate the façade of a contributory building or detract from an appreciation of the traditional character of the street. Such signs may need to be adapted to be consistent with these guidelines.
- i) Externally mounted illuminated signs are generally not appropriate.
- j) Large projecting or tethered signs are generally not appropriate.
- k) Evidence of early signage adds to the heritage value of contributory places and should generally be conserved. For example, this could include moulded lettering to parapets, lettering to shopfronts or evidence of old painted signs to side walls.
- l) Advertising by means of the painting of building facades in bold corporate colour schemes will generally not be supported.

5.9 Public Art

- a) The theme of public art within the Fitzgerald Street Commercial & Civic Centre - Heritage Precinct should aim to interpret aspects of the history of the area in a manner that conveys information, encourages interest and/or inspires imagination about the past, as well as adding to the vibrancy of the streetscape.
- b) If public art is proposed in the form of murals, this should generally be restricted to non-contributory buildings. For contributory buildings murals should only be considered for previously painted surfaces and should generally be restricted to areas such as side walls (where these are visible to side streets or the side of two storey buildings).

5.10 Off street parking

Specific requirements for the Commercial Precinct include:

- a) Where required, off-street parking should be located towards the rear of the site or otherwise landscaped/screened to minimise the impact on the main street frontage
- b) Access to parking areas should generally be from side streets or rear lanes.
- c) Treatment of any essential access-ways off Fitzgerald Street should be based on the streetscape in the immediate area. For example, where a sense of nil side setbacks is warranted, then details such as well-designed gates set within a continuous façade may be appropriate design techniques for new development.
- d) Where the Shire is satisfied that a requirement for off-street car parking for a new development cannot be achieved without adversely impacting on the traditional streetscape character of the Commercial Precinct, the Shire may approve a variation of these requirements if this will achieve a positive heritage outcome.

5.11 Incidental development

- a) Any new solar systems, climate control systems, telecommunications equipment, exhaust vents, or other modern services should be to be installed in locations that are not intrusive in views to the place from the

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main street frontage(s).

- b) Roof mounted services and plants rooms should be located towards the rear of the place or concealed behind parapets.

5.12 Maintenance

- a) Where issues relating to current or potential deterioration of the contributory fabric are identified, maintenance or repair is encouraged, but is not required as a stand-alone project under this Planning Policy.
- b) If major works are proposed to a contributory building, maintenance (and any other urgent conservation works) should generally be undertaken as an integral part of the project.
- c) Where maintenance of contributory fabric is undertaken the work should be in accordance with the conservation principles under Section 3.2.
- d) A long-term lack of maintenance, which results in structural inadequacy, may lead to a requirement for reconstruction of the contributory fabric as an integral part of any new development proposal.

6. **PRECINCT-SPECIFIC DEVELOPMENT GUIDELINES**

6.1 Civic and Government Offices Precinct

The nature of this area as a collection of diverse landmark heritage buildings, does not lend itself to the development of specific streetscape guidelines.

All new works should be consistent with the general guidelines set out in Section 5.

6.2 Commercial Precinct – Central Commercial Area

6.2.1 Development Pattern

The significance of the core of the Commercial Precinct (to the south of Peel Terrace), and of the individual contributory places, relies in part on the traditional pattern of development along the street. Consistent front boundary building alignments are a key feature of the core of this area. Block widths vary, but the facades are generally articulated in a manner that reflects the development of continuous rows of small shops, interspersed by two storey bank and hotel buildings and a small number of two storey shops and offices.

- a) New development should generally incorporate a nil setback to the street front boundary, with the exception of recessed entries that interpret traditional ingos (see Figure 7).
- b) Shopfronts and shopfront offices should have a full width verandah or canopy, extending over the footpath.
- c) Side setbacks should generally be nil, as viewed from the street frontage.
- d) All new development should be oriented at right angles to Fitzgerald Street.
- e) New, open pedestrian access ways between the street and rear areas will only be permitted if this is essential for an otherwise compatible development and there are no other alternatives. In this case the access way should be carefully designed as a secondary streetscape element and not disrupt the overall sense of continuity of the street facades.
- f) New vehicular access off Fitzgerald Street will not generally be supported.
- g) Off-street car parking areas should not be visible from Fitzgerald Street.

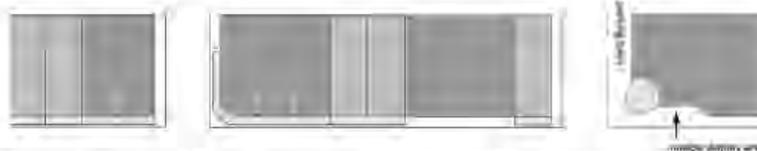
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Figure 5: Examples of appropriate and inappropriate development patterns



Appropriate development

- larger premises articulated as narrower bays at the street frontage
- continuous row of verandahs and panopies
- traditional corner treatments

Inappropriate development:

- lots developed without reference to the traditional building or bay widths
- disruption of continuous verandah/awnings
- increased, irregular setbacks
- off-street carparking visible from the main street frontage
- open air display areas to the street frontage

6.2.2 Contributory Buildings

Refer also the general guidelines under Section 5.

6.2.3 Alterations – shopfronts

In the period leading up-to and through the inter-war era shopfronts commonly had large window display areas that were framed between a solid stall (a plinth of approximately 300-600mm high) and a row of, often multi-paned, highlight windows (above door height). The early examples had timber or brass window frames, but chrome-plated frames had also become more common by the inter-war era. Stall boards had a variety of finishes including render, timber panelling and tiles. Until at least the 1920s the entrance was usually recessed with splayed sides (increasing the effective display area of the shop front windows) and either placed centrally or at one side

Full height windows, large expanses of unframed toughened glass, very wide doorways, or large areas of solid walling to the ground floor street frontage are generally inconsistent with the detailing used in this era.

Note: Good examples of traditional shopfronts include #s 70, 74, 76, 82, 102, 108, 192-196 and 202.

Good examples of later Inter-War and early Post-WWII shopfronts include #s 178 and 182

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Figure 6: Traditional shopfront details

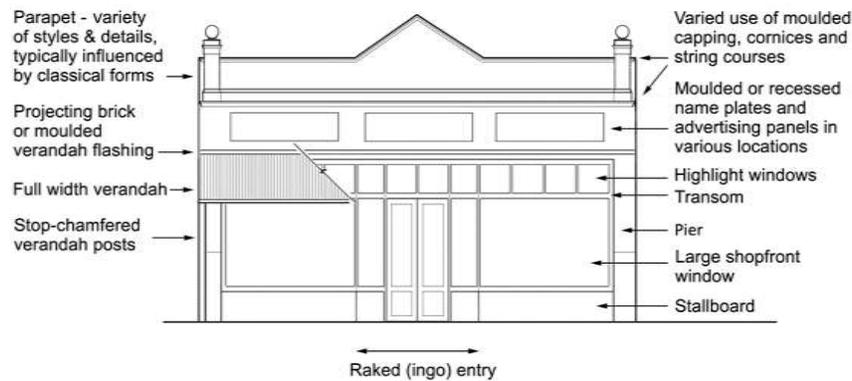


Figure 7: Traditional shopfront entries



Early twentieth century shops traditionally had raked recessed entries, which were either located on one side of the shopfront or centrally. Known as an ingo, the raked entry increased the shopfront display area and added variation and interest to the streetscape.

The majority of the ground floor shopfronts have been altered over time and often bear little relationship with the character of surviving original detailing to the parapets/upper floors. In order to complement the traditional streetscape character and reinforce the sense of place, the surviving original/early shopfronts should be conserved and the progressive replacement of unsympathetic shopfronts is encouraged.

a) Contributory shopfront detailing should be conserved.

Removal or major alterations will not generally be supported where a shopfront is original to the building or where a later shopfront displays valued design features.

b) If the shopfront is not significant and a new shopfront is proposed, any of the following options are acceptable:

- Reinstatement to a known earlier state (based on historical or physical evidence);
- Conjectural reconstruction based on an informed analysis of other places of the same age, style, scale and level of detail;
- A simple modern interpretation of traditional shopfront proportions and detailing.

c) If two or more shops are amalgamated as one business, care should be taken to retain/interpret the original rhythm of the earlier separate shopfronts.

d) If modification is essential to reasonably meet universal access or other

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health and safety requirements, the works should involve the minimum possible alteration to original fabric and be detailed to complement the original design.

6.2.4 Alterations – verandahs/awnings

Verandahs and awnings are important elements that make a major contribution to the character of the Commercial Precinct and the amenity of the footpaths, but the early to mid-twentieth century examples have generally been extensively altered over time. This reflects a trend throughout Australia in the 1950s and 60s, when verandah posts were perceived as a traffic hazard and the original verandahs were progressively removed and/or replaced with deep, boxed awnings. Modern engineering solutions can now permit the reinstatement of verandahs or traditional cantilevered awnings in a manner that addresses safety concerns.

- a) Reconstruction of verandahs to a known earlier appearance is generally encouraged, noting that the design will need to be sympathetically adapted as required to meet current engineering and safety standards.
- b) Where there is evidence that a verandah previously existed, but the details are not fully known, either of the following options will be supported:
 - Conjectural reconstruction, based on the available evidence and an informed analysis of other places of the same age, style, scale and level of detail;
 - A simple modern interpretation of the traditional verandahs and awnings along the street in a design that complements the contributory place.
- c) Verandahs/awnings should not be attached to the street façade of contributory buildings that did not traditionally have this feature, unless:
 - It will achieve other important functional requirements; and
 - It can be demonstrated by the applicant that the new work will not unduly impact on the cultural heritage values of the place.

If a new verandah/awning is supported under these circumstances, it should be of a simple modern design that is compatible with the traditional streetscape, and does not confuse an understanding and appreciation of the original design of the place.

When reconstructing/recreating verandahs, particular care should be taken to ensure that the roof form is compatible with the design of the façade; the verandah springs from an appropriate height below the parapet (often marked by a slightly protruding brick course which acted as part of the flashing); posts are a traditional size; and that any detailing (such as friezes and brackets) is authentic. It should also be noted that a variety of roof forms were used for single storey buildings (see Figure 11), while two-storey shops and hotels usually had verandah/balconies with timber or decorative cast iron balustrades, brackets and valances – adding diversity and interest to the streetscape. Gutters were typically ogee profile (set over timber scotias) and downpipes were round. PVC downpipes are not appropriate.

Verandahs with stop-chamfered timber posts were the norm during the first part of the twentieth century, but from the 1920s, cantilevered awnings began to become more common. The fascias of the early boxed awnings were thinner than the deep boxed awnings that became popular in the post-war era – giving them a lighter feel when viewed from the street and allowing better views of the

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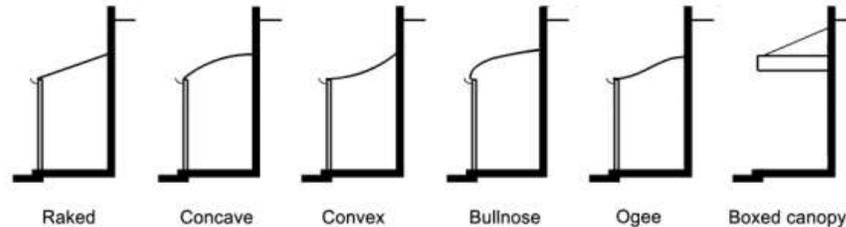
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parapet detailing. Another common feature of early boxed awnings was the use of decorative pressed metal soffits, which enlivened the pedestrian area.

Figure 8: Traditional verandah roofs



6.2.5 Alterations – parapets, first floor facades and roofscapes

Parapets and first floor facades generally retain a relatively high level of original detailing, which embodies much of the heritage character of the streetscape. Original parapets, raised pediments, pilasters, finials (in forms such as balls and urns), name-plates or recesses, cornices and string courses, rendered/face-brick finishes, first floor openings, chimneys etc. are all important elements.

- a) Contributory detailing to the parapets, upper floors and roofscapes should be conserved. Removal or major alterations will not generally be supported where the form and/or detailing is original to the building.
- b) Conservation of deteriorated, altered or missing elements (including restoration and well informed reconstruction) is encouraged where practical.

6.2.6 New development and additions to non-contributory buildings

Refer also the general guidelines under Section 5.

- a) Within the Commercial Precinct, new development and additions to non-contributory buildings should respond sympathetically to the following key issues in order to maintain and reinforce the traditional streetscape character:
 - Largely consistent front boundary building alignments;
 - Traditional prominence of zero side setbacks;
 - Traditional prominence of one-two storey verandahs and cantilevered awnings;
 - Traditional prominence of well-articulated parapets;

Note: For long frontages these utilise repetitive and/or feature bays rather than large expanses.

- Use of a variety of detailing, which achieves a level of vitality and emphasises the identity of the individual buildings, while still creating a cohesive streetscape;
- Articulation of the facades of shops and offices, with particular reference to:

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- Vertical rhythms, as defined by elements such as party walls, parapet panels, pilasters and first floor windows (see Figure 3);
- Horizontal rhythms, as defined by elements such as parapets, floor levels, verandahs, awnings, and window sills (see Figure 3);
- High ratio of window to wall on the ground floor and articulated shopfronts (including elements such as recessed entries, framed display windows, highlight windows and stalls);
- Lower ratio of window to wall on upper floors, with vertically proportioned openings;
- Traditional use of a mixture of dark-red face-brick, rendered, and part rendered walls.

Note: New development can use traditional materials or a careful use of modern materials that interprets these in a complementary manner (considering texture, balance and colour).

- b) Frontages to Fitzgerald Street should be designed to provide a strong engagement with the street at all times. Large areas of plain walling or obscure glass, windows that are largely covered with signage, roller doors and shutters are generally discouraged.

6.3 Commercial Precinct – Area Adjacent to and North of Peel Terrace

The character of this area is quite distinct from the nearby core of the commercial precinct. In particular, its nature as a more open, mixed streetscape reflects its varied development with houses, motor garages, light engineering works and small factories in the early to mid-twentieth century.

All new works in this area should be consistent with the general guidelines set out in Section 3.2 (as relevant to the existing development on each site and in the immediate area). Within this context, particular care should be taken to conserve Northam House (11 Peel Terrace) as one of the original substantial shops in the town, and to support the development of an appropriate streetscape setting for this place.

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ATTACHMENT 4 – LPP18 APPENDIX 2 AS ADVERTISED

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- APPENDIX 2 -
LOCAL PLANNING POLICY NO.18
‘Heritage Precincts’

DEVELOPMENT GUIDELINES FOR
THE GORDON STREET RESIDENTIAL HERITAGE
PRECINCT

1. INTRODUCTION

1.1 Scope

These Development Guidelines:

- a) Relate specifically to the parts of each place that impact on the character of the traditional streetscape;
- b) Address the conservation and development of contributory places;
- c) Address the manner in which alterations to non-contributory places, redevelopment of these sites, or infill development impacts on the traditional streetscape character.

Alterations, additions or other works that are not visible from the street do not need to comply with these guidelines.

Explanatory notes and examples have been included in separate text boxes.

1.2 Application of the Development Guidelines

These guidelines need to be carefully considered as part of the design process for any works that impact on the streetscape, with the aim of achieving a high standard of development that protects/enhances contributory places within, and the traditional streetscape character of, a Residential Heritage Precinct. Issues to be considered on a case-by-case basis include the assessed cultural heritage values and traditional streetscape character of the specific Residential Heritage Precinct, the level of significance of the subject place and the nature of the place and its detailing. Consideration also needs to be given to the level of contribution and character of nearby places and the manner in which the new development will visually impact on their setting and the local streetscape views.

An underlying principle of these guidelines is that loss of, or unsympathetic alteration to, the surviving traditional elements of contributory buildings and/or the construction of new unsympathetic building fabric, would erode the heritage significance and character of the area as a whole. Variation to these guidelines will therefore generally only be considered where the applicant submits a Heritage Impact Statement that satisfactorily demonstrates that the outcome will be consistent with the overall intent of the Planning Policy.

Note: Where places have been entered in the State Register of Heritage Places, the Shire of Northam must also seek the input from the State Heritage Office. In these cases, additional development conditions may be applied (to both external and internal works) in order to achieve an appropriate conservation outcome.

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2. CONSERVATION PRINCIPLES

The following principles should be applied to all works affecting the street facades of contributory buildings:

- a) The key positive features/elements of the Residential Heritage Precinct should be retained and enhanced.
- b) When undertaking repairs or alterations to a contributory place, change as little of the contributory fabric as possible.
- c) Where conservation works are necessary, match the traditional techniques, materials, profiles and finishes as far as practical.

For example: The aesthetic qualities of traditional face-brick work are often diminished by mortar repairs that do not match the style, colour and quality of finish of the traditional mortar joints. Physical damage can also be caused by the use of modern cement rich mortars to replace softer lime-rich mortars, as this can accelerate fretting of the brickwork where there is a problem with penetrating damp.

- d) When undertaking reconstruction of missing or severely deteriorated heritage fabric, base the new works on an investigation of any physical and documentary evidence, and/or a sound understanding of the traditional detailing of comparable structures.

For example: If the verandah of an early twentieth century house was replaced in a different style in the mid-late twentieth century, looking at other similar, but more intact, houses in Northam will help to identify the detailing that would be appropriate for a more sympathetic new verandah. Key elements include the style of the posts, the shape and materials of the roof, the design of any end panels and the height of the verandah.

- e) When upgrading or replacing non-contributory elements, the work should either reconstruct the place to a known earlier state (as above) or interpret the traditional detailing in a sympathetic modern manner (reinforcing the key positive features/elements of the precinct).
- f) New building fabric should be discernable at close inspection, and should not obscure an understanding of the original scale and design of the place.

In general, it is recommended that conservation works be undertaken in accordance with The Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

Conservation of original interior detailing is generally encouraged as a positive heritage outcome, but alterations, additions or other works that do not impact on the streetscape are not covered by these guidelines.

3. KEY FEATURES / ELEMENTS OF THE GORDON STREET RESIDENTIAL HERITAGE PRECINCT

The following features/elements of the Policy Area form the basis for specific development guidelines.

3.1 Key Positive Elements and Characteristics

The characteristics that underpin the traditional character of this streetscape include the:

- The historical and aesthetic contribution of landmark buildings dating from the beginning of the twentieth century, including the former Masonic Hall, Byfield House and Uralia;

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- Relatively narrow road and wide verges;
- Use of brown gravel to the verges (which interprets traditional unsealed verges);
- Use of brown/red asphalt to the footpaths (interprets traditional compacted earth footpaths);
- Traditional street planting of Kurrajong trees;
- Typical use of low front fences, a small number of which are backed by tall hedges;

Note: there is no consistent style of fencing, but examples such as simple timber pickets and timber post and rail with woven wire panels are consistent with the traditional development along the street. Low rendered walls with contrasting or projecting brick capping are also consistent with the Inter-War era.

- Varied house designs

Note: The house designs vary from modest symmetrical cottages to large asymmetrical Federation Queen Anne villas. However, overall the streetscape is unified by two primary periods of development: c.1900-1913 and c.1922-1937.

Key architectural themes include simple cottage, Federation Queen Anne villas, Federation Bungalows and Inter-War Bungalows.

- Predominance of single storey houses;
- Breakdown of the apparent bulk of the main façade(s) through the varied use of design elements such as projecting wings, shallow projecting window bays and stepped, return or straight verandahs;
- Manner in which the residential development often responded to the extensive views over the town and surrounding countryside, particularly to the north-west and south-west;
- Traditional use of hipped or gable-hipped roofs;

Note: These were enlivened by elements such as varied roof planes, decorative street-front gables (typically with half-timbered detailing), gablet vents and chimneys. They were traditionally finished with terracotta tiles or short-sheet corrugated iron sheeting.

- Prominent chimneys

Note: These vary according to the style and period of the houses, and make an important contribution to the picturesque roofscape.

- Dark, random coursed stone walls with contrasting redbrick quoins for the larger villas dating from c.1900-1914;
- Red face-brick walls;

Note: the colour and texture of the brick was often contrasted against painted or roughcast rendered surfaces

- Roughcast rendered walls;

Note: This was a popular finish in the Inter-war era and was typically used together with red face brickwork to provide varied colour and texture.

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- Front verandahs;

Note: All of the contributory houses have verandahs with either bullnose or raked roofs, each with distinctive detailing relating to the period of construction. Many of these were designed to return along one or both sides of the house, providing an outdoors living area and taking advantage of views.

- Panelled entry doors, located under the front verandah or facing the side boundary under a return verandah;

Note: Four or five panel timber doors with moulded timber architraves were common in the Federation era. In the Inter-War period high waisted doors with vertically proportioned lower panels and glazed upper panels became popular, as did full-height glazing to single or double doors.

- Narrow, vertical proportions to timber-framed double-hung or casement windows (set either individually or grouped);

Note: Stained glass (Federation era) and geometric patterned leadlight glass (Inter-War era) was commonly used for key windows, including sidelights and highlights to the main entrance.

- Raked window hoods supported by timber brackets;

Note: These were typically used over the windows to projecting wings (where these were not set under the verandah) and were sometimes also used to shade side windows.

- French doors or full-height double hung windows opening onto verandahs;
- Large, mature trees to private gardens;
- Predominant block width of about 18-20m, with larger blocks for some of the significant early villas.

Note: The block widths vary along the street from about 14-15m (some of the early cottages) to about 35-80m (the larger villa estates). However, the most typical block width is in the order of 18-20m.

- Varied front and side setbacks.

Note: Front setbacks range from about 2.5m (some of the early cottages) to as much as 35-50m (the larger villa estates). However, the majority of the houses have front gardens that are in the order of 5-10m deep, laid out with lawns, shrubs and trees.

Side setbacks also vary, but the over-riding character is of free-standing houses in a garden setting.

3.2 Key Negative Elements and Characteristics

The following elements do not necessarily reflect poor design, but are not sympathetic to the traditional character of the streetscape (as defined by the pre-1940 development)

- Gaps in the street trees;
- More recent street plantings of eucalypts and callistemon;
- The painting or rendering of traditional face brick and/or stone finishes to the street front facades;

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- The mid-twentieth century replacement of a number of roofs using metal sheeting pressed to replicate tiles;
- The mid-twentieth century replacement of some timber verandah posts with metal poles;
- Unsympathetic alterations to the doors and windows to the main façade(s);
- Use of cream, brown and salmon brick for new dwellings.

4. **KEY DEVELOPMENT CONSTRAINTS AND OPPORTUNITIES**

For those places that have been assessed as contributory, opportunities for alterations and additions are constrained by the need to conserve contributory fabric and avoid any adverse visual or physical impacts on the traditional streetscape presentation.

For those places that have been assessed as making no contribution, redevelopment is generally permissible, but is constrained by a requirement to complement the traditional streetscape character of the Policy Area.

Over time this will help to protect and enhance the amenity and heritage character of the area.

The key development constraints are summarised below:

- Contributory buildings should not generally be demolished;
- The contributory fabric and traditional streetscape character of contributory buildings should be conserved;
- Conservation works (as relevant to this policy) should generally form an integral part of any major works proposals for contributory buildings;
- New development should respect the bulk, scale, setbacks and detailing of nearby contributory buildings and not adversely impact on streetscape views to those places;
- The height of street front development should be consistent with the traditional eave and ridge heights of nearby contributory houses. Any higher development should be set back from the street and designed so that it does not unduly impact on streetscape views;
- The design of new buildings and major additions, as visible from the main street frontage(s), should be in harmony with the key positive features/elements of the traditional streetscape.
- Other development constraints, such as small lot size or limited opportunities for under-cover off-street parking, will not be accepted as a justification for variation of these guidelines, if such variation is to the detriment of the heritage significance or traditional streetscape character of the Residential Heritage Precinct.

It is not the intention of this policy that new development should mimic the contributory buildings, but rather that high quality modern design should be applied in a complementary manner. Innovative solutions should be investigated, as necessary, to achieve the desired development outcomes without adversely impacting on heritage values.

5. **DEVELOPMENT GUIDELINES**

5.1 **Subdivision and Amalgamation**

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Further subdivision or amalgamation of sites within a Residential Heritage Precinct will not generally be supported by the Shire unless it is satisfied that:

- a) The new lot(s) are capable of being developed in a manner that is compatible with the key features/elements of the Residential Heritage Precinct and in a manner that is in harmony with the nearby contributory buildings (inclusive of scale and setbacks).
- b) The proposal will not adversely impact on the traditional character of the streetscape or on the contributory fabric or setting of any contributory place.
- c) Any proposed demolition of existing building(s) is consistent with the guidelines for demolition in this Planning Policy.
- d) The development proposal for the subdivided/amalgamated site is consistent with the guidelines for new development in this Planning Policy.

5.2 Demolition

In considering an application for demolition the Shire shall have due regard to the following:

- a) Applications for demolition of a building, or any part of a building that is visible from the street, will be required to demonstrate that the building fabric to be demolished does not contribute to the heritage significance or traditional streetscape character of the Residential Heritage Precinct.
- b) Demolition of part of the rear section of a contributory place may be acceptable, but this must include the retention of a meaningful section of the front portion of building. Retention of the façade only (as a 'skin' to a new building) will generally not be considered.
- c) If it is considered that conservation is not viable due to the degree of structural deterioration, the Shire may consider demolition approval for all or part of a contributory building on the grounds of structural inadequacy, as demonstrated by a detailed structural condition assessment (to be prepared by a qualified structural engineer at the expense of the applicant).

In these cases, the Shire may also seek their own independent advice from a structural engineer with experience in the conservation of heritage buildings.

- d) If there is evidence that structural inadequacy is a result of a long-term lack of maintenance (otherwise known as demolition by neglect), reconstruction to a known earlier state may be required.
- e) Demolition approval will not generally be considered for a contributory building solely on the grounds of economic/other gain for redevelopment of the land.
- f) Demolition of non-contributory buildings will generally be permissible, however the Shire may defer consideration of the application for demolition of any building that addresses the main street frontage(s) until there is a planning approval granted for a new building that complies with this Planning Policy.

5.3 Alterations and Additions

5.3.1 *General Principles for Contributory Buildings*

In considering an application for alterations to contributory buildings within a

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Residential Heritage Precinct, the Shire shall have due regard to the following:

- a) New works should not distort an understanding of the original design.
- b) Alterations should not generally remove, change or obscure contributory fabric or detailing (except as part of required conservation works). This includes, but is not limited to, works impacting on original materials; roof forms and details; wall finishes and details; verandahs; windows and window openings; and doors and door openings.

For example, works that will not generally be supported include:

- Altering the form of the visible roofline (minor, compatible, variations may be acceptable to accommodate additions that are otherwise consistent with this Local Planning Policy).
- Removing prominent chimneys (such works will generally only be supported if a structural report demonstrates that the chimney is unsafe or cannot be reasonably retained for other structural reasons).
- Replacing timber-framed windows with metal-framed windows (where replacement of timber joinery is required the affected elements should be selectively replaced with new, timber joinery to the same profile);
- Painting of previously unpainted surfaces (such as face brick walls);
- Replacing original tiled roofs in corrugated metal sheeting or vice versa;
- Fully or partly enclosing front verandahs.

- c) Alterations should not introduce new 'heritage' detailing that is inconsistent with the style of the building and/or the physical or documentary evidence, as this distorts an understanding of the original character and design of the place.

For example:

- A simple raked verandah should not be replaced by a new bull-nosed verandah, unless there is documentary or physical evidence that shows that the latter was the original detail.

Note: Careful inspection of the building can sometime reveal evidence of original detailing. For example, if a verandah has been removed or altered, marks on a return walls may reveal the profile of a moulding or the shape of a former roof.

- Ornate friezes, brackets and/or turned timber posts should not be added to the verandahs of simple cottages where there is no evidence that this was part of the original design.

Note: Repaired nail holes and old paint lines to original posts may show the sites of former brackets, timber friezes or handrails.

- Ornate terracotta finials (in the more decorative forms of dragons etc) and decorative crested ridge-capping should not be introduced where there is no evidence that this was part of the original roof design.

- d) Where original fabric has been previously removed or unsympathetically altered, restoration/reconstruction of the street facades to their original form and detailing is encouraged, where practical.

Where possible, this should be based on evidence such as remaining traces of earlier fabric and/or old photographs of the place. In the absence

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of sufficient physical or historical information about the individual place, conjectural reconstruction of a missing element or a complementary modern interpretation of the element is generally supported. Conjectural reconstruction or interpretation should be based on an informed analysis of other places of the same age, style, scale and level of detail.

- e) If contributory fabric has deteriorated to the point where it requires replacement, the use of 'like for like' materials and detailing is encouraged. However, the introduction of alternative materials and techniques that have a similar appearance to the original may also be acceptable, provided the new fabric will not adversely impact on the streetscape character of the place.

For example:

- A corrugated iron roof may be replaced with corrugated iron, Zincolume, or pre-painted corrugated steel in a colour comparable to a traditional painted finish (such as dark red) or unpainted finish (such as light-mid grey).
- New gutters and downpipes shall use traditional profiles, but can be of modern materials that are similar to galvanised iron, such as Zincolume, or pre-painted steel.

As far as practical, restoration/reconstruction of damaged or missing detailing should be undertaken as an integral part of any major development/works programs.

5.3.2 Additions to Contributory Buildings

The heritage values of a Residential Heritage Precinct are embodied in the contributory buildings. In considering an application for additions to such places, the Shire shall have due regard to the following:

- a) New additions should ideally be located at the rear of a contributory building and not impact on streetscape views.
- b) No additions or new structures (including patios, carports, garages, gazebos etc) are permitted within the front setback of the existing building, unless it can be clearly demonstrated that the new structure will not:
- Dominate the contributory building;
 - Obscure streetscape views of the original building, or a nearby contributory building;
 - Adversely impact on the traditional streetscape character of the Residential Heritage Precinct.
- c) In terms of detailing, materials and finishes, additions that are visible from the street may be in the same general style as the existing building or designed in an openly contemporary, but still sympathetic, manner.

For example:

- Additions to a face brick dwelling could use matching face brickwork, a complementary traditional finish, such as rendered brick, or be constructed of carefully detailed contrasting fabric, such as glass and steel.
- Framed additions to a timber framed, weatherboard clad dwelling could use matching weatherboards, flat fibrous cement sheets or a modern contrasting cladding, such as pre-painted corrugated steel sheeting.

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Note: Where visible from the street, roofs of alterations or additions should generally be clad in materials that match the existing.

- d) Additions that are visible from the main street frontage(s) should be carefully designed to:
- Ensure the original part of the building remains the prominent element in streetscape views to the site and that its original design and scale can be readily understood;
 - Respect the scale, massing, proportions and materials of the existing building and its key design elements, including consideration of the original:
 - Plan form
 - Roof form (including the height of the ridgeline, roof pitch, and the width and style of eaves overhangs)
 - Height of the wall plate
 - Proportions of door and window openings
 - Balance of walls to openings
 - Balance of different materials and colours;
 - Involve the least possible alteration to the contributory fabric, and not remove or obscure significant elements/details;
 - Not adversely impact on public views of this or other near-by contributory buildings.
- e) Where additions to the side of a contributory place are the only feasible option, the new fabric should be set back from the main façade by a minimum of 1.2m from the closest section of the existing front wall. This includes structures such as carports, garages, patios and new verandahs. Two storey additions to the side of a contributory single storey residence will not generally be supported.
- f) Where second storey additions to a contributory place are the only feasible option, they should be located towards the rear of the building and should not be prominent in pedestrian views from the opposite side of the street. Second storey additions over the main roofline of the original house (excluding rear wings or rear skillion additions) will not generally be supported.
- g) Loft additions may be constructed where there is sufficient space within the existing roof, and where any required alterations to the roofline (including dormer windows or skylights) will not be prominent in streetscape views. Any associated alterations to the original roofline should generally be located on the rear roof plane or towards the rear of side roof planes.
- h) Any new garages or carports visible from the street frontage(s) of existing buildings shall be designed as secondary elements that do not obscure views of the building or negatively impact on streetscape views.
- i) If any proposed additions may be visible from the street, the Development Application will need to clearly document the bulk of the proposed addition in relation to the contributory building.

The applicant may also be requested to submit a continuous street

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elevation that includes the buildings on either side of the subject site, in accordance with Clause 63 of the deemed provisions for local planning schemes.

- j) If an addition may adversely impact on public views to the contributory building, or a near-by contributory building, the Shire may also require a Heritage Impact Statement to be prepared by the applicant.

Figure 1: General location for additions (indicative sketch only)

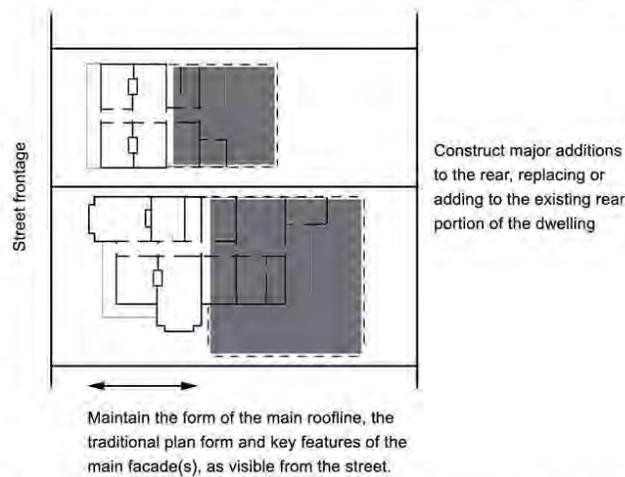
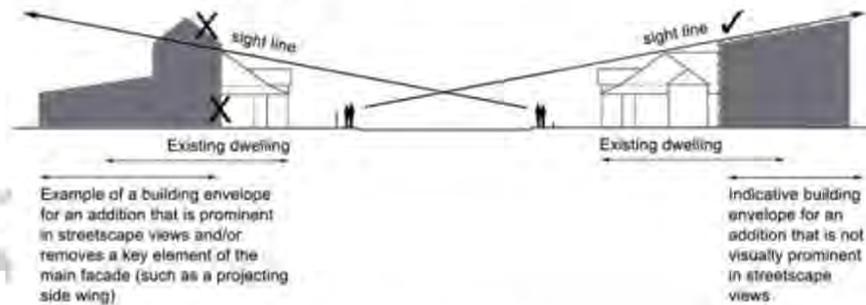


Figure 2: General location for additions - sightlines (indicative sketch only)



5.3.3 Alterations / Additions to Non-Contributory Buildings

Alterations and additions to non-contributory places provide an opportunity to improve the aesthetic qualities of the area by respecting and interpreting the key features and elements of the Residential Heritage Precinct.

- a) Additions should not change the bulk, scale or proportions of a non-contributory place in a manner that increases its visual impact on the immediate streetscape.

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The aim of this is to ensure that streetscape views focus on the nearby contributory buildings and, in general, it means that large additions should be located towards the rear of the site.

- b) When new works are proposed for a place that was constructed in the same period as the contributory buildings, but which has been extensively altered over time, then alterations that will help to return the place towards an earlier (contributory) state are encouraged. Alternatively, new works may aim to modernise the place in a manner that is sympathetic with the traditional streetscape (based on the principles for new development).
- c) When alterations and additions are proposed for non-contributory buildings that have no historical association with the assessed cultural heritage values of the Residential Heritage Precinct, no attempt should be made to confuse an understanding of the area by adapting these places in a reproduction 'heritage' style.

Where alterations and additions are proposed for such places consideration should be given to the following points:

- If the scale, form and materials of the place are broadly compatible with the traditional streetscape then the new works can be based on the original design of the place or adapt it in a manner that is sympathetic with the traditional streetscape (based on the principles for new development).
- If the place (or any of its component parts) is intrusive within the streetscape, then the new works should aim to adapt the place in a manner that is more sympathetic with the traditional streetscape.

5.4 New Development

New development on non-contributory sites presents an opportunity for good modern design that complements the traditional streetscape character and harmonises with the nearby contributory buildings, without overtly mimicking heritage styles or detailing.

Where appropriate opportunities exist for the development of a new building (or prominent additions to a non-contributory building), innovative solutions are encouraged, subject to the following guidelines.

5.4.1 *General*

- a) The construction of a new building will only be considered where the guidelines for subdivision/amalgamation and demolition and have been met, as relevant (see above).
- b) New buildings and additions to non-contributory places should not adversely impact on public views to any near-by contributory building(s).

For example: if a large new building is proposed adjacent to a small single storey contributory building, the bulk, scale, setbacks and detailing at the street frontage should be carefully designed to ensure that it does not overwhelm the contributory place.

- c) Contemporary designs should respond to, and interpret, the articulation and detail of nearby contributory buildings in a modern and sympathetic way. This requires careful attention to design aspects such as the:

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- Roof form (including the height of the ridgeline, roof pitch, and the width and style of eaves overhangs)
 - Height of the wall plate;
Street front plan form and width;
 - Use of front verandahs;
 - Location of main entries;
 - Proportions of door and window openings
 - Balance of walls to openings
 - Balance of different materials and colours.
- d) 'Reproduction' heritage styles and applied 'heritage' detailing detract from an understanding and appreciation of the contributory buildings and will generally not be supported.

For example: decorative detailing such as turned timber verandah posts, turned timber finials, Victorian style iron lacework and Federation style timber brackets and valances, should generally not be applied to new dwellings in a heritage area.

- e) The applicant may be requested to submit a schedule of finishes and/or a continuous street elevation that includes the buildings on either side of the subject site, in accordance with Clause 9.3 of the Shire of Northam Local Planning Scheme No 6.

5.4.2 *Orientation and setbacks*

- a) Where visible from the street, the orientation of new buildings (or prominent additions to non-contributory places) must match the traditional orientation of nearby contributory buildings.
- b) If intersecting streets are both included in a Residential Heritage Precinct, any new development or major additions on a corner block shall respect the traditional pattern of development and streetscape character of both frontages (acknowledging the traditional development of a primary and secondary façade).
- c) New buildings should be constructed with setbacks from the front boundaries similar to the typical setbacks of nearby contributory buildings.
- d) A new building should not be built forward of an adjacent contributory building, unless it can be clearly demonstrated that this will not adversely impact on the traditional streetscape values of the Residential Heritage Precinct and/or views to the adjacent and nearby contributory buildings.
- e) For the extent that side boundaries are clearly visible from the street, they should be similar to the typical side setbacks for nearby contributory buildings.

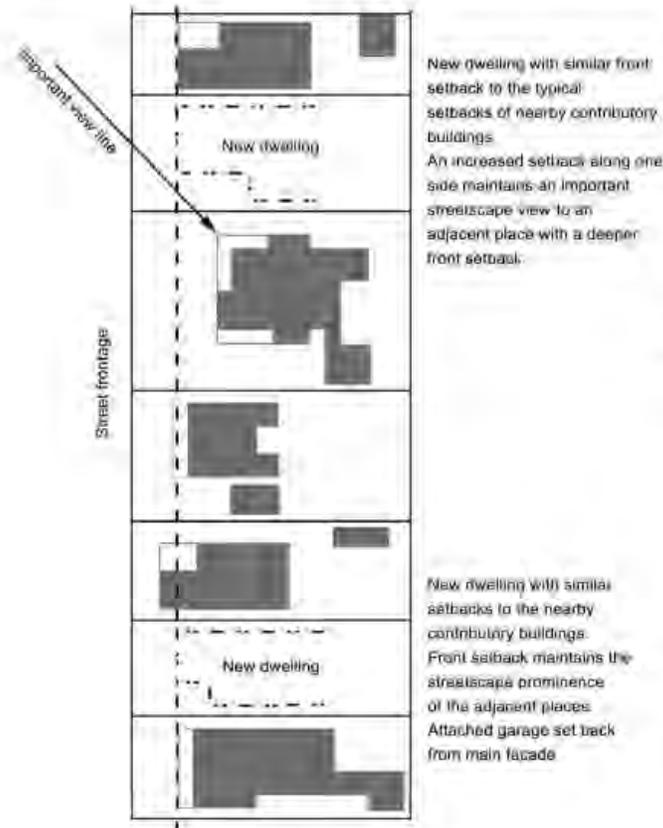
Figure 3: Setbacks for new buildings (Indicative sketch only)

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5.4.3 Scale and Form

- New buildings, as viewed from the street frontage(s), should be of similar form, bulk, scale, proportions, height and level of articulation as the contributory buildings in the Residential Heritage Precinct.

In particular, the manner in which articulation is used, and the height, size and shape of the roof, are key elements that can help a contemporary building blend into a heritage streetscape.

- If the traditional streetscape is predominantly single storey, new buildings that present as two storeys to the street frontage will not generally be permitted. In this case, any two-storey section(s) should not be visually prominent in pedestrian views from the opposite side of the street (similar to the principles illustrated in Figure 2).

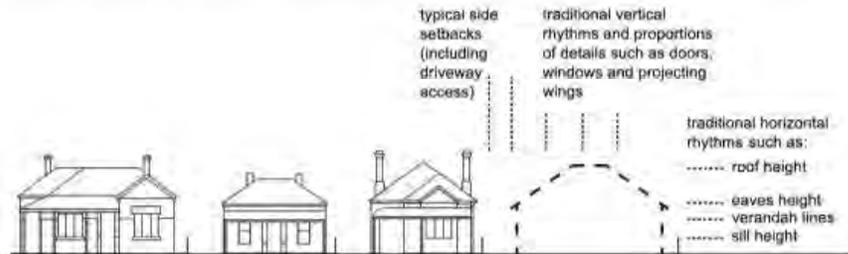
Figure 4: Example of a broad design envelope for a new building
(Indicative sketch only)

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Within this general building envelop, a modern interpretation of the traditional articulation, detailing, materials and finishes of nearby contributory houses will need careful consideration for a successful outcome (including the points noted above)

Figure 5: Examples of inappropriate infill within a heritage precinct
 (Indicative sketch only)



5.5 Boundary Fences

The treatment of the front boundary and of the return boundaries (back to the front walls of the house) makes a major impact on the streetscape character of a Residential Heritage Precinct.

- a) Fencing is required where this has been a traditional development characteristic of the streetscape.
- b) All new fences shall be designed to complement the style of the existing building and the traditional streetscape character.

Fences in traditional styles (appropriate to the age, style and scale of the building) are preferred for contributory buildings. Modern fence styles of a simple design are preferred for non-contributory buildings.

For example: Subject to the nature of the associated place, traditional fencing can include styles such as timber post and rail with woven wire panels; timber pickets with gothic or acorn shaped heads (for early twentieth century places); timber pickets with square heads, with a flat or stepped design and/or a top rail (from the early twentieth century and into the Inter-War era); low pier and plinth masonry (for later Inter-War houses); masonry piers with spear-head palisades (early twentieth century); masonry piers with wrought iron panels (Inter-War era).

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All of the above were sometimes backed by clipped hedges.

- c) New fences should be designed to retain clear public views to the front of each house and open streetscape views.
- d) Boundary walls or fences that are located forward of the building line shall be no more than 1.2 metres high.
- e) The main panels of masonry walls and plinths should be limited to approximately 300-600mm above footpath level.
- f) Large masonry posts will only be acceptable where used for traditional fence styles to the street frontage of a large villa on a wide block.
- g) High masonry walls and high solid panels are not permitted along the front and return boundaries in a Residential Heritage Precinct.

5.6 Off Street Parking

The following points must be considered in addition to the guidelines for additions and new development (above):

- a) As far as possible, access for carports or garages should be alongside driveways or, where available, from side streets or rear lanes.
- b) Any new driveways and hardstands at or near the front of the site should be designed to minimise the visual and physical impact on the setting of the contributory buildings and the streetscape.
- c) Carports or garages should generally be set back from the main facade.
- d) Carports or garages should not visually dominate the primary or secondary street frontage of the place;
- e) Carports or garages should comprise no more than 33% of the main frontage.
- f) The design of carports and garages or other outbuildings on land containing a contributory place should:
 - not extend design elements of a contributory place (such as verandahs, roof lines or historic detailing) at the same alignment as the main facade; and
 - not incorporate undercroft parking or other parking or access arrangements that are not in keeping with heritage character of the area.
- g) Larger carports, garages, hardstands and sheds can generally be located towards the rear of the site.

5.7 Colour Schemes

Colour schemes should be complementary to the traditional character of both the house and the streetscape, while still retaining a level of diversity and interest.

- a) Painted surfaces can be repainted in any complementary colour scheme, but the use of a traditional colour scheme or reinstatement of the original colour schemes is encouraged.

Note: The simplest method of choosing a 'traditional' paint scheme for a contributory building is to refer to the 'heritage' paint charts provided by many

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of the commercial paint companies (particularly at their web sites) and/or to refer to other on-line sites that illustrate suitable paint schemes for different house styles and periods (recognising that different colours became available/popular at different times).

If owners are interested in undertaking additional research, there are many publications available that focus on houses of the Late Victorian, Federation and Inter-War eras and a small number that focus more specifically on heritage colour schemes (such as *Colour Schemes for Old Australian Houses* and *More Colour Schemes for Old Australian Houses*, both written by Evans, Lucas and Stapleton, and published by The Flannel Flower Press). Historical photographs of similar houses can also provide important information about the traditional colour variation across the different parts of a façade and the balance of light and dark. For example, in the early twentieth century, light to medium colours were typically used for painted walls, with either lighter or darker contrasting colours for mouldings, verandah posts and trim. For complex trim or rendered moulding, additional complementary colours were sometimes used to accentuate the detailing. During the inter-war years, however, paint schemes were generally more restrained.

In many cases, physical evidence of former paint schemes can be investigated by paint scrapes (using a sharp scalpel to cut diagonally through the paint layers), by careful sanding or by applying successive layers of chemical strippers to small areas to reveal the layers of old paint. The aim of the last two methods is to carefully reveal the various layers of paint by working in either concentric circles or "ladders" (retaining sections of each level for comparison). As different colours are likely to have been applied to various features, the investigation should consider the different parts of the building – noting that surface colours may have faded over time and that the lowest layer, and possibly some intervening layers, are likely to have been undercoats.

A comparison of the findings of these investigations with colours from 'heritage' paint charts can help owners approximate the original and later colour schemes. This can then be used as the basis for reinstating an early colour scheme, interpreting that scheme to suit personal preferences, or selecting a complementary modern scheme.

If a fully authentic result is desired, professional advice and analysis is recommended.

- b) If a modern colour scheme is used this should sympathetically interpret traditional colour schemes (as discussed above), as relevant to the age and style of the place.
- c) Contributory fabric that is unpainted (such as face-brick walls) should not be rendered or painted.
- d) Where some of the painted surfaces of a contributory building were traditionally unpainted careful removal of the paint and conservation of the underlying surface is encouraged, if practical. If the painted finish is to be retained, the selection of new paintwork that interprets the traditional colour balance across the different parts of the façade is encouraged.

For example: Painted brick walls could be repainted in a dark brown or red, selected to closely match the colour of the original brickwork, with a lighter cream/buff colour for rendered areas such as window sills.

- e) Where repainting of non-contributory buildings is proposed, this should use a palette that is complementary to both the overall streetscape and the style of the individual place. However, overtly 'heritage' colour schemes are not required, and are generally not appropriate, for non-

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contributory buildings or modern infill.

The applicant may be required to provide a detailed schedule of all finishes, including materials and colours in accordance with Clause 9.3 of the Shire of Northam Local Planning Scheme No 6.

5.8 Incidental Development

Any new solar systems, climate control systems, telecommunications equipment, exhaust vents, or other modern services should be to be installed in locations that are not intrusive in views to the place from the main street frontage(s). Where this may impact on the effectiveness of services such as solar panels then alternative measures, such as angled frames on rear skillions, should be used.

5.9 Public Realm

The public realm (comprising the roadways, lanes, footpaths, verges, gutters, street trees, street lighting etc) has a major impact on the traditional streetscape character of a Residential Heritage Precinct.

All private proposals for changes to the verge within a Residential Heritage Precinct must be submitted to the Shire for approval.

5.10 Maintenance

- a) Where issues relating to current or potential deterioration of the contributory fabric are identified, maintenance or repair is encouraged, but is not required as a stand-alone project under this Planning Policy.
- b) If major works are proposed to a contributory building, maintenance (and any other urgent conservation works) should generally be undertaken as an integral part of the project.
- c) Where maintenance of contributory fabric is undertaken the work should be in accordance with the conservation principles under Section 2.2.
- d) A long-term lack of maintenance, which results in structural inadequacy (referred to as demolition by neglect), may lead to a requirement for reconstruction of the contributory fabric as an integral part of any new development proposal.

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Cr R W Tinetti declared an "Impartiality" interest in item 13.2.4 - Development Application for an Office - Lot 351 No. 20 Gairdner Street, Northam as the applicant is well known to him.

Cr S B Pollard declared an "Impartiality" interest in item 13.2.4 - Development Application for an Office - Lot 351 No. 20 Gairdner Street, Northam as the applicant and owners are well known to him.

**13.2.4 DEVELOPMENT APPLICATION FOR AN OFFICE - LOT 351 NO. 20
GAIRDNER STREET, NORTHAM**

Name of Applicant:	Multicon Commercial Constructions on behalf of J&K Buttersfield Super Fund
Name of Owner:	A & J Gillon
File Ref:	A13289/P16060
Officer:	Chadd Hunt / Courtney Wynn
Officer Interest:	Nil
Policy:	<i>Local Planning Scheme No.6 Planning and Development (Local Planning Schemes) Regulations 2015</i>
Voting:	Simple Majority

PURPOSE

Council is requested to consider an application for development approval for an office at Lot 351 No.20 Gairdner Street, Northam. This application is being referred to Council as variations are proposed to the minimum car parking requirements, side and rear boundary setbacks and as a submission was received during the public advertising period.

THE PROPOSAL

Lot 351 No.20 Gairdner Street, Northam is a vacant lot located opposite the site of the new shopping centre development and is zoned 'Mixed Use' under Local Planning Scheme No.6.

The applicant is proposed the construction of a new office building and nine (9) car parking spaces. The building is expected to be occupied by Country Finance Directions upon completion and contains a reception area, office space and associated storage and staff amenities (Refer to Appendix 1).

The development is proposing the following variations to Local Planning Scheme No.6:

- Up to 0.95m of fill above natural ground level.

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- 9 car parking bays in lieu of 10 car parking bays.
- Side boundary setback of 2.13m in lieu of 4m from the north-western side boundary.
- Side boundary setback of 2m in lieu of 4m to the south-eastern side boundary.
- Rear boundary setback of 1m in lieu of 7.5m from the rear boundary.

The applicant's original application that was advertised to the adjoining land owners initially proposed a parapet wall rear setback of 0m. However, during the advertising period a submission was received from the affected land owner and following discussions, the proponent agreed to amend the proposal to have a 1m setback to the rear boundary.

STATUTORY REQUIREMENTS

LOCAL PLANNING SCHEME NO 6

Lot 351 No.20 Gairdner Street, Northam is zoned 'Mixed Use' under Local Planning Scheme No.6 (the Scheme). An 'Office' is classified as a 'P' (Permitted) land use and is defined in the Scheme as follows:

“office” means premises used for administration, clerical, technical, professional or other like business activities;

Clause 4.5 Site and Development Standards & Requirements

The Scheme specifies the following minimum boundary setbacks for lots zoned 'Mixed Use';

- Front Boundary: 7.5m
- Rear Boundary: 7.5m
- Side Boundaries: 4m

However, under draft Omnibus Amendment 6 to the Shire of Northam Local Planning Scheme No.6 initiated by Council at its April 2016 Ordinary Council Meeting, these minimum setback standards are proposed to be removed from the Scheme and replaced with a * symbol. * Means – to be determined by the local government in each particular case.)

Clause 4.13 Car Parking

Local Planning Scheme No.6 specifies that the minimum car parking requirements for an office is 1 bay per 25m² of net lettable area. Therefore, the minimum car parking requirements have been calculated as follows:

- 238m² of net lettable area / 25m² = 9.25 bays (10 bays)

Therefore the minimum car parking requirements are 10 car parking bays.

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In accordance with the Building Code of Australia a minimum of 1 Disabled Bay is required per 50 bays provided, the applicant has proposed 1 disabled bay as part of this application and provision has also been made for a loading bay.

PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015

Under Schedule 1 Part 4 Clause 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the local government may approve a variation to the Scheme as per the following;

34. Variations to site and development requirements

(1) In this clause —

additional site and development requirements means requirements set out in clauses 32 and 33.

(2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements.

(3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.

(4) If the local government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must —

(a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and

(b) have regard to any expressed views prior to making its determination to grant development approval under this clause.

(5) The local government may only approve an application for development approval under this clause if the local government is satisfied that —

(a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and

(b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

PUBLIC CONSULTATION

Officers gave notice of the application on 16th June 2016 to the adjoining land owners and the land owner of the property located opposite in accordance with Local Planning Policy 20 - Advertising of Planning Proposals.

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One submission was received during the public consultation period, the submission raised concern regarding the proposed rear boundary setback.

CONFORMITY WITH COMMUNITY STRATEGIC PLAN

OBJECTIVE C1.7: Provide an environmental that enhances and builds on the liveability of the Shire.

OBJECTIVE E1.3: Promote a diverse mix of development opportunities throughout the Shire.

BUDGET IMPLICATIONS

There are no financial/budgetary implications for the Shire of the recommendations of this report.

OFFICER'S COMMENT

As outlined under the 'Proposal' section of this report there are 5 five variations to the Scheme which impact the proposal. Each of these variations is outlined and discussed below.

Earthworks

Where an application proposed earthworks, including cut, fill and retaining Clause 4.11.2 of the Scheme must be taken into consideration. This application is proposing to fill the site to a maximum height of 0.95m above natural ground level at the very rear of the site, with approximately 0.45m of fill required to level the car parking area. The proposed variation is considered acceptable by planning officers as the earthworks will not be visible when viewing the building from the street and all fill would be required to be retained by walls where necessary as a condition of approval.

Building Setbacks

The subject lot is only 794m² in area, in order to achieve compliance with the minimum 7.5m front and rear setbacks and the 4m side boundary setbacks under the Scheme, would leave a window of only 313.05m² to build on in the middle of the lot. In order to achieve a feasible development on this site, the applicant has proposed the following setbacks:

- Side boundary setback of 2.13m in lieu of 4m from the north-western side boundary.
- Side boundary setback of 2m in lieu of 4m to the south-eastern side boundary.
- Rear boundary setback of 1m in lieu of 7.5m from the rear boundary.

There are no major openings in the side and rear walls of the building that would result in loss of privacy for the adjoining land owners, with the space at the side of the building

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proposed to be fenced off and used for access to utilities such as air-conditioners and bin storage area.

It is considered by planning officers that the minimum setbacks for the 'Mixed Use' zone are unreasonable to facilitate any kind of commercial development considering the size of this lot. In order to achieve desirable development outcomes within the 'Mixed Use' zone it was recommended to Council in that these setbacks be reviewed in the draft Omnibus Amendment 6 to the Shire of Northam Local Planning Scheme No.6 initiated by Council at its April 2016 Ordinary Council Meeting.

It should be noted that in response to the submission received during the public comment period, the proponent adjusted their plans to show a rear setback of 1m in lieu of the 0m originally proposed. The rear setback of 1m is considered acceptable to Officers as the rear wall contains no windows and therefore there are no overlooking or privacy issues that would impact the adjoining land owner. It is recommended as a condition of approval that a form of lattice/creeper vine style landscaping along the rear wall be established by the proponent to break up the stark bulk of the rear wall.

Car Parking Requirements

As specified in Schedule 1 Part 4 Clause 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the local government may approve a proposed with a reduced number of car parking spaces following public consultation provided that the local government deems the variation appropriate having regard to any potential impacts upon the occupiers or users of the development and in the locality.

There is a likelihood that visitors to the office building may opt to park on Gairdner Street or across the road at the new shopping centre development when completed or access the site on foot from the nearby commercial area on Wellington Street.

It is considered by Officers, that the proposed reduction in the number of car parking bays by one (1) bay is acceptable taking into consideration the lack of feasibility for a achieving any more car parking bays on the site without compromising the viability of the development itself. Officers believe that the proposed office development in this location is consistent with the objectives of the Local Planning Strategy and would help promote future investment in new commercial office space within the 'Mixed Use' zone.

Therefore, it is recommended that Council resolve to approve the application for an office at Lot 351 No.20 Gairdner Street, Northam with the proposed variations subject to conditions.

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RECOMMENDATION / COUNCIL DECISION

Minute No: C.2762

Moved: Cr Proud
Seconded: Cr Rumjantsev

That Council:

Approve the development application (P16060) for an Office at Lot 351 No.20 Gairdner Street, Northam subject to the following conditions:

GENERAL CONDITIONS

- 1. The development hereby permitted must substantially commence within two years from the date of this determination notice.**
- 2. The development hereby permitted taking place in accordance with the approved plans dated 20/06/2016.**
- 3. 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.**

CONDITIONS TO BE MET PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

- 4. Prior to the commencement of development, detailed drainage plans shall be submitted to the satisfaction of the local government.**
- 5. Prior to commencement of development, all signage being submitted to and approved by the local government prior to installation.**

CONDITIONS TO BE MET PRIOR TO OCCUPATION OF THE DEVELOPMENT

- 6. Prior to the occupation of the development, vehicle crossover(s) shall be constructed to the specification and satisfaction of the local government.**
- 7. Prior to occupation of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved site plan, including the provision of universally accessible (disabled) car parking, is to be constructed, drained, and line marked to the satisfaction of the local government.**
- 8. Prior to occupation, landscaping is to be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the local government.**
- 9. Prior to occupation, a lattice screen with vertical growing plant species or similar alternative as approved by the Shire's Executive Manager of Development Services is to be erected along the rear wall of the building to the satisfaction.**
- 10. Prior to occupation, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local**

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government.

11. A suitably screened refuse bin storage area is to be provided in accordance with Shire of Northam's *Health Local Law 2008* prior to the development first being occupied.
12. Prior to occupation, the development hereby permitted shall be connected to an approved effluent disposal system.

CONDITIONS REQUIRING ONGOING COMPLIANCE

13. All car parking/loading areas, and vehicle access and circulation areas are to be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the local government.
14. All landscaped areas are to be maintained on an ongoing basis to the satisfaction of the local government.
15. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government.

ADVICE NOTES

NOTE 1: If the development the 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 2: 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 3: 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.

NOTE 4: The applicant is reminded that this is a Development Approval only and does not obviate the responsibility of the applicant to comply with all relevant building, health and engineering requirements. In this regard your particular attention is drawn to:

(a) *Health (Public Buildings) Regulations 1992*

NOTE 5: This development has been defined as a public building and shall comply with the provisions in the *Health Act 1911*. An application to construct, extend or alter a public building is to be submitted with the Building Permit application.

NOTE 6: A Building Permit being obtained prior to the commencement of any building works and an Occupancy Permit is to be obtained prior to the use of the building.

NOTE 7: The application is required to be referred to the Fire and Emergency

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Service Authority prior to the issuing of Building Permit.

NOTE 8: Please note that the External Walls less than 3m from the property boundary will be required to be fire walls, note that these walls on the plan show windows. These windows will need to comply with the BCA requirements for Fire Safety.

CARRIED 9/0

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Shire of Northam Local Planning Scheme No.6
DEVELOPMENT APPLICATION FOR AN OFFICE - LOT 351 NO. 20 GAIRDNER STREET, NORTHAM
Schedule of Submissions

Number	Name	Summary of Submission	Key Themes Identified in Submission	Applicants Response	Officers Comment
1	Robert & Maureen Allert Property Affected: 122 Duke Street, Northam	<p>We are concerned that the rear wall of the new proposal will be directly on our back yard. Our back yard is one of the main features of our property and we feel we will lose the value if the rear of the proposal is not at least one metre from our boundary. We are not against the proposal just the positioning of the rear wall.</p> <p>We would like to reiterate that we are not against this proposal. Our only concern is the rear wall of the building becoming our fence line. One of the features of our property is the back yard with its gardens and trees and the birdlife that it attracts.</p> <p>We believe that if the rear wall of the proposed building was moved one metre from our fence line boundary, there would be no issue.</p> <p>We are also of the opinion that a brick wall either taking the place of our fence or right on the fence line could affect the resale value of the property.</p> <p>When looking at the Shire of Northam's Local</p>	<i>Visual Amenity</i>	The applicant has amended their plans to show a 1m setback to the rear boundary in response to this submission.	<p>It is considered by the Officer, that the proponent has been amiable and altered their plans in response to the concerns raised by the adjoining land owner.</p> <p>The rear setback of 1m is considered acceptable to Officers as the rear wall contains no windows and therefore there are no overlooking or privacy issues that would impact the adjoining land owner.</p> <p>It is recommended as a condition of approval that a form of lattice/creeper vine style landscaping along the rear wall be established by the proponent to break up the stark bulk of the rear wall.</p>

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		<p>Planning Scheme No.6 on the website we note that item 3.2.3 mixed use zone states that: Provide a compatible interface and transition between commercial light industrial and residential areas.</p> <p>That is all we are asking from the developers and the Shire. A respect for our home and property and lifestyle which we have enjoyed for over thirty years at our residence.</p> <p>Business and home residents should be able to live together in harmony and respect, and we fear this will not be the case if this proposal is given approval for a brick wall on our joint fence line becoming our fence.</p> <p>We are willing to have further discussions with the developer and the Shire on this proposal to reach a mutual satisfactory solution.</p>			
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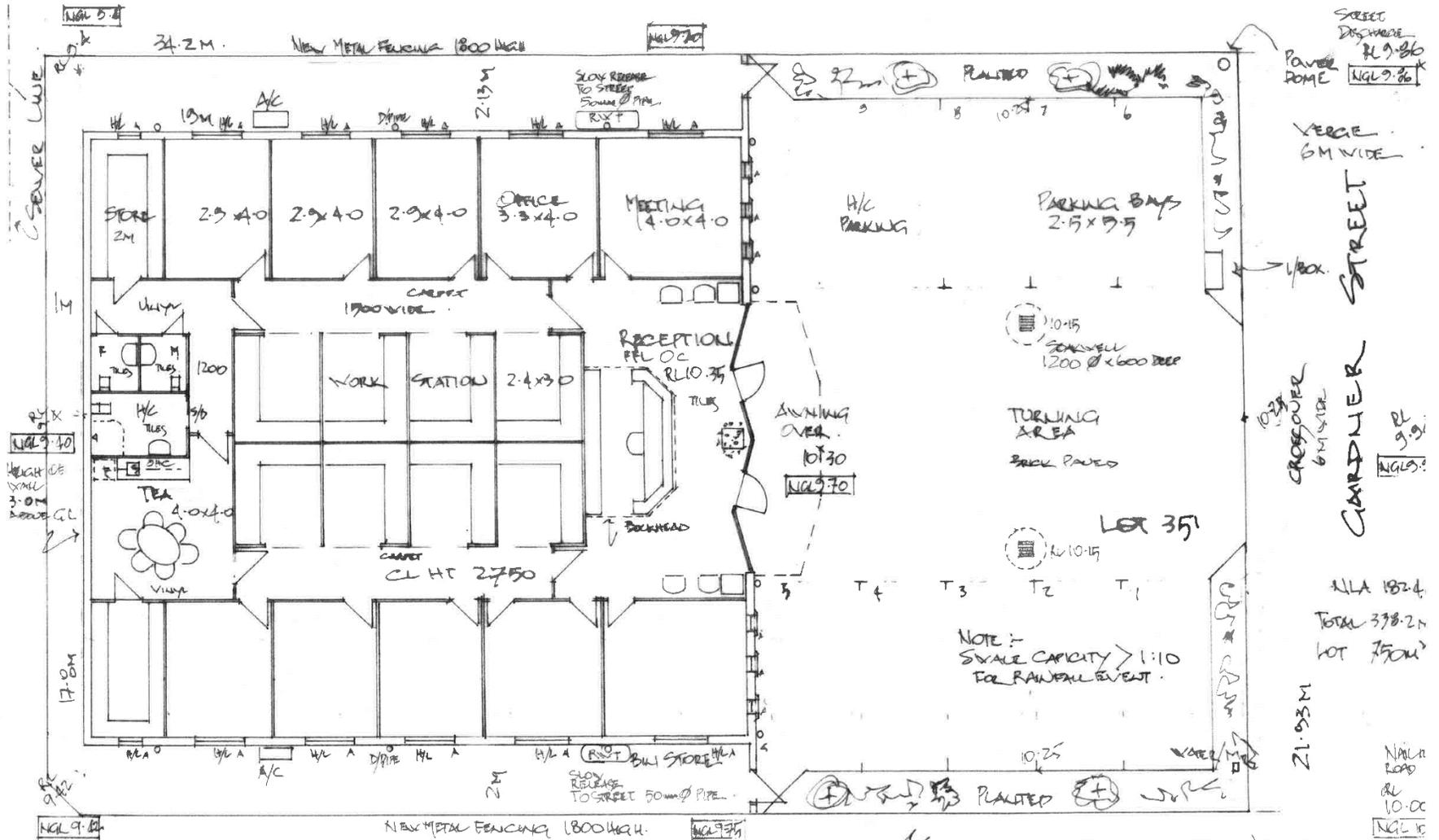
ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

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ATTACHMENT 2 – SITE PLAN



SITE & FLOOR PLAN
SCALE 1:100

NGL [] NATURAL GROUND LEVEL

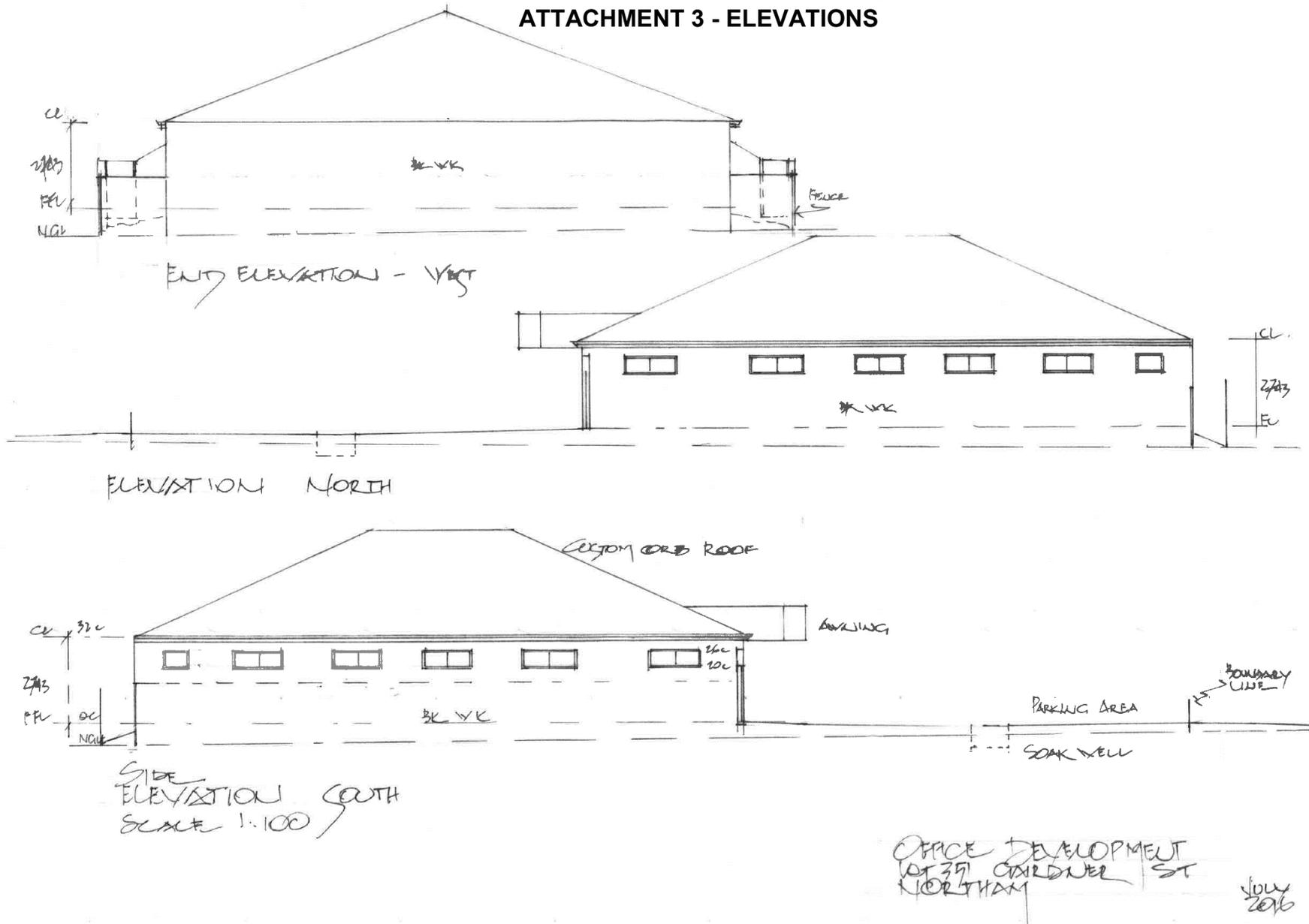
OFFICE DEVELOPMENT
FOR J & K BUTTERFIELD
LOT 351 GARDNER ST
NORTHAM.

G. DESIGNED BY W BROWNFIELD

JULY 2016

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ATTACHMENT 3 - ELEVATIONS



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ATTACHMENT 4 – PERSPECTIVE DRAWING



STREET ELEVATION
SCALE 1:100

DESIGNED BY IAN W. PROWSE

OFFICE DEVELOPMENT
FOR JEK BUTTERFIELD
LOT 351 GARDNER ST
NORTHAM

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ATTACHMENT 5 – VIEW FROM THE REAR ADJOINING PROPERTY



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13.2.5 MODIFICATION OF RETAINING WALL POLICY

Name of Applicant:	Internal Staff Report
Name of Owner:	N/A
File Ref:	4.3.1.8 & 2.3.1.2
Officer:	Chadd Hunt/Sonny Rutherford
Officer Interest:	Nil
Policy:	<i>Shire of Northam Policy B7.4 Retaining Walls</i>
Voting:	Simple Majority

PURPOSE

Council is asked to review Shire of Northam Policy B7.4 – Retaining Walls.

It is recommended Council resolve to modify the Retaining Wall Policy B7.4 in accordance with the Policy as written in Attachment 2.

BACKGROUND

Council adopted the Shire of Northam Policy B7.4 – Retaining Walls at its Ordinary Meeting held on 16th September 2009.

The current policy states the following –

Retaining walls retaining soils greater than 750 mm in height require a building permit and any retaining wall built to a height greater than one metre, at any point, requires an engineer's certification before construction may commence.

STATUTORY REQUIREMENTS

The Local Government Act 1995 constitutes the head power for Council to make & revoke policies.

BUDGET IMPLICATIONS

There will be no budget implications.

OFFICER'S COMMENT

While the Policy has operated reasonably well since its adoption, there has since been changes to building legislation affecting building applications for retaining walls.

The Building Regulations 2012 Schedule 4 Part 2 Kinds of building work for which a building permit is not required. Item No. 6 in the table states:

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Construction, erection, assembly or placement of a retaining wall that —

- (a) Retains ground no more than 0.5 m in height; and
- (b) Is not associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; and
- (c) Is not work of a kind to which section 76, 77, 78 or 79 relates.

The Building Regulations 2012 therefore requires a building permit for a retaining wall that retains ground more than 0.5m in height and if it is likely to affect other building work or other land.

Structures are required to comply with the National Construction Code Series, in particular retaining walls are to comply with the Building Code of Australia. The Building Code of Australia, Volume 2, Part 2.1 has performance requirements for buildings or structures to be structurally stable and to have resistance to certain actions.

A building surveyor does not have the necessary qualifications to determine if a retaining wall design is structurally adequate for the purpose in the proposed location and therefore it is necessary to rely on a certificate from a professional engineer.

Our Policy should reflect legislation and should ensure that all retaining walls are built and designed to comply with the requirements of the Building Code of Australia Part 2.1 to lessen the risk of failure or other problems.

It is recommended that Council resolves to modify the Shire of Northam Policy B 7.4 – Retaining Walls to mirror the current legislation and that engineering certification is required for all retaining walls that require a building permit.

RECOMMENDATION

That Council modify the Shire of Northam Local Planning Policy B7.4 – Retaining Walls to state the following –

1. Retaining walls require a building permit if the retaining wall

- a) Retains ground more than 500mm in height; or
- b) If it is any height and is associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; or
- c) If it is any height and is work of a kind to which section 76, 77, 78 or 79 of the *Building Act 2011* relates (Work affecting other land that requires consent, court order or other authority).

2. A Retaining wall which requires a building permit requires engineer's certification as part of the building application.

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RECOMMENDATION / COUNCIL DECISION

Minute No: C.2763

Moved: Cr Antonio

Seconded: Cr Proud

That Council modify the Shire of Northam Local Planning Policy B7.4 – Retaining Walls to state the following –

- 1. Retaining walls require a building permit if the retaining wall
 - a) Retains ground more than 500mm in height; or**
 - b) If it is any height and is associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; or**
 - c) If it is any height and is work of a kind to which section 76, 77, 78 or 79 of the *Building Act 2011* relates (Work affecting other land that requires consent, court order or other authority).****

- 2. A Retaining wall above 1m, which requires a building permit, will also require an accompanying engineer's certification as part of the building application.**

CARRIED 9/0

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ATTACHMENT 1 - EXISTING POLICY FOR RETAINING WALLS

B 7.4 Retaining Walls

POLICY	Retaining walls retaining soils greater than 500 mm in height require a building permit and any retaining wall built to a height greater than one metre, at any point, requires an engineer's certification before construction may commence.
OBJECTIVES	To use a risk management process to describe when approval is required for retaining walls.
GUIDELINES	N/A
HISTORY	Adopted: 16/09/2009 Last Review: 16/10/2013
REVIEW	Executive Manager, Development Services

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ATTACHMENT 2 - AMENDED POLICY FOR RETAINING WALLS



Shire of Northam Planning Policy Manual (Section I)
Policy
B7.4 Retaining Walls

BUILDING

B7.4 Retaining Walls

<i>Responsible Department</i>	Executive Manager Development Services
<i>Resolution Number</i>	C.2154
<i>Resolution Date</i>	16/10/2013
<i>Next Scheduled Review</i>	2018
<i>Related Shire Documents</i>	Nil
<i>Related Legislation</i>	<i>Building Act 2011</i>

OBJECTIVE

To use a risk management process to describe when approval is required for retaining walls.

SCOPE

Applies to all proposed retaining walls

POLICY

1. Retaining walls require a building permit if the retaining wall
 - (a) retains ground more than 500mm in height; or
 - (b) if it is any height and is associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; or
 - (c) if it is any height and is work of a kind to which section 76, 77, 78 or 79 of the *Building Act 2011* relates (Work affecting other land that requires consent, court order or other authority).

2. A Retaining wall which requires a building permit requires engineer's certification as part of the building application.

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Cr R W Tinetti declared an "Impartiality" interest in item 13.2.6 - Request to Initiate Standard Scheme Amendment to Shire of Northam Local Planning Scheme No. 6 – Rezoning of Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential' as the applicant is well known to him.

Cr S B Pollard declared an "Impartiality" interest in item 13.2.6 - Request to Initiate Standard Scheme Amendment to Shire of Northam Local Planning Scheme No. 6 – Rezoning of Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential' as the owner/applicant is well known to him.

13.2.6 REQUEST TO INITIATE STANDARD SCHEME AMENDMENT TO SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6 – REZONING OF LOT 250 MULUCKINE ROAD, GRASS VALLEY FROM 'RURAL' TO 'RURAL RESIDENTIAL'

Name of Applicant:	Ian Birch Town Planner
Name of Owners:	Peter and Sue Byfield
File Ref:	13.1.11.7
Officer:	Chadd Hunt / Kobus Nieuwoudt
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

For Council to initiate proposed Scheme Amendment No.7 to *Shire of Northam Local Planning Scheme No.6*. The proposed Amendment seeks to rezone Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential' zone.

BACKGROUND

Council has received a request to initiate Amendment No.7 to its Local Planning Scheme No.6. The proposed Amendment relates Lot 250 Muluckine Road, Grass Valley. Lot 250 Muluckine Road measures 31.140ha and is located to the west of the township of Grass Valley. Refer Location Plan (Attachment 1).

The lot is mostly cleared and has been used over time for broad acre farming (cropping and grazing). A tree lined winter drainage course crosses the lot on a north-south alignment. A house and shed, together with other domestic improvements, have recently been constructed in the south-western corner of the lot, alongside Muluckine Road and is occupied by the property owners.

The Mundaring–Kalgoorlie (Goldfields) water pipeline and district distribution power lines traverse the lot. The pipeline is above ground, with vehicle crossing points alongside the eastern and western lot boundaries.

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The lot is surrounded by established rural residential land holdings on its eastern boundary and farm paddocks to the south and west. To the north, the lot is bounded by the eastern districts and inter-state railway lines. The railways carry the inter-state 'Indian Pacific' and Perth – Kalgoorlie 'Prospector' passenger services, together with grain, minerals and general freight services.

In the Shire's Local Planning Strategy (LPS), the land is identified for:

Future Rural Residential Development (1-4 Ha)

- *rezoning and structure planning required*
- *lot size dependent upon land capability*

The LPS also identifies the land immediately opposite to the south, between Muluckine and Tank Roads, for similar use.

Purpose of the Amendment

The purpose of the Amendment is to:

1. Rezone Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential'; and
2. To amend the Scheme Map accordingly.

Rezoning and future subdivision

It is proposed to rezone the property to 'Rural Residential'. This will allow the future subdivision of the land in accordance with a proposed Structure Plan prepared in accordance with Part 4 of the deemed provisions for local planning schemes.

An indicative subdivision plan is attached (Attachment 2). The indicative subdivision plan shows the creation of three new lots to the south of the Mundaring–Kalgoorlie (Goldfields) pipeline, with vehicle access from Muluckine Road. The balance of the land, to the north of the pipeline, with access from Carroll Street, is shown as a single lot, but identified for potential future development.

The three new lots on Muluckine Road, are shaped by the creation of a "home" lot which draws a boundary around the existing residence, generally following the natural contours. The boundary between the remaining two lots is formed by tracing the western edge of the existing drainage/tree line. This provides an even land distribution between the two lots. The 'home' lot follows the natural contours, providing a safe access point from Muluckine Road. The other two lots on Muluckine Road share this safe access area. Crests in the road are located east and west on the subject site.

The resulting lots are larger in area than the range prescribed for the Rural Residential zone, however, this has been dictated by existing physical features, service easements and available frontage to Muluckine Road.

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Any future subdivision/development of the lots on the north side of the pipeline, would be subject to the provisions of a Structure Plan as well as requirements for subdivision approval. Having regard for the provision of reasonably generous lot sizes, protection of the drainage/tree line and providing suitable vehicle access, it is estimated the land could yield up to five new lots.

STATUTORY REQUIREMENTS

Section 75 of the *Planning and Development Act 2005* (the Act) gives a local government the power to amend its local planning scheme. The procedure for preparing and adopting an amendment is provided for by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Should Council resolve to initiate the amendment (Reg. 35(1)), it must specify whether, in its opinion, the amendment is a complex amendment, a standard amendment or a basic amendment (Reg. 35(2)(a)). Council's resolution must also include an explanation of the reason for Council forming that opinion (Reg. 35(2)(b)).

Once initiated, Council will be required by section 81 of the Act to refer the amendment to the Environmental Protection Authority (EPA) for its consideration under section 48A of the *Environmental Protection Act 1986*.

Once Council has received advice from the EPA, it can advertise the amendment in accordance with Regulation 47(1) and (2) of the Regulations.

Submissions on the amendment will be accepted by Council in accordance with Regulation 49(1) and (2). Once the 42-day public submission period has ended, Council is obliged to consider the amendment in the light of submissions received (Regulation 50(2)) and resolve to adopt the amendment, modify it or resolve not to proceed (Regulation 50(3)).

The amendment is then forwarded to the Western Australian Planning Commission together with details of the submissions received and Council's recommendation on the amendment (Regulation 53(1)). The Commission will then consider its recommendation to the Hon. Minister for Planning, who is responsible for final approval or refusal of the amendment.

PUBLIC CONSULTATION

If Council resolves to initiate the amendment, it must first refer the proposed amendment to the Environmental Protection Authority (EPA) under section 81 of the *Planning and Development Act 2005* for its consideration under section 48A of the *Environmental Protection Act 1986*.

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Once the EPA's advice has been received, the local government can then continue to advertise the amendment in accordance with Regulation 47(1) and (2) of the Regulations.

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

There are no direct financial/budgetary implications for the Shire of the recommendations of this report.

The proponent must pay the fee quoted by the Shire in accordance with Regulation 48(3) of the *Planning and Development Regulations 2009* for this Amendment.

OFFICER'S COMMENT

Staff recommend Council initiate the Amendment to allow environmental assessment and public advertising.

Three (3) members of the Gallery departed the Council Chambers at 6.00pm.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2764

Moved: Cr Rumjantsev

Seconded: Cr Tinetti

That Council:

- 1. Resolves, in pursuance of Section 75 of the *Planning and Development Act 2005* to amend Shire of Northam Local Planning Scheme No.6 by: -
 - (i) Rezoning Lot 250 Muluckine Road, Grass Valley from 'Rural' to 'Rural Residential'; and**
 - (ii) Amending the Scheme Map accordingly.****
- 2. Number the proposed local planning scheme amendment as 'Amendment No.7' to Shire of Northam Local Planning Scheme No.6;**
- 3. Resolves, pursuant to Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, that proposed Amendment**

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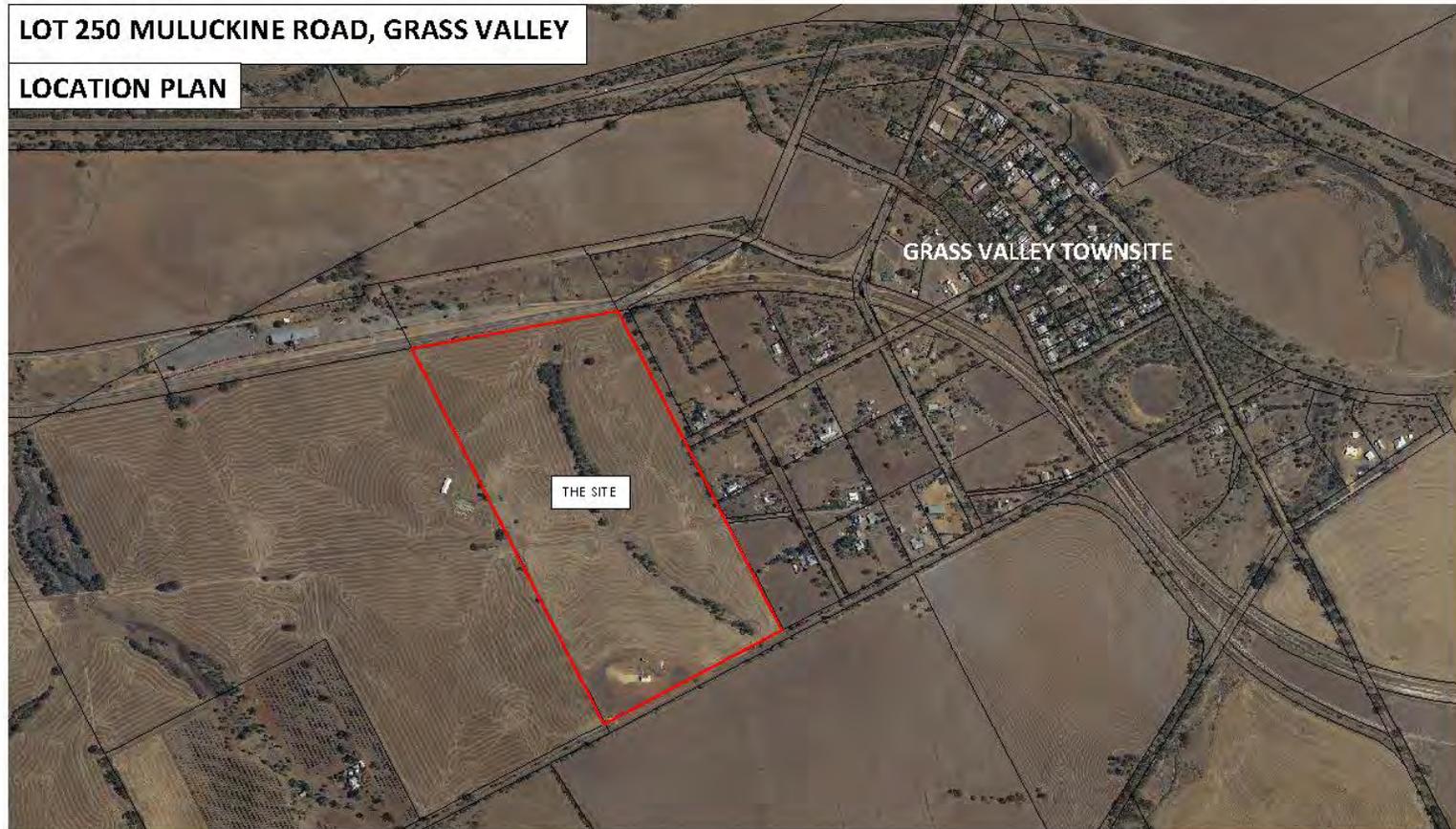
No.7 is a standard amendment pursuant to Regulation 34(b) of the Regulations as the proposal is considered to be consistent with a local planning strategy for the scheme that has been endorsed by the Western Australian Planning Commission;

4. Requests the applicant prepare and submit to the local government as soon as practicable the formal Amendment documentation consistent with point 1 of this resolution;
5. 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*; and
6. Pursuant to Section 81 of the *Planning and Development Act 2005*, refers proposed Amendment No. 7 to the Environmental Protection Authority 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*.

CARRIED 9/0

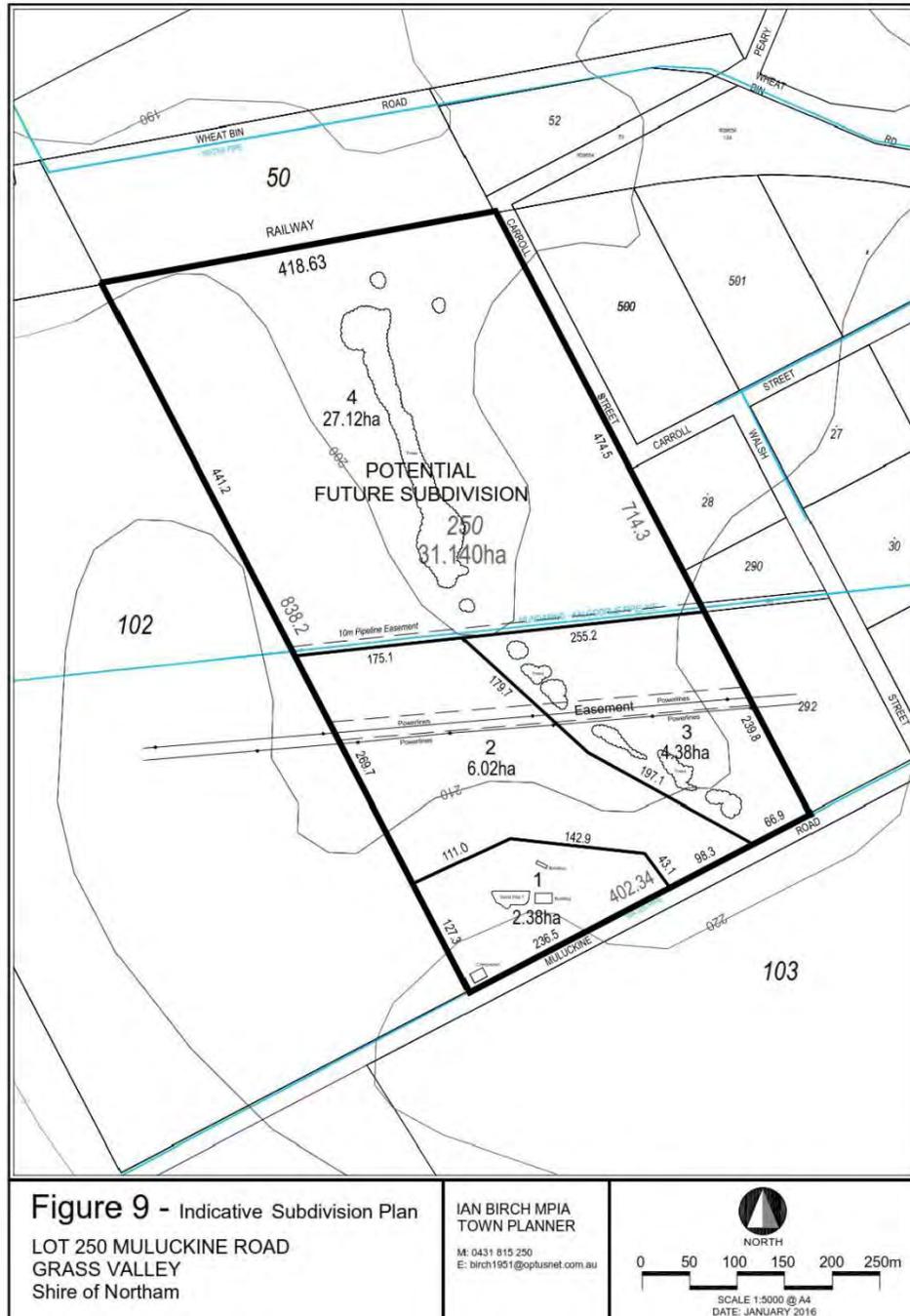
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ATTACHMENT 1 – LOCATION PLAN



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ATTACHMENT 2 – INDICATIVE SUBDIVISION PLAN



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13.2.7 REQUEST TO INITIATE STANDARD SCHEME AMENDMENT (NO.8) TO SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6 – INTRODUCTION OF TWO (2) NEW LAND USE DEFINITIONS – REPURPOSED DWELLING AND SECOND-HAND DWELLING INTO SCHEDULE 1 AND LAND USE TABLE IN ACCORDANCE WITH MINISTERIAL ADVICE

Name of Applicant:	N/A
Name of Owners:	N/A
File Ref:	13.1.11.8
Officer:	Chadd Hunt / Kobus Nieuwoudt
Officer Interest:	Nil
Policy:	Nil
Voting:	Simple Majority

PURPOSE

For Council to initiate proposed Scheme Amendment No.8 to *Shire of Northam Local Planning Scheme No.6* (LPS6).

The proposed Amendment seeks to introduce two (2) new land use definitions – ‘repurposed dwelling’ and ‘second-hand dwelling’ into Schedule 1 (Dictionary of Defined Words and Expressions) and Table 1 (Zoning Table) of LPS6.

BACKGROUND

The Minister for Planning recently requested the Department of Planning undertake further consideration on the matter of reintroducing provisions for transportable structures into local planning schemes following a representation by a number of local governments expressing “amenity concerns” regarding exempting the erection and extension of single houses from the requirement to apply for development approval if the development satisfies the *deemed-to-comply* requirements of the R-Codes.

The Department of Planning has recommended to the Hon. Minister for Planning that two new definitions for repurposed dwelling and second-hand dwelling be reintroduced to local planning schemes to separate and distinguish them from single houses.

Proposed Scheme Amendment No.8 seeks to reintroduce definitions that were superseded by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) that came into effect on 19 October 2015 as follows:

Repurposed dwelling – a building or structure not previously used as a single house, which has been repurposed for use as a dwelling.

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Second-hand dwelling – a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling.

Proposed Amendment No.8 further seeks to insert the land uses ‘repurposed dwelling’ and ‘second-hand dwelling’ into Table 1 of LPS6 as follows:

LANDUSE	RESIDENTIAL	DEVELOPMENT	COMMERCIAL	MIXED USE	TOURIST	GENERAL INDUSTRY	LIGHT & SERVICE INDUSTRY	RURAL	RURAL RESIDENTIAL	RURAL SMALLHOLDING
Repurposed Dwelling	A		X	X	X	X	X	D	A	A
Second-hand Dwelling	A		X	X	X	X	X	D	A	A

STATUTORY REQUIREMENTS

Section 75 of the *Planning and Development Act 2005* (the Act) gives a local government the power to amend its local planning scheme. The procedure for preparing and adopting an amendment is provided for by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Should Council resolve to initiate the amendment (Reg. 35(1)), it must specify whether, in its opinion, the amendment is a complex amendment, a standard amendment or a basic amendment (Reg. 35(2)(a)). Council’s resolution must also include an explanation of the reason for Council forming that opinion (Reg. 35(2)(b)).

Once initiated, Council will be required by section 81 of the Act to refer the amendment to the Environmental Protection Authority (EPA) for its consideration under section 48A of the *Environmental Protection Act 1986*.

Once Council has received advice from the EPA, it can advertise the amendment in accordance with Regulation 47(1) and (2) of the Regulations.

Submissions on the amendment will be accepted by Council in accordance with Regulation 49(1) and (2). Once the 42-day public submission period has ended, Council is obliged to consider the amendment in the light of submissions received (Regulation 50(2)) and resolve to adopt the amendment, modify it or resolve not to proceed (Regulation 50(3)).

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The amendment is then forwarded to the Western Australian Planning Commission together with details of the submissions received and Council's recommendation on the amendment (Regulation 53(1)). The Commission will then consider its recommendation to the Hon. Minister for Planning, who is responsible for final approval or refusal of the amendment.

PUBLIC CONSULTATION

If Council resolves to initiate the amendment, it must first refer the proposed amendment to the Environmental Protection Authority (EPA) under section 81 of the *Planning and Development Act 2005* for its consideration under section 48A of the *Environmental Protection Act 1986*.

Once the EPA's advice has been received, the local government can then continue to advertise the amendment in accordance with Regulation 47(1) and (2) of the Regulations.

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 are no direct financial/budgetary implications for the Shire of the recommendations of this report.

OFFICER'S COMMENT

Staff recommend Council initiate the Amendment to allow environmental assessment and public advertising.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2765

Moved: Cr Rumjantsev

Seconded: Cr Proud

That Council:

- 1. Resolves, in pursuance of Section 75 of the *Planning and Development Act 2005* to amend Shire of Northam Local Planning Scheme No.6 by: -**

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1.1 Inserting the following land use definitions into Schedule 1, Clause 2:
Repurposed dwelling – a building or structure not previously used as a single house, which has been repurposed for use as a dwelling.

Second-hand dwelling – a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling.

a. Inserting the land uses ‘repurposed dwelling’ and ‘second-hand dwelling’ into Table 1 as follows:

LAND USE	RESIDENTIAL	DEVELOPMENT	COMMERCIAL	MIXED USE	TOURIST	GENERAL INDUSTRY	LIGHT & SERVICE INDUSTRY	RURAL	RURAL RESIDENTIAL	RURAL SMALLHOLDING
Repurposed Dwelling	A		X	X	X	X	X	D	A	A
Second-hand Dwelling	A		X	X	X	X	X	D	A	A

1.3 Inserting the following provisions into Schedule A – Supplemental Provisions:

Clause 61(1)

(n) The placement of a repurposed or second-hand dwelling shall not be permitted on any lot within the Scheme Area unless:

- (i) in the opinion of the local government such a dwelling is in a satisfactory condition and will not detrimentally affect the amenity of the area; and
- (ii) an Applicant enters into an Agreement to the satisfaction of the local government to reinstate the dwelling to an acceptable standard of presentation as determined by the local government within 24 months of issue of the Building Permit.”

2. Number the proposed local planning scheme amendment as ‘Amendment

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No.8' to Shire of Northam Local Planning Scheme No.6;

- 3. Resolves, pursuant to the Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, that proposed Amendment No.8 is a standard amendment pursuant to Regulation 34(g) of the Regulations as the proposal is considered to be an amendment that is not a complex or basic amendment;**
- 4. 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*; and**
- 5. Pursuant to Section 81 of the *Planning and Development Act 2005*, refers proposed Amendment No. 8 to the Environmental Protection Authority 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*.**

CARRIED 9/0

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**13.2.8 APPLICATION TO KEEP 3-6 DOGS (NOT A KENNEL) – 21 ACCEDENS
RISE, BAKERS HILL**

Name of Applicant:	Stephen Robert Frost
Name of Owner:	Stephen Robert Frost
File Ref:	ICS58325/ 5.2.1.6/A2168
Officer:	Chadd Hunt/ 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 no objection has been received from neighbouring properties.

BACKGROUND

On 14th April 2016 the Shire of Northam received a 3-6 Dog application from the owners of 21 Accedens Rise, Bakers Hill. The applicant is seeking to keep a total of five (5) dogs on a 1.2200 hectare property zoned as Rural Residential. Councils Local Laws require the immediate adjoining neighbours to be advised of the application to establish if they have any objections.

The 5 dogs in the application comprised of:

- Rottweiler (M) 8 years (not sterilised)
- Rottweiler (F) 8 years (sterilised)
- Rottweiler (F) 6 years (sterilised)
- Rottweiler (F) 6 years (sterilised)
- Staffordshire Bull Terrier (F) 6 months (sterilised)

A total of 4 notification letters were sent to neighbouring properties on the 17th May 2016 with no responses received during the two week response period. However, Mr Burles contacted the Shire of Northam Ranger Services via telephone on the 31st May 2016 advising he had been absent and wanted to send a submission regarding the application. On the 8th June 2016 submission from Mr Burles was received. He has stated no objection to the extra dog but was concerned about the fencing adequately containing the dogs. Rangers contacted Mr Burles and has explained the enclosure that the applicant has built to contain the dogs. Mr Burles has now emailed confirming that he has no concerns.

In March 2015 the applicant was given a 3-6 dogs permit by Council to have four dogs on the aforementioned property. There have been no recorded breaches or reports to the Shire of Northam regarding this property or the approved dogs to date.

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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 —
 - (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
- (3) 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 states the following -

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.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section

26(4) of the Act—

- (a) two dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or
- (b) two dogs over the age of 3 months and the young of those dogs under that age if the premises is situated outside a townsite, if the subject property is less than 40 hectares, or 4 dogs over the age of 3 months and the young of those dogs under that age if the premises is situated outside a townsite and is greater than 40 hectares in area.

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Council Policy 8.4 also states the following –

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.

Compliance with the requirements of the Dog Act 1976, Regulations and any Local Law of the Shire of Northam

CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

STRATEGY C1.1: Provide quality regulatory service

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

BUDGET IMPLICATIONS

Nil

OFFICER'S COMMENT

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

The applicants have upgraded their fencing to a very high standard and more than 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.

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RECOMMENDATION / COUNCIL DECISION

Minute No: C.2766

Moved: Cr Proud
Seconded: Cr Antonio

That Council approve the application for a 3-6 Dog permit for Stephen Frost of 21 Accedens Rise, Bakers Hill to keep the 5 dogs listed on the application subject to the following conditions;

- 1. The approval is not transferable and is specific to the person named in the approval letter;**
- 2. 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;**
- 3. All dogs approved to be kept on the subject premises, must hold and maintain valid registrations;**
- 4. 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; and**
- 5. At any time following approval, authorised Council officers can inspect the subject property to check fencing, number of dogs and registration details.**

CARRIED 6/3

One (1) member of the entered the Council Chambers at 6.02pm.

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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Shire of Northam Multiple Dog Policy (Dogs Local Law 2008-Part 3)

21 Accedens Rise, Bakers hill

Multiple Dog Policy A 8.4

Schedule of Submissions

Number	Name	Summary of Submissions	Key Themes Identified in Submission	Officers Comment
1	Adjoining property owner	Initial objection was withdrawn after knowledge of extensive fenced dog enclosure provided	Adequate fencing	

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ATTACHMENT 2 – IMAGES OF PREMISES/FENCING



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13.3. CORPORATE SERVICES

13.3.1 ACCOUNTS AND STATEMENTS OF ACCOUNTS – JUNE 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 Account due and submitted to the Ordinary Council Meeting on 20 July 2016 are attached.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2767

Moved: Cr Antonio
Seconded: Cr Davidson

That Council endorse the payments for the period 1 June 2016 to 30 June 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 34508 to 34527	\$ 70,505.34
Trust Bank Vouchers 1959 to 1965	\$ 11,366.15
Municipal Bank Electronic Fund Transfer EFT23240 to EFT23303 and EFT23307 to EFT23510	\$1,181,582.62
Trust Bank Electronic Fund Transfer EFT23304 to EFT23306 and EFT23511 to EFT23512	\$ 33,134.06
Direct Debit Fund Transfer 9968.1 to 9968.1 and 9990.1 to 9990.1 and 10005.1 to 10005.16 and 10058.1 to 10058.17	\$ 59,730.47
Municipal Bank Electronic Fund Transfer Payroll 02/06/2016	\$ 199,741.27
Municipal Bank Electronic Fund Transfer Payroll 16/06/2016	\$ 195,504.26
Municipal Bank Electronic Fund Transfer Payroll 30/06/2016	\$ 206,932.38
TOTAL	\$ 1,958,496.55

CARRIED 9/0

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LIST OF ACCOUNTS DUE & SUBMITTED TO COUNCIL JUNE 2016				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT \$
1959	10/06/2016	BUILDER'S REGISTRATION BOARD OF WA	MONTHLY BUILDING FEES COLLECTED FOR BSL FOR THE MONTH OF MAY 2016.	- 2,290.64
1960	10/06/2016	BUILDING & CONSTRUCTION INDUSTRY TRAINING FUND	MONTHLY BUILDING FEES COLLECTED FOR BCITF FOR MAY 2016.	- 1,503.90
1961	10/06/2016	SHIRE OF NORTHAM	MONTHLY BUILDING COMMISSION FEE CHARGED FOR COLLECTION OF BSL & BCITF FOR MAY 2016.	- 164.50
1962	30/06/2016	BUILDER'S REGISTRATION BOARD OF WA	MONTHLY FEES COLLECT FOR BSL FOR JUNE 2016.	- 3,840.84
1963	30/06/2016	CANCELLED CHEQUE		-
1964	30/06/2016	BUILDING & CONSTRUCTION INDUSTRY TRAINING FUND	MONTHLY BUILDING FEES COLLECTED FOR BCITF JUNE 2016.	- 3,323.77
1965	30/06/2016	SHIRE OF NORTHAM	MONTHLY BUILDING COMMISSION CHARGED FOR COLLECTION OF BSL & BCITF FOR JUNE 2016.	- 242.50
			TOTAL TRUST CHEQUES	- 11,366.15
EFT23240	02/06/2016	ALLWEST PLANT HIRE	CONTRACT 22 OF 2015, NORTHAM TOWNSITE DRAINAGE.	- 97,214.04
EFT23241	07/06/2016	SHIRE OF TOODYAY	LONG SERVICE LEAVE PROVISION & CERTIFICATE OF DESIGN COMPLIANCE - NORTHAM SWIMMING CLUBROOM AWNING	- 7,157.23
EFT23242	07/06/2016	A-DEC AVON DISTRICTS ELECTRICAL CONTRACTING	REPAIR ELECTRICITY HOSE POWER LINE AT 49 GAIRDNER STREET, NORTHAM DAMAGED BY STREET TREE (EMERGENCY REPAIR)	- 619.12
EFT23243	07/06/2016	ACCENT RUBBER STAMPS AND TROPHIES	SELF-INKING STAMP X 2.	- 96.35
EFT23244	07/06/2016	ALCHEMY TECHNOLOGY	ANNUAL SMS MAINTENANCE & SUPPORT RENEWAL - KILLARA	- 1,986.60
EFT23245	07/06/2016	ALERT VISUAL CONCEPTS	ANNUAL SUBSCRIPTION FEE FOR ON LINE DOG TRAINING MODULE	- 500.00
EFT23246	07/06/2016	APPLIED INDUSTRIAL TECHNOLOGIES T/A NORTHAM BEARINGS	RUBBER HOSE CONNECTION & HOSE CLAMPS.	- 64.08
EFT23247	07/06/2016	ASLAB PTY LTD	BASE COURSE TESTING - CARTERS WIDENING EAST OF YORK RD MULUCKINE.	- 1,678.86
EFT23248	07/06/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	- 25.80
EFT23249	07/06/2016	AUSTRALIAN TAXATION OFFICE - PAYG	PAYG PAY RUN WEEK END 31/5/2016 & INTERIM PAY 20/5/2016	- 56,694.00
EFT23250	07/06/2016	AV-SEC SECURITY SERVICES	SECURITY CALL OUT IN VARIOUS SHIRE BUILDINGS.	- 181.50
EFT23251	07/06/2016	AVON DEMOLITION & EARTHMOVING	MANAGEMENT OF INKPEN ROAD WASTE MANAGEMENT FROM 10/5/2016 TO 22/5/2016.	- 1,568.00

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EFT23252	07/06/2016	AVON VALLEY CONTRACTORS	SUPPLY & DELIVER 15M3 SOFT FALL WOOD CHIPS & PAVING SAND TO BE DELIVERED TO EQUESTRIAN CENTRE	-	1,952.40
EFT23253	07/06/2016	AVON VALLEY MOWER & CHAINSAW CENTRE	HUSQVARNA 570 BTS 65CC BACKPACK BLOWER FOR PARK & GARDENS.	-	999.00
EFT23254	07/06/2016	AVW ELECTRICAL	GEN SET SETUP, CONNECTION, TESTING, MONITORING, DISCONNECTION AND PACK UP FOR SHIRE OFFICE OUTAGES ON THE 15/4/2016, 22/4/2016 & 28/4/2016.	-	4,356.00
EFT23255	07/06/2016	BEAUREPAIRES	PUNCTURE REPAIR TO TYRE ON MAZDA BRAVO UTE PN1401 -N10938.	-	29.26
EFT23256	07/06/2016	BURGESS RAWSON (WA) PTY LTD	WATER USAGE FROM 01/3/2016 TO 11/5/2016 & WATER & SEWERAGE RATES 01/5/2016 TO 30/06/2016.	-	44.18
EFT23257	07/06/2016	CANNON HYGIENE AUSTRALIA PTY LTD	NORTHAM RECREATION CENTRE. SANITARY SERVICE 27/4/16 TO 12/9/16	-	87.15
EFT23258	07/06/2016	CCS STRATEGIC MANAGEMENT	NORTHAM RECREATION FACILITIES DEVERLOPMENT PLAN REVIEW	-	6,227.92
EFT23259	07/06/2016	CENTRAL MOBILE MECHANICAL REPAIRS	REPAIRS TO VARIOUS SHIRE VEHICLES.	-	3,987.61
EFT23260	07/06/2016	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-	726.60
EFT23261	07/06/2016	CHRIS DAVIDSON	COUNCILLOR PAYMENTS MAY 2016.	-	2,146.13
EFT23262	07/06/2016	CHRISTOPHER RICHARD ANTONIO	COUNCILLOR PAYMENTS MAY 2016.	-	1,926.35
EFT23263	07/06/2016	CJD EQUIPMENT PTY LTD	FUEL LEVEL SENSOR	-	460.46
EFT23264	07/06/2016	COURIER AUSTRALIA	FREIGHT CHARGES FOR DEPOT & CORPORATE SERVICES FOR P/E 13/5/2016 & 20/05/2016.	-	35.89
EFT23265	07/06/2016	DC WELDING SERVICES PTY LTD	REBUILD TWO RAIN WATER DRAIN LID FRAMES & FIX FRONT GATE DAMAGED BY VANDALS.	-	1,980.00
EFT23266	07/06/2016	DEERING AUTRONICS	SUPPLY & INSTALL REMOTE CONTROL OPTION ON RECENTLY PURCHASED TL-000-BSM SOLAR POWERED PORTABLE TRAFFIC LIGHT SYSTEM. INCLUDES ATTENDING NORTHAM TO PAIR THE REMOTE & ENSURE WORKING CORRECTLY.	-	2,145.00
EFT23267	07/06/2016	DENIS GRAHAM BERESFORD	COUNCILLOR PAYMENTS MAY 2016.	-	1,726.55
EFT23268	07/06/2016	DESMOND ARNOLD HUGHES	COUNCILLOR PAYMENTS MAY 2016.	-	1,726.55
EFT23269	07/06/2016	DIESEL & DUST ENTERPRISES T/A AVON VALLEY STOCK FEED & GARDEN SUPPLIES	UPKEEP OF SWAN COLONY	-	96.40
EFT23270	07/06/2016	E FIRE & SAFETY	NORTHAM RECREATION CENTRE. FIRE PANEL SERVICE & KILLARA ROUTINE INSPECTION FOR MAY 2016.	-	685.78
EFT23271	07/06/2016	ELDERS LIMITED	20L GLYSOPHATE FOR WEED CONTROL.	-	435.60
EFT23272	07/06/2016	FRONTLINE FIRE & RESCUE EQUIPMENT	MATERIALS FOR BRIGADES ESL	-	1,501.50

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EFT23273	07/06/2016	HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	RELIEF BUILDING SURVEYOR ANTONY MEE FOR W/E 22/5/2016.	- 2,576.99
EFT23274	07/06/2016	INCREDIBLE CREATURES MOBILE FARM	ANIMAL FARM FOR THE 2016 WUNDOWIE IRON FESTIVAL FROM 10AM - 4PM AT WUNDOWIE OVAL	- 950.00
EFT23275	07/06/2016	JOHN PROUD	COUNCILLOR PAYMENTS MAY 2016.	- 1,726.55
EFT23276	07/06/2016	JULIE ELLEN WILLIAMS	COUNCILLOR PAYMENTS MAY 2016.	- 2,003.31
EFT23277	07/06/2016	MAYBERRY HAMMOND & CO	LEGAL COSTS FOR LEASE AGREEMENTS	- 1,773.42
EFT23278	07/06/2016	MORRIS PEST AND WEED CONTROL	TERMITE TREATMENT CLACKLINE HALL & KURINGAL VILLAGE UNITS.	- 7,590.00
EFT23279	07/06/2016	NORTHAM BETTA HOME LIVING	2 X SAMSUNG LCD MONITORS LS22E45UFSX/XY	- 578.00
EFT23280	07/06/2016	NORTHAM FAMILY PRACTICE	PRE-EMPLOYMENT MEDICAL'S	- 946.00
EFT23281	07/06/2016	NORTHAM JUNIOR FOOTBALL ASSOCIATION	KIDSPORT FUNDING.	- 2,035.00
EFT23282	07/06/2016	NORTHAM SENIOR CITIZENS SOCIAL CLUB INC	ANNUAL ALLOCATION OF FUNDS FOR SENIOR ACTIVITIES.	- 750.00
EFT23283	07/06/2016	NORTHAM WADO RYU KARATE CLUB	KIDSPORT FUNDING	- 200.00
EFT23284	07/06/2016	POLLARD FAMILY SUPERANNUATION FUND T/A POLLARD ENTERPRISES PTY LTD	COUNCILLOR PAYMENTS MAY 2016.	- 2,500.00
EFT23285	07/06/2016	RIDING FOR THE DISABLED HILLS GROUP	KIDSPORT FUNDING FOR JASON EMERY.	- 195.00
EFT23286	07/06/2016	ROBERT WAYNE TINETTI	COUNCILLOR PAYMENTS MAY 2016.	- 1,726.55
EFT23287	07/06/2016	RURAL PRESS REGIONAL MEDIA (WA) PTY LTD	ADVERTISING IN VARIOUS NEWSPAPERS.	- 2,479.99
EFT23288	07/06/2016	SPECIALISED TREE SERVICE	VEGETATION PRUNING FOR ICS & WESTERN POWER AS PER SPREADSHEET & AS PER TENDER 19 OF 2015.	- 8,640.00
EFT23289	07/06/2016	ST JOHN AMBULANCE AUSTRALIA	SERVICING OF FIRST AID KIT IN CLACKLINE & FIRST AID KIT SERVICING FOR SES.	- 909.70
EFT23290	07/06/2016	STAPLES AUSTRALIA PTY LIMITED	STATIONERY FOR SHIRE ADMIN BUILDING.	- 553.32
EFT23291	07/06/2016	STATE LAW PUBLISHER	GOVERNMENT GAZETTE ADVERTISING FRIDAY 20/5/2016 NO.80 PL403*LPS NO.6 AMENDMENT NO.4 & GAZETTAL OF SHIRE OF NORTHAM PROHIBITED BURNING OF GARDEN REFUSE AND RUBBISH	- 493.80
EFT23292	07/06/2016	STEVEN BRUCE POLLARD	COUNCILLOR PAYMENTS FOR MAY 2016.	- 2,831.35
EFT23293	07/06/2016	SUPERCIVIL	REPLACE KERBING ON VARIOUS ROADS.	- 2,066.57
EFT23294	07/06/2016	TERRY MATTHEW LITTLE	COUNCILLOR PAYMENTS MAY 2016.	- 2,862.76
EFT23295	07/06/2016	THE WORKWEAR GROUP	UNIFORM FOR VARIOUS STAFF.	- 101.15
EFT23296	07/06/2016	TYRECYCLE PTY LTD	RECYCLING OF TYRES AT INKPEN TIP SITE.	- 1,585.98

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EFT23297	07/06/2016	TYREPOWER	REPLACE 6 TYRES ON HINO WATER TRUCK 1DZI621 (PN1501) WITH NEW TOYO TYRES 11R22.5 M 122.	- 2,152.53
EFT23298	07/06/2016	ULO RUMJANTSEV	COUNCILLOR PAYMENTS MAY 2016.	- 2,229.75
EFT23299	07/06/2016	VISIT MERCHANDISE	STOCK PURCHASES FOR VISITORS CENTRE.	- 1,095.92
EFT23300	07/06/2016	WATTLEUP TRACTORS	ONE NEW TRIMAX WARLORD WS205 HEAVY DUTY FLAIL MULCHER MOWER. CUTTING WIDTH 2040MM. CUTTING HEIGHT RANGE 10 - 100MM. FULL LENGTH ADJUSTABLE HEAVY DUTY 11MM THICK REAR ROLLER. HEAVY DUTY REPLACEABLE SIDE SKIDS. 6MM INTERNAL REPLACEABLE INNER LINER. 28 GAMMA FLAILS. HYDRAULIC SIDE SHIFT IN LEFT HAND SHIFT VERSION. 475MM OFFSET IN LEFT HAND SHIFT VERSION. 3 YEAR WARRANTY.	- 12,067.00
EFT23301	07/06/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	SHIRE CONTRIBUTION TOWARDS IPAD PRIZE FOR ROADWISE BLOW ZERO" COMPETITION."	- 300.00
EFT23302	07/06/2016	WHEATBELT SAFETYWEAR	PPE EQUIPMENT	- 180.00
EFT23303	07/06/2016	WREN OIL	COLLECTION OF DRUMS CONTAINING WASTE OIL	- 1,292.50
			SUBTOTAL EFT MUNICIPAL	- 268,455.05
EFT23304	10/06/2016	WHEATBELT STEEL	REFUND OF BOND ON HOSPITALITY ROOM FOR EVENT ON 18/12/2015.	- 500.00
EFT23305	10/06/2016	PJ & G GOODLET	REFUND OF BOND HELD IN TRUST PLUS INTEREST FOR 24 LYONS STREET, NORTHAM.	- 30,834.06
EFT23306	10/06/2016	SEEDS OF ENERGY PTY LTD	REFUND OF BOND ON TOWN HALL FROM 19/5/2016.	- 800.00
			SUBTOTAL EFT TRUST	- 32,134.06
EFT23307	10/06/2016	SPECIALISED TREE SERVICE	SAFELY CUT DOWN TREES, PRUNE BRANCHES/LIMBS. ALL STUMPS UP TO 300MM DIAMETER WILL BE CHIPPED & REMOVED FROM SITE. ALL LOGS GREATER THAN 300MM DIAMETER WILL BE LEFT ON SITE FOR SHIRE TO REMOVE. STUMPS TO BE GROUND DOWN APPROX 400MM AS PER QUOTE# 565 FOR SOUTHERN BROOK ROAD VEGETATION CLEARING.	- 22,681.25
EFT23308	10/06/2016	AVON PAPER SHRED	EMPTYING OF SHREDDER BIN - ADMIN - 31/05/16	- 55.00
EFT23309	10/06/2016	AVON TELECOMS PTY LTD	SERVICE CALL TO CHECK EFTPOS LINES AND LICENSING COMPUTER NETWORK CABLE LINES	- 198.00
EFT23310	10/06/2016	AVON VALLEY NISSAN	60,000KM SERVICE ON 2015 MITSUBISHI ASX WAGON N11069.	- 373.02

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EFT23311	10/06/2016	AVON WASTE	DOMESTIC & COMMERCIAL RUBBISH COLLECTION FOR THE FORTNIGHT ENDING 13/05/2016.	- 33,950.21
EFT23312	10/06/2016	AVW ELECTRICAL	RECREATION CENTRE. POWER OUTAGE 16/05/2016 TRANSPORT GENERATOR. CONNECT TO RECREATION CENTRE. DISCONNECT AFTER USE. FUEL FOR GENERATOR.	- 1,644.50
EFT23313	10/06/2016	BLACKWELL PLUMBING PTY LTD	REPAIR TAP HIT BY VEHICLE NEXT TO THE SEWER DUMP POINT ON PEEL TERRACE	- 271.70
EFT23315	10/06/2016	CENTRAL MOBILE MECHANICAL REPAIRS	REPAIRS TO VARIOUS SHIRE VEHICLES	- 4,897.93
EFT23316	10/06/2016	CHIDLOW NETBALL CLUB	KIDSPORT FUNDING	- 200.00
EFT23317	10/06/2016	COLIN DUNCAN GRANT	MONTHLY CLEANING OF NORTHAM DISTRICT SES OFFICES	- 110.00
EFT23318	10/06/2016	DS AGENCIES PTY	CONCOURSE SEAT & PARK SEATS FOR PARKS & GARDENS.	- 11,706.20
EFT23319	10/06/2016	EDWARD PETER PARSONS	RATES REFUND FOR ASSESSMENT A10796 2 ESPERANCE STREET NORTHAM 6401	- 144.17
EFT23320	10/06/2016	ELITE CHAMPION MMA	KIDSPORT FUNDING	- 200.00
EFT23321	10/06/2016	EVENTS INDUSTRY ASSOCIATION	EIA REGIONAL MEMBERSHIP UNTIL 31/12/2016.	- 250.00
EFT23322	10/06/2016	GEOFABRICS AUSTRALASIA PTY LTD	GEOFABRICS FOR TAMMA ROAD BAKERS HILL DRAINAGE X2 ROLLS	- 3,960.00
EFT23323	10/06/2016	GROVE WESLEY DESIGN ART	STOCK PURCHASES FOR VISITORS CENTRE.	- 244.75
EFT23324	10/06/2016	HILLS LIONS BASKETBALL CLUB	KIDSPORT FUNDING	- 160.00
EFT23325	10/06/2016	HILLS WARRIORS NETBALL CLUB	KIDSPORT FUNDING	- 1,309.00
EFT23326	10/06/2016	IREDALE PEDERSEN HOOK ARCHITECTS	ARCHITECTURAL DESIGN SERVICES FOR ABORIGINAL & ENVIRONMENTAL INTERPPRETIVE CENTRE - SCHEMATIC DESIGN_CONCEPT DESIGN OPTION 100%.	- 9,702.00
EFT23327	10/06/2016	KENNETH GEORGE DAVIS	RATES REFUND FOR ASSESSMENT A11428 19 HAMPTON STREET NORTHAM 6401	- 209.68
EFT23328	10/06/2016	NORTHAM BETTA HOME LIVING	KETTLES, LOGITECH COMPUTER SPEAKERS , BREVILLE HAND MIXER, KENWOOD MIXER ALL FOR KILLARA LCD MONITORS	- 1,152.85
EFT23329	10/06/2016	NORTHAM FAMILY PRACTICE	FLU INJECTION FOR STAFF	- 740.00
EFT23330	10/06/2016	NORTHAM NETBALL ASSOCIATION	KIDSPORT FUNDING.	- 9,105.00
EFT23331	10/06/2016	NORTHAM SPRINGFIELD FOOTBALL CLUB	KIDSPORT FUNDING	- 4,920.00
EFT23332	10/06/2016	NORTHAM TOY & BIKE WORLD	GIFT VOUCHER FOR GUINNESS BOOK OF RECORDS SCHOOL HOLIDAYS PROGRAM	- 450.00
EFT23333	10/06/2016	NORTHAM VETERINARY	VARIOUS VET TREATMENTS	- 635.64

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		CENTRE		
EFT23334	10/06/2016	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER & SOFTWARE UPGRADES FOR VARIOUS SHIRE BUILDINGS.	- 2,125.00
EFT23335	10/06/2016	PERTH SAFETY PRODUCTS PTY LTD	ROAD SIGNS FOR VARIOUS ROADS.	- 470.80
EFT23336	10/06/2016	PIANO MAGIC	TUNING LARGE PIANO	- 260.00
EFT23337	10/06/2016	WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	REPAIRS TO VARIOUS SHIRE VEHICLES	- 1,590.00
EFT23338	16/06/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	- 25.80
EFT23339	16/06/2016	AUSTRALIAN TAXATION OFFICE - PAYG	PAYG PAY RUN WEEK END: 14/6/2016.	- 53,536.00
EFT23340	16/06/2016	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	- 726.60
EFT23341	16/06/2016	DAVE'S TREE SERVICE	HIRE OF SQUIRREL TO PUT UP BANNERS.	- 440.00
EFT23342	16/06/2016	JL PAVING & RENOVATIONS	INKPEN TIP. INSTALL PAVING AND RETAINING TO PROVIDE ACCESS TO GATE HOUSE & KURINGAL UNIT 7 BATHROOM AND KITCHEN TILING.	- 16,113.19
EFT23343	16/06/2016	ROWLES HOLDINGS PTY LTD	RATES REFUND FOR ASSESSMENT A15002 33 WOOD DRIVE NORTHAM 6401	- 1,000.00
EFT23344	16/06/2016	SPECIALISED TREE SERVICE	SAFELY CUT DOWN TREES, PRUNE BRANCHES/LIMBS. ALL STUMPS UP TO 300MM DIAMETER WILL BE CHIPPED & REMOVED FROM SITE. ALL LOGS GREATER THAN 300MM DIAMETER WILL BE LEFT ON SITE FOR SHIRE TO REMOVE. STUMPS TO BE GROUND DOWN APPROX 400MM AS PER QUOTE# 565 FOR SOUTHERN BROOK ROAD VEGETATION CLEARING.	- 22,681.25
EFT23345	24/06/2016	AUSTRALIA POST	POSTAGE FOR MAY 2016 - FOR KILLARA, LIBRARY & ADMIN BUILDINGS.	- 1,692.35
EFT23346	24/06/2016	CHRIS DAVIDSON	COUNCILLOR PAYMENTS JUNE 2016	- 1,846.43
EFT23347	24/06/2016	CHRISTOPHER RICHARD ANTONIO	COUNCILLOR PAYMENTS JUNE 2016	- 1,726.55
EFT23348	24/06/2016	DENIS GRAHAM BERESFORD	COUNCILLOR PAYMENTS JUNE 2016	- 1,726.55
EFT23349	24/06/2016	DEPARTMENT OF FIRE AND EMERGENCY SERVICE(DFES) OF WESTERN AUSTRALIA	2015/2016 ESL QUARTER 4 IN ACCORDANCE WITH THE DEPARTMENT OF FESA OF WA ACT 1998 PART 6A - EMERGENCY SERVICES LEVY - SECTION 36ZJ AND OPTION B AGREEMENT ARRANGEMENTS.	- 44,698.67
EFT23350	24/06/2016	DESMOND ARNOLD HUGHES	COUNCILLOR PAYMENTS JUNE 2016	- 1,876.03
EFT23351	24/06/2016	DUNNING INVESTMENTS PTY LTD	FUEL CHARGES FOR MAY 2016.	- 22,433.45
EFT23352	24/06/2016	HAYLEY AYERS-FINDLAY	PARKING FEE IN CITY OF PERTH.	- 10.50
EFT23353	24/06/2016	J & A BUILDING PTY LTD	REFUND OF DEVELOPMENT APPLICATION FEES AS PLANNING	- 441.00

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			APPROVAL IS NOT REQUIRED.	
EFT23354	24/06/2016	JOHN PROUD	COUNCILLOR PAYMENTS JUNE 2016	- 1,811.65
EFT23355	24/06/2016	JULIE ELLEN WILLIAMS	COUNCILLOR PAYMENTS JUNE 2016	- 1,806.47
EFT23356	24/06/2016	PAUL BYRON GODFREY	A11443 -CROSSOVER REIMBURSEMENT 21 GERALD TCE NORTHAM.	- 600.00
EFT23357	24/06/2016	PERTH ENERGY PTY LTD	ELECTRICITY CHARGES - 182 FITZGERALD STREET, NORTHAM - STATEMENT NO 2093036 - ACCOUNT NO 601148.	- 305.52
EFT23358	24/06/2016	PERTH SAFETY PRODUCTS PTY LTD	ASSORTED SIGNAGE FOR TRAFFIC MANAGEMENT FOR ENGINEERING SERVICES.	- 2,163.70
EFT23359	24/06/2016	POLLARD FAMILY SUPERANNUATION FUND T/A POLLARD ENTERPRISES PTY LTD	COUNCILLOR PAYMENTS	- 2,500.00
EFT23360	24/06/2016	RETAIL DECISIONS (COLES)	COLES CARD EXPENSES MAY 2016 - MILTON BROOKS, SUSAN BURLEY, BEV BULL, ALISON ROWLAND, ANGI MCCLUSKEY, CHRISTINE WATERS, KRISTY ROBINSON, ALYSHA MAXWELL.	- 2,475.32
EFT23361	24/06/2016	ROBERT WAYNE TINETTI	COUNCILLOR PAYMENTS JUNE 2016	- 1,726.55
EFT23362	24/06/2016	SPECIALISED TREE SERVICE	SAFELY CUT DOWN TREES, PRUNE BRANCHES/LIMBS. ALL STUMPS UP TO 300MM DIAMETER WILL BE CHIPPED & REMOVED FROM SITE. ALL LOGS GREATER THAN 300MM DIAMETER WILL BE LEFT ON SITE FOR SHIRE TO REMOVE. STUMPS TO BE GROUND DOWN APPROX 400MM AS PER QUOTE# 565 FOR SOUTHERN BROOK ROAD VEGETATION CLEARING.	- 22,681.25
EFT23363	24/06/2016	STEVEN BRUCE POLLARD	COUNCILLOR PAYMENTS JUNE 2016	- 2,779.55
EFT23364	24/06/2016	TERRY MATTHEW LITTLE	COUNCILLOR PAYMENTS JUNE 2016.	- 2,649.64
EFT23365	24/06/2016	ULO RUMJANTSEV	COUNCILLOR PAYMENTS JUNE 2016	- 1,978.15
EFT23366	24/06/2016	VODAFONE	TELEPHONES -IRISHTOWN SES & FIREBRIGADE ACCOUNT FOR 01/06/2016 - 30/06/2016.	- 89.10
EFT23367	24/06/2016	WRIGHT EXPRESS AUSTRALIA PTY LTD (PUMA ENERGY)	FUEL PURCHASED FROM PUMA FOR MAY 2016.	- 1,042.05
EFT23368	27/06/2016	BALLANTYNES JEWELLERS	3 TROPHIES FOR THE PERFORMING ARTS FESTIVAL	- 344.85
EFT23369	27/06/2016	CAPITAL RECYCLING	GRAVEL FORVARIOUS SHIRE ROADS & STOCK PILE FOR NORTHAM DEPOT	- 7,976.27
EFT23370	27/06/2016	W GIBBS & SON	SES BUILDING REPAIRS & INSTALLATION OF BIRD NEST SWING AT GEORGE NUICH PARK.	- 6,201.87
EFT23371	27/06/2016	A COUNTRY PRACTICE	5 X CAT STERILISATIONS AND	- 750.00

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			CHIPPING - CAT GRANT	
EFT23372	27/06/2016	ABBOTT & CO PRINTERS	TIP PASSES FOR OLD QUARRY AND INKPEN ROAD LANDFILL FACILITIES. 210MM X 100MM SIZE, LIGHT GREEN 200GSM SYSTEM BOARD, INK MONO, NUMBERED 1 TO 6000 ASCENDING ORDER. ART WORK OF PASS	- 796.40
EFT23373	27/06/2016	ABS WEST	YELLOW TACTILE PAVERS FOR FOOTPATH ON PARK LANE	- 554.40
EFT23374	27/06/2016	ADT SECURITY	SECURITY AT VARIOUS SHIRE BUILDINGS.	- 523.51
EFT23375	27/06/2016	AE HOSKINS & SONS	TOWN AND LESSER HALL.TO REPAIR LESSER HALL CIELINGS TO HERITAGE SPECIFICATIONS AS PER QUOTE 37922. CIELING TO BE FINISHED READY TO PAINT.	- 9,306.83
EFT23376	27/06/2016	AG IMPLEMENTS NORTHAM PTY LTD	REPAIRS TO VARIOUS SHIRE VEHICLES	- 2,365.65
EFT23377	27/06/2016	ALL-WAYS FOODS	STOCK SUPPLIES FOR NORTHAM POOL.	- 86.59
EFT23378	27/06/2016	APPLIED INDUSTRIAL TECHNOLOGIES T/A NORTHAM BEARINGS	SHACKLES AND HAMMER LOCKS FOR VARIOUS TRAILERS	- 355.80
EFT23380	27/06/2016	AUSTRALIAN GROWN	EMBROIDERED CAPS	- 229.02
EFT23381	27/06/2016	AUSTRALIAN WILDFLOWER SEEDS PTY LTD	STOCK PURCHASES FOR VISITORS CENTRE.	- 362.60
EFT23382	27/06/2016	AUTOPRO NORTHAM	X2 SMALL EMERGENCY HAMMERS TO BREAK GLASS (SAFETY) FOR THE COMMUNITY BUS N.009.	- 31.72
EFT23383	27/06/2016	AV-SEC SECURITY SERVICES	ALARM ATTENDANCE AT VARIOUS SHIRE BUILDINGS	- 308.00
EFT23384	27/06/2016	AVON DEMOLITION & EARTHMOVING	MANAGEMENT OF INKPEN ROAD WASTE MANAGEMENT - 24/5/2016 TO 06/6/2016.	- 1,792.00
EFT23385	27/06/2016	AVON FIBRE TECH	FIX ROUNDABOUT DAMAGED BY VEHICLES	- 275.00
EFT23386	27/06/2016	AVON HOME IMPROVEMENT CENTRE	NORTHAM SHIRE ADMIN. PARTITIONING FOR FINACE AND HR OFFICE AND GLASS PANELLING. SUPPLY AND INSTALL & WUNDOWIE KURINGAL UNITS TILES & SOAP DISH.	- 10,656.24
EFT23387	27/06/2016	AVON TELECOMS PTY LTD	SECURITY MONITORING AT VARIOUS SHIRE BUILDINGS.	- 641.00
EFT23388	27/06/2016	AVON VALLEY ARTS SOCIETY (INC)	STOCK PURCHASES FOR VISITORS CENTRE.	- 85.50
EFT23389	27/06/2016	AVON VALLEY BAKERY	CATERING FOR BUS TOUR & MYOSH TRAINING.	- 184.00
EFT23390	27/06/2016	AVON VALLEY CONTRACTORS	GRAVEL CARTING FROM CAPITAL RECYCLING (THE LAKES) TO CARTER ROAD & DRY HIRE OF LOADER FOR ONE DAY TO REMOVE DRAINAGE	- 10,076.00
EFT23391	27/06/2016	AVON VALLEY GLASS	REPLACE EXISTING WINDOWS WITH 2 BLUERIDGE BST-W-XO SLIDING WINDOW WITH CLEAR GLASS. FOR	- 2,384.85

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			SHIRE ADMIN BUILDING.	
EFT23392	27/06/2016	AVON VALLEY MOWER & CHAINSAW CENTRE	POOL CHEMICALS FOR WUNDOWIE POOL & PULL START SPRING FOR CHAINSAW.	- 803.00
EFT23393	27/06/2016	BAKERS HILL VETERINARY HOSPITAL	CAT MICRO CHIP AND STERILISATION - CAT GRANT	- 150.00
EFT23394	27/06/2016	BEACON EQUIPMENT	NEW PARKS & GARDENS EQUIPMENT	- 4,431.00
EFT23395	27/06/2016	BEAUREPAIRES	REPAIRS TO VARIOUS SHIRE VEHICLES	- 3,182.72
EFT23396	27/06/2016	BLACKWELL PLUMBING PTY LTD	NORTHAM KILLARA. EMERGENCY UNBLOCK TOILET AND REPAIR LEAK.	- 222.30
EFT23397	27/06/2016	BMT JFA CONSULTANTS PTY LTD	PROVISION OF ADDITIONAL INFORMATION REGARDING POTENTIAL DISPOSAL SITE - PROFESSIONAL SERVICES FROM 23/4/2016 TO 20/05/2016.	- 8,412.13
EFT23398	27/06/2016	BOB DAVEY REAL ESTATE RENTAL TRUST A/C	ADVERTISING FEES FOR 77 EAST STREET NORTHAM.	- 1,065.40
EFT23399	27/06/2016	BOBCAT PERTH WA	LEVELLING AND COMPACTION OF INKPEN ROAD LANDFILL SITE SHED PAD. COMPACTION OF SHED AREA TO BE 7 BLOWS PER 300MM.	- 660.00
EFT23400	27/06/2016	BUNNINGS BUILDING SUPPLIES P/L	3.1 - 150KG INDUSTRIAL DOUBLE SIDED ALUMINIUM LADDER & BIFOLD TABLES.	- 892.25
EFT23402	27/06/2016	CADD'S FASHIONS	UNIFORMS FOR DEPOT STAFF.	- 3,903.20
EFT23403	27/06/2016	CENTRAL MOBILE MECHANICAL REPAIRS	REPAIRS TO VARIOUS SHIRE VEHICLES	- 5,146.72
EFT23404	27/06/2016	CJD EQUIPMENT PTY LTD	WIPER MOTOR V12741500 FOR VOLVO GRADER N.002 SERIAL #502913.	- 874.42
EFT23405	27/06/2016	CLACKLINE FENCING CONTRACTORS	NORTHAM DOG POUND. REPAIRS TO FENCE AFTER DOG ESCAPE.	- 200.00
EFT23406	27/06/2016	CONCRETE BY ROSSI	REMOVE & REPLACE NON-CONFORMING CONCRETE FOOTPATH & WELLINGTON STREET NORTHAM - SUPPLY, PLACE & FINISH CONCRETE FOR FOOTPATH AT 150MM THICK AS ITS COMMERCIAL, REMOVE EXISTING BITUMEN, SUPPLY 32 MPA CONCRETE, EXPANSION JOINTS & S162 REINFORCING MESH & FINISH CONCRETE TO NON-SKID BROOM FINISH WITH BULL NOSED SEDGES & CONTROL JOINTS AS PER QUOTE# 1483.	- 5,610.00
EFT23407	27/06/2016	COUNTRY COPIERS NORTHAM	COLOUR COPIER SERVICE/METER READING - ADMIN & COPIER SERVICE MAY 2016.	- 3,185.65
EFT23408	27/06/2016	COURIER AUSTRALIA	FREIGHT CHARGES FROM CJD TO SHIRE DEPOT.	- 8.98

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EFT23409	27/06/2016	DEPARTMENT OF AGRICULTURE AND FOOD	QUARANTINE INSPECTIONS OF SWANS	-	122.00
EFT23410	27/06/2016	DRACO AIR PTY LTD	REPAIRS TO RIVERSEDGE FRIDGES & REPAIRS TO AIR CONDITIONING.	-	3,727.23
EFT23412	27/06/2016	E FIRE & SAFETY	NORTHAM RECREATION CENTRE. MAY FIRE PANEL SERVICE & NORTHAM TOWN HALL. FIRE DETECTION SYSTEM SERVICE.	-	563.52
EFT23413	27/06/2016	ECOSPILL PTY LTD	FOUR DRUM CONTAINMENT PALLET (SQUARE)	-	1,145.10
EFT23414	27/06/2016	ELDERS LIMITED	GLYOSPHATE FOR NOXIOUS WEEDS.	-	435.60
EFT23415	27/06/2016	FE TECHNOLOGIES PTY LTD	COMPUTER SOFTWARE FOR LIBRARY.	-	484.00
EFT23416	27/06/2016	FM SURVEYS	SURVEY OF MITCHELL AVENUE FROM FERNIE STREET TO NEWCASTLE ROAD	-	4,950.00
EFT23417	27/06/2016	FRAMESWEST	REPAIR DAMAGED LIGHT POLE FROM MINSON AVENUE NET BALL TROLLEY & WHEELS ON FLOORBALL TROLLEY FOR REC CENTRE.	-	2,094.40
EFT23418	27/06/2016	FULTON HOGAN INDUSTRIES PTY LTD	SUPPLY BULKA BAGS OF BLACK COLD ASPHALT.	-	2,112.00
EFT23419	27/06/2016	GLENN STUART BEVERIDGE	REPAIRS AT VARIOUS SHIRE BUILDINGS.	-	9,953.90
EFT23420	27/06/2016	GRAFTON ELECTRICS	REPAIRS AT VARIOUS SHIRE BUILDINGS.	-	1,222.65
EFT23421	27/06/2016	GRASSTREES AUSTRALIA	VARIOUS SIZE TREES FOR FERNIE ROAD.	-	13,755.00
EFT23422	27/06/2016	HI CONSTRUCTIONS AUST PTY LTD	REPAIRS AT VARIOUS SHIRE BUILDINGS.	-	14,559.00
EFT23423	27/06/2016	HILLS CONCRETE PRODUCTS	SUPPLY OF CULVERT LID.	-	660.00
EFT23424	27/06/2016	HITSERT CONTRACTING	CROSSOVER REPAIRS TO THREE SINGLE DRIVE CROSSOVERS CHIDLOW STREET NORTHAM & ONE DOUBLE 25 GORDON STREET INCLUDING LIFTING OF EXISTING BRICK PAVING CLEANING & RELAYING SO AS TO MATCH HEIGHT OF NEW FOOT PATH ALSO SAME 17 QUEEN STREET NOT INCLUDED IS SUPPLY OF SAND & ANY BRICKS THAT MAY BE BROKEN OR MISSING FOR COMPLETION OF JOB. APPROXIMATELY 110M2 IN TOTAL OF LIFTING RELEVELING & RELAYING	-	6,435.00
EFT23425	27/06/2016	HOST AUTO REPAIRS	BAKERS HILL 2.4 - PUMP GEARBOX REPAIR	-	4,270.35
EFT23426	27/06/2016	IMMACU SWEEP	SWEEPING OF TOWN CENTRE FOOTPATHS & GULLY EDUCATION SERVICES FOR PERIOD 2/5/2016 TO 28/5/2016.	-	15,582.60
EFT23427	27/06/2016	INDEPENDENT VALUERS OF WESTERN AUSTRALIA	VALUATION OF VACANT LAND - 1AT MULTIPLE PROPERTIES IN NORTHAM	-	1,716.00

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			& WUNDOWIE.	
EFT23428	27/06/2016	INSTANT WEIGHING	HIRE OF TRADE APPROVED COMPULOAD DIGITAL SCALES & PRINTER FOR LOADER.	- 1,760.00
EFT23429	27/06/2016	IT VISION	MOBILE DOGS, CATS AND CUSTOMER SERVICE ANNUAL LICENSE FEES 09/05/2015 - 31/05/2016	- 6,095.27
EFT23430	27/06/2016	IXOM OPERATIONS PTY LTD	SERVICE FEE FOR 920KG CHLORINE BOTTLES FOR THE PERIOD 01/05/2016 TO 31/05/2016.	- 348.50
EFT23431	27/06/2016	JIM MCKENZIE PTY LTD	LOCATING SERVICES ON CARTER ROAD PRIOR TO COMMENCEMENT OF WORKS	- 495.00
EFT23432	27/06/2016	JUSTICE ELECTRICAL & COMMUNICATIONS PTY LTD	DISCONNECT OLD AND RECONNECT NEW PUMP MOTOR FOR NORTHAM OLYMPIC POOL	- 382.42
EFT23433	27/06/2016	KLEENWEST DISTRIBUTORS	CLEANING SUPPLIES FOR KILLARA	- 805.43
EFT23434	27/06/2016	LANDGATE	MAPS FOR WUNDOWIE COMMUNITY PLAN & GROSS RENTAL VALUATIONS CHARGEABLE SCHEDULE NO G2016/5 DATED 9/4/2016 TO 6/5/2016 & RURAL UV'S CHARGEABLE - SCHEDULE R2016/6 DATE: 02/04/2016 TO 29/04/2016 & SCHEDULE: R2016/7 DATED 30/04/2016 TO 13/05/2016 & MINING TENEMENTS CHARGEABLE SCHEDULE NO M2016/5 DATED 8/4/2016 TO 10/5/2016.	- 1,472.22
EFT23435	27/06/2016	LLOYDS EARTHMOVING	PLANTS FOR ADMIN GARDEN & NURSERY AT DEPOT.	- 420.00
EFT23436	27/06/2016	LONE WOLF TRADING CO	STOCK PURCHASES FOR VISITORS CENTRE.	- 23.70
EFT23437	27/06/2016	MALATESTA ROAD PAVING & HOT MIX	SPRAY AND SPREAD 14/7MM TWO COAT SEAL CARTER ROAD - 13800M2	- 110,291.45
EFT23438	27/06/2016	MARKETFORCE	ADVERTISING IN VARIOUS NEWSPAPERS	- 3,067.39
EFT23439	27/06/2016	MATHEW MACQUEEN	CAPITAL EXP CLACKLINE FIRE SHED EXTN FOR STAGE 5 & STAGE 6.	- 12,925.00
EFT23440	27/06/2016	MCKINLEY DEVELOPMENTS	VARIOUS REPAIRS TO UNIT 7 AT KURINGAL VILLAGE.	- 1,528.00
EFT23441	27/06/2016	MCLEODS BARRISTERS & SOLICITORS	MATTER OF UNLAWFUL USE - D. RENSHAW, 97 LOCKYER AVENUE, NORTHAM	- 3,681.48
EFT23442	27/06/2016	MEGAN CHRISTINE WORTHINGTON	REIMBURSEMENT OF ACCOMMODATION FOR PARKS & LEISURE CONFERENCE 2016.	- 519.00
EFT23443	27/06/2016	MOORE STEPHENS (WA) PTY LTD	INTERIM BILLING IN RESPECT OF THE AUDIT FOR THE YEAR ENDED 30TH JUNE 2016 IN ACCORDANCE WITH OUR AGREEMENT	- 11,220.00
EFT23444	27/06/2016	MORRIS PEST AND WEED CONTROL	BAKERS HILL BFB - ANNUAL BUG SPRAY	- 1,820.01
EFT23445	27/06/2016	NAVMAN WIRELESS PTY LTD	MONTHLY SATELLITE SERVICE FEE	- 527.78

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EFT23446	27/06/2016	NETSIGHT	MYOSH MONTHLY SUBSCRIPTION FOR MAY 2016.	-	663.30
EFT23447	27/06/2016	NORTHAM & DISTRICTS GLASS SERVICE	BAKERS HILL PAVILLION. REPLACE BROKEN WINDOW.	-	377.30
EFT23448	27/06/2016	NORTHAM BETTA HOME LIVING	COMPUTER CABLES FOR NEW SCREENS.	-	169.80
EFT23449	27/06/2016	NORTHAM CENTRAL NEWSAGENCY	DELIVERY OF NEWSPAPERS FOR LIBRARY & ADMIN FROM 02/05/2016 - 31/05/2016.	-	166.45
EFT23450	27/06/2016	NORTHAM DISCOUNT DRUG STORE	PURCHASE OF X6 SHARPS CONTAINERS & MALE URINAL BOTTLE FOR KILLARA COTTAGE	-	93.89
EFT23451	27/06/2016	NORTHAM HARDWARE	6 X CAT TRAPS REPLACE BROKEN ONE	-	619.98
EFT23452	27/06/2016	NORTHAM MAZDA	SINGLE CANVAS SEAT COVER TO SUIT MAZDA BT-50 UTE	-	165.00
EFT23453	27/06/2016	NORTHAM MITRE 10 SOLUTIONS	VARIOUS HARDWARE ITEMS	-	1,284.37
EFT23454	27/06/2016	NORTHAM NURSERY	GREVILLEA'S ANZAC PRADE.	-	136.50
EFT23455	27/06/2016	NORTHAM RETRAVISION	SES - REPLACEMENT KITCHEN FRIDGE	-	998.00
EFT23456	27/06/2016	NORTHAM TOWING SERVICE	TOWAGE ABANDONED VEHICLES	-	370.70
EFT23457	27/06/2016	NORTHAM TOY & BIKE WORLD	GUINESS BOOK OF RECORDS ATTEMPT LEGO BRICKS AND BASE PLATE.	-	109.96
EFT23458	27/06/2016	NORTHAM TOYOTA	100,000km SERVICE - TO PN0820 - KILLARA 4.	-	350.61
EFT23459	27/06/2016	OFFICEWORKS SUPERSTORES PTY LTD	FAX CARTRIDGES, LAMINATING POUCHES & A4 COPY PAPER	-	167.67
EFT23460	27/06/2016	OXTER SERVICES	1.2L PUREGIENE SOAP DISPENSER FOR ADMIN.	-	128.63
EFT23461	27/06/2016	PERFECT COMPUTER SOLUTIONS PTY LTD	ASSISTING ICT WITH SOFTWARE INFORMATION TO MAKE UPGRADES.	-	382.50
EFT23462	27/06/2016	PERTH HILLS UNITED FOOTBALL CLUB	KIDSPORT FUNDING	-	200.00
EFT23463	27/06/2016	PORTNER PRESS PTY LTD	EMPLOYMENT LAW UPADATE 4 2016.	-	97.00
EFT23464	27/06/2016	PR POWER PTY LTD	NORTHAM ADMIN BUILDING. HIRE OF GENERATOR 16TH MAY AND 30TH MAY. INCLUDES RETURN FREIGHT AND DEISEL.	-	1,928.96
EFT23465	27/06/2016	PROFESSIONAL LOCKSERVICE	CLACKLINE HALL. SUPPLY AND INSTALL 8 LOCKSETS TO MAKE COMPLIANT DOORS TO HALL.	-	1,291.51
EFT23466	27/06/2016	PUBLIC TRANSPORT AUTHORITY OF WESTERN AUSTRALIA (TRANS WA)	TICKET SALES, COMMISSION & CANCELLATION COST OF TRAIN TICKETS FOR MAY 2016.	-	113.52
EFT23467	27/06/2016	QUAD SERVICES PTY LTD	CLEANING AT VARIOUS SHIRE BUILDINGS.	-	3,697.13
EFT23468	27/06/2016	ROAD AND TRAFFIC SERVICES	SETOUT & INSTALL PAVEMENT MARKINGS AT VARIOUS SITES,	-	2,607.00
EFT23469	27/06/2016	ROAD SIGNS AUSTRALIA	SIGNAGE FOR DEPOT.	-	18.70
EFT23470	27/06/2016	ROLEYSTONE COURIER	STOCK PURCHASES FOR VISITORS CENTRE.	-	188.90

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EFT23471	27/06/2016	SGS AUSTRALIA PTY LTD	OLD QUARRY ROAD GROUND WATER MONITORING BORE ANALYSIS APRIL 2016.	-	943.80
EFT23472	27/06/2016	SHILLER IMAGES	STOCK PURCHASES FOR VISITORS CENTRE.	-	243.49
EFT23473	27/06/2016	SLAV'S CLEANING SERVICE	CLEANING OF VARIOUS SHIRE BUILDINGS FOR MAY 2016.	-	8,840.01
EFT23474	27/06/2016	SOUVENIRS AUSTRALIA PTY LTD	STOCK PURCHASES FOR VISITORS CENTRE.	-	441.32
EFT23475	27/06/2016	SPORTSPower NORTHAM	EQUIPMENT FOR RECREATION CENTRE.	-	425.88
EFT23476	27/06/2016	ST JOHN AMBULANCE AUSTRALIA	FIRST AID TRAINING FOR STAFF	-	160.00
EFT23477	27/06/2016	T-QUIP	REPAIR TO FOOTPATH SWEEPER PN1007	-	587.90
EFT23478	27/06/2016	THE WEST AUSTRALIAN	ADVERTISING IN WEST AUSTRALIAN - WINTER WARMERS TRAVEL FEATURE.	-	495.00
EFT23479	27/06/2016	THE WORKWEAR GROUP	UNIFORM FOR STAFF	-	204.00
EFT23480	27/06/2016	THELMA FRAYNE	STOCK PURCHASES FOR VISITORS CENTRE.	-	260.00
EFT23481	27/06/2016	THYLACINE DESIGN & PROJECT MANAGEMENT	PROGRESS CLAIM FOR INTERPRETIVE PLANNING & DESIGN FOR THE ABORIGINAL & ENVIRONMENTAL INTERPRETIVE CENTRE FUNDING MILESTONE #01 FOR CONCEPT DESIGN.	-	35,790.84
EFT23482	27/06/2016	TOURISM COUNCIL	VISITOR CENTRE ACCREDITATION & TOURISM COUNCIL MEMBERSHIPS 2016/17	-	1,298.00
EFT23483	27/06/2016	TYRECYCLE PTY LTD	TYRE RECYCLING AT OLD QUARRY ROAD SITE.	-	377.68
EFT23484	27/06/2016	TYREPOWER	X1 NEW BRIDGESTONE K TRACTION 1400 R 24 TYRE FOR GRADER PN1314 - N.002 AS DAMAGED TYRE WASN'T REPAIRABLE.	-	1,554.30
EFT23485	27/06/2016	VERNICE PTY LTD	RELOCATION OF 10,000T OF CLEANFILL ONSITE. MOBILIZATION & DEMOBILIZATION OF MACHINERY & SUPPLY & DELIVER 200 TONNE OF STONE TO TAMMA ROAD BAKERS HILL FOR ROCK PITCHING IN DRAINS.	-	42,202.60
EFT23486	27/06/2016	VINCELEC	REPAIRS TO VARIOUS SHIRE BUILDINGS	-	978.67
EFT23487	27/06/2016	WA CONTRACT RANGER SERVICES	CAT IMPOUNDING FEES FOR MONTH OF MAY 2016.	-	1,375.00
EFT23488	27/06/2016	WA POLICE AND COMMUNITY YOUTH CENTRES - NORTHAM	KIDSPORT FUNDING	-	200.00
EFT23489	27/06/2016	WATTLEUP TRACTORS	BLADES FOR EHD180 HOWARD ROTOSLASHER (7878KN (NIB BOLT))	-	293.15
EFT23490	27/06/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	WALGA TRAINING - VARIOUS TRAINING FOR STAFF & COUNCILLORS	-	1,589.00

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EFT23491	27/06/2016	WESTWATER ENTERPRISES PTY LTD	SERVICE CHLORINE & MACHINERY AT WASTE WATER TREATMENT PLANT.	- 20,590.79
EFT23492	27/06/2016	WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	REPAIRS TO VARIOUS SHIRE VEHICLES	- 3,503.00
EFT23493	27/06/2016	WHEATBELT SAFETYWEAR	PPE EQUIPMENT FOR STAFF	- 580.00
EFT23494	27/06/2016	WILD-CARD.ORG	STOCK PURCHASES FOR VISITORS CENTRE.	- 153.45
EFT23495	27/06/2016	WREN OIL	COLLECTION OF WASTE OIL FOR RECYCLING FROM OLD QUARRY RD & INKPEN LANDFILL SITE.	- 506.00
EFT23496	27/06/2016	WW SOUVENIRS GIFTS & HOMEWARES PTY LTD	STOCK PURCHASES FOR VISITORS CENTRE.	- 402.97
EFT23497	27/06/2016	ZENIEN	CCTV SYSTEMS CONSULTING/INSTALLATION AT BERNARD PARK.	- 2,557.50
EFT23498	30/06/2016	CAPITAL RECYCLING	GRAVEL PURCHASES FOR VARIOUS ROADS	- 1,133.19
EFT23499	30/06/2016	ADAMSON CONCRETING PTY LTD	BOX OUT, SUPPLY AND LAY CONCRETE FOOTPATH PANELS AT VARIOUS LOCATIONS.	- 1,430.00
EFT23500	30/06/2016	ASLAB PTY LTD	COMPACTION TEST SOIL ON GORDON PLACE	- 1,398.82
EFT23501	30/06/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	- 25.80
EFT23502	30/06/2016	AUSTRALIAN TAXATION OFFICE - PAYG	PAYG PAY RUN W/E 28/6/2016.	- 60,210.00
EFT23503	30/06/2016	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	- 726.60
EFT23504	30/06/2016	DUN & BRADSTREET AUSTRALIA	LEGAL COSTS	- 863.35
EFT23505	30/06/2016	I & P FULLERTON	DISCING FIREBREAKS AT VARIOUS PROPERTIES	- 220.00
EFT23506	30/06/2016	IXOM OPERATIONS PTY LTD	SERVICE FEE OF 920KG CHLORINE BOTTLE FOR THE MONTH OF APRIL & MAY 2016.	- 708.24
EFT23507	30/06/2016	NORTHAM GARDENING SERVICE	SLASHING FIREBREAKS AT VARIOUS PROPERTIES.	- 1,045.00
EFT23508	30/06/2016	NORTHAM MAZDA	PURCHASE OF 2 NEW MAZDA CX5 FWD PETROL AUTO WHITE	- 35,500.40
EFT23509	30/06/2016	QUBE LOGISTICS	CHLORINE DRUM DELIVERED TO WASTE WATER TREATMENT PLANT	- 824.29
EFT23510	30/06/2016	ST JOHN AMBULANCE AUSTRALIA	BAKERS HILL BFB - FIRST AID KIT SERVICING & FIRST AID TRAINING	- 653.26
			SUBTOTAL EFT MUNICIPAL	- 913,127.57
EFT23511	30/06/2016	CANCELLED PAYMENT		-
EFT23512	30/06/2016	SCOULLAR INK PTY LTD	KERB BOND REFUND - TRUST FUND T-888	- 1,000.00
			SUBTOTAL EFT TRUST	- 1,000.00
34508	07/06/2016	LOCAL GOVERNMENT AND RACECOURSE EMPLOYEES UNION	PAYROLL DEDUCTIONS	- 20.50
34509	07/06/2016	SYNERGY	ELECTRICITY FOR VARIOUS SHIRE PROPERTIES	- 6,093.05

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34510	07/06/2016	TELSTRA CORPORATION	VARIOUS TELSTRA ACCOUNTS	- 1,586.29
34511	07/06/2016	WATER CORPORATION	WATER FOR VARIOUS SHIRE PROPERTIES	- 3,657.01
34512	10/06/2016	SYNERGY	ELECTRICITY FOR VARIOUS SHIRE PROPERTIES	- 30.75
34513	10/06/2016	TELSTRA CORPORATION	VARIOUS TELSTRA ACCOUNTS	- 39.95
34514	10/06/2016	WATER CORPORATION	WATER FOR VARIOUS SHIRE PROPERTIES	- 1,011.61
34515	16/06/2016	LOCAL GOVERNMENT AND RACECOURSE EMPLOYEES UNION	PAYROLL DEDUCTIONS	- 20.50
34516	24/06/2016	CITY OF JOONDALUP	LOST BOOK "THE WAILING" BY STUART RINTOUL - MEMBER TO REIMBURSE LIBRARY"	- 13.50
34517	24/06/2016	LUCY'S TEAROOMS	CATERING FOR VARIOUS MEETINGS	- 362.00
34518	24/06/2016	SHIRE OF NORTHAM	SHIRE OF NORTHAM MUNI CHEQUE TO BE BANKED INTO TRUST FOR CONTRACT 20 OF 2015 AVON CONCRETE & VARIOUS BUILDING FEES.	- 16,168.70
34519	24/06/2016	SYNERGY	ELECTRICITY FOR VARIOUS SHIRE PROPERTIES	- 24,611.60
34520	24/06/2016	TELSTRA CORPORATION	VARIOUS TELSTRA ACCOUNTS	- 4,488.79
34521	24/06/2016	WATER CORPORATION	WATER FOR VARIOUS SHIRE PROPERTIES	- 3,255.77
34522	24/06/2016	WESTERN POWER	TREES CUT AT 63 THROSSELL STREET.	- 419.25
34523	24/06/2016	WESTNET PTY LTD	ANNUAL CHARGE FOR WESTNET STATIC IP ADDRESS SINGLE SERVICE FOR THE PERIOD 01/06/2016 TO 01/06/2017 & ANNUAL CHARGE FOR BROADBAND1 - ENTERPRISE OPTION 2 SERVICE FOR PERIOD 01/06/2016 TO 01/06/2017.	- 1,254.40
34524	24/06/2016	SHIRE OF NORTHAM	12 MONTH VEHICLE REGISTRATION FOR VARIOUS FIRE BRIGADE & SES VEHICLES.	- 1,675.30
34525	27/06/2016	RAC BUSINESSWISE	RAC MEMBERSHIP FOR KILLARA'S VEHICLES.	- 748.00
34526	30/06/2016	TELSTRA NETWORK & SERVICE	RELOCATION OF TELSTRA ASSETS AT 1-3 AND 5 MITCHELL AVENUE, NORTHAM	- 5,027.87
34527	30/06/2016	LOCAL GOVERNMENT AND RACECOURSE EMPLOYEES UNION	PAYROLL DEDUCTIONS	- 20.50
			TOTAL CHEQUES MUNICIPAL	- 70,505.34
DD9968.1	03/06/2016	TENNANT AUSTRALIA	LEASE FEE CLEANING EQUIPMENT JUNE 2016	- 1,067.00
DD9990.1	13/06/2016	BANKWEST	EMES MASTERCARD 21/4/16 TO 23/5/16	- 112.85
DD9990.1	13/06/2016	BANKWEST	EMCS MASTERCARD 21/4/16 TO 23/5/16	- 762.54
DD9990.1	13/06/2016	BANKWEST	CEO MASTERCARD 21/4/16 TO 23/5/16	- 208.39

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DD9990.1	13/06/2016	BANKWEST	EMDS MASTERCARD 21/4/16 TO 23/5/16	-	20.00
DD10005.1	14/06/2016	WA SUPER	PAYROLL DEDUCTIONS	-	22,897.55
DD10005.2	14/06/2016	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	-	408.12
DD10005.3	14/06/2016	AMG UNIVERSAL SUPER	SUPERANNUATION CONTRIBUTIONS	-	343.02
DD10005.4	14/06/2016	QSUPER	SUPERANNUATION CONTRIBUTIONS	-	180.17
DD10005.5	14/06/2016	BENDIGO SMART START SUPER	SUPERANNUATION CONTRIBUTIONS	-	180.04
DD10005.6	14/06/2016	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	-	218.24
DD10005.7	14/06/2016	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	-	180.17
DD10005.8	14/06/2016	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	-	219.61
DD10005.9	14/06/2016	AUSTRALIAN SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-	1,675.15
DD10058.1	28/06/2016	WA SUPER	PAYROLL DEDUCTIONS	-	22,900.30
DD10058.2	28/06/2016	EWRAP SUPER	SUPERANNUATION CONTRIBUTIONS	-	119.95
DD10058.3	28/06/2016	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	-	408.12
DD10058.4	28/06/2016	AMG UNIVERSAL SUPER	SUPERANNUATION CONTRIBUTIONS	-	345.16
DD10058.5	28/06/2016	QSUPER	SUPERANNUATION CONTRIBUTIONS	-	180.67
DD10058.6	28/06/2016	BENDIGO SMART START SUPER	SUPERANNUATION CONTRIBUTIONS	-	182.43
DD10058.7	28/06/2016	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	-	218.24
DD10058.8	28/06/2016	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	-	181.77
DD10058.9	28/06/2016	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	-	269.20
DD10005.10	14/06/2016	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	-	528.81
DD10005.11	14/06/2016	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-	187.03
DD10005.12	14/06/2016	ZURICH AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	-	244.42
DD10005.13	14/06/2016	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-	541.79
DD10005.14	14/06/2016	(THE QUEENSLAND LOCAL GOVERNMENT SUPERANNUATION BOARD) LG SUPER	SUPERANNUATION CONTRIBUTIONS	-	281.35
DD10005.15	14/06/2016	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	-	493.74
DD10005.16	14/06/2016	EWRAP SUPER	SUPERANNUATION CONTRIBUTIONS	-	159.43
DD10058.10	28/06/2016	HESTA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-	52.48
DD10058.11	28/06/2016	AUSTRALIAN SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-	1,698.62
DD10058.12	28/06/2016	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	-	513.85
DD10058.13	28/06/2016	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-	188.96
DD10058.14	28/06/2016	ZURICH AUSTRALIA LIMITED	SUPERANNUATION CONTRIBUTIONS	-	244.42
DD10058.15	28/06/2016	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-	541.79
DD10058.16	28/06/2016	(THE QUEENSLAND LOCAL GOVERNMENT SUPERANNUATION BOARD) LG SUPER	SUPERANNUATION CONTRIBUTIONS	-	281.35
DD10058.17	28/06/2016	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	-	493.74

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			TOTAL DIRECT DEBIT	- 59,730.47
PAYROLL	02/06/2016	SHIRE OF NORTHAM MAIN PAY RUN	SHIRE OF NORTHAM EMPLOYEES PAYROLL	- 199,741.27
PAYROLL	16/06/2016	SHIRE OF NORTHAM MAIN PAY RUN	SHIRE OF NORTHAM EMPLOYEES PAYROLL	- 195,504.26
PAYROLL	30/06/2016	SHIRE OF NORTHAM MAIN PAY RUN	SHIRE OF NORTHAM EMPLOYEES PAYROLL	- 206,932.38
			TOTAL PAYROLL	- 602,177.91
			TOTAL CHEQUES TRUST	-\$ 11,366.15
			TOTAL EFT TRUST	-\$ 33,134.06
			TOTAL EFT MUNICIPAL	-\$1,181,582.62
			TOTAL CHEQUES MUNICIPAL	-\$ 70,505.34
			TOTAL DIRECT DEBITS	-\$ 59,730.47
			TOTAL PAYROLL	-\$ 602,177.91
			TOTAL	-\$1,958,496.55

SHIRE OF NORTHAM
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The payment of cheque numbers 34508 to 34527 from Municipal Fund (dated 1st June 2016 to 30th June 2016), the payment of trust cheque numbers 1959 to 1965 from the Trust Fund and the payment of Electronic Funds Transfer numbers EFT23240 to EFT23303 and EFT23307 to EFT23510 (dated 1st June 2016 to 30th June 2016),. EFT Trust Fund EFT23304 to EFT23306 and EFT23511 to EFT23512 and Direct Debits 9968.1 to 9968.1 and 9990.1 to 9990.1 and 10005.1 to 10005.16 and 10058.1 to 10058.17 have been made in accordance with delegated authority reference number (M/F/F/Regs LGA 1995 S5.42)

Municipal Bank Vouchers 34508 to 34527	\$ 70,505.34
Trust Bank Vouchers 1959 to 1965	\$ 11,366.15
Municipal Bank Electronic Fund Transfer EFT23240 to EFT23303 and EFT23307 to EFT23510	\$1,181,582.62
Trust Bank Electronic Fund Transfer EFT23304 to EFT23306 and EFT23511 to EFT23512	\$ 33,134.06
Direct Debit Fund Transfer 9968.1 to 9968.1 and 9990.1 to 9990.1 and 10005.1 to 10005.16 and 10058.1 to 10058.17	\$ 59,730.47
Municipal Bank Electronic Fund Transfer Payroll 02/06/2016	\$ 199,741.27
Municipal Bank Electronic Fund Transfer Payroll 16/06/2016	\$ 195,504.26
Municipal Bank Electronic Fund Transfer Payroll 30/06/2016	\$ 206,932.38
 TOTAL	 \$1,958,496.55

CERTIFICATION OF THE PRESIDENT

I hereby certify that this schedule of account covering Vouchers and Electronic Funds Transfer payments as per above and totalling \$1,958,496.55 was submitted to the Ordinary Meeting of Council on Wednesday, 20 July 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 \$1,958,496.55 was submitted to each member of the Council on Wednesday, 20 July 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
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13.3.2 FINANCIAL STATEMENTS TO 31 MAY 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 31 May 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 / COUNCIL DECISION

Minute No: C.2768

Moved: Cr Antonio
Seconded: Cr Rumjantsev

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 May 2016.

CARRIED 9/0

SHIRE OF NORTHAM
MINUTES
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Shire of Northam

SHIRE OF NORTHAM
MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 31 MAY 2016

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SHIRE OF NORTHAM STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MAY 2016

	NOTE	15/16 Budget \$	Ytd Budget \$	Ytd Actual \$	Variances Actuals to Budget \$	Variances Actuals to Budget %
Operating						
Revenues	8					
Governance		72,153	67,684	72,781	5,087	7.53%
General Purpose Funding Other		2,229,224	2,123,801	1,945,596	(178,205)	(8.39%)
General Purpose Funding Rates		8,582,323	8,643,323	8,631,377	(11,946)	(0.14%)
Law, Order, Public Safety		1,113,262	352,550	341,513	(11,037)	(3.13%)
Health		50,000	45,826	44,547	(1,279)	(2.79%)
Education and Welfare		1,352,833	1,240,052	1,285,881	45,829	3.70%
Housing		46,465	42,570	32,177	(10,393)	(24.41%)
Community Amenities		2,513,390	2,435,397	2,469,153	33,756	1.39%
Recreation and Culture		3,075,744	2,659,433	531,695	(2,127,738)	(80.01%)
Transport		2,294,267	1,818,103	1,764,560	(53,543)	(2.95%)
Economic Services		563,651	519,750	409,208	(110,542)	(21.27%)
Other Property and Services		84,348	81,052	99,510	18,458	22.77%
Total Operating Revenue		21,977,860	20,029,541	17,627,999	(2,401,542)	(11.99%)
Expenses	8					
Governance		(1,255,590)	(1,068,858)	(1,018,234)	50,624	4.74%
General Purpose Funding		(364,868)	(236,255)	(220,672)	15,583	6.60%
Law, Order, Public Safety		(1,173,368)	(1,031,570)	(896,151)	135,419	13.13%
Health		(308,419)	(283,711)	(248,614)	35,097	12.37%
Education and Welfare		(1,502,295)	(1,378,382)	(1,231,838)	146,544	10.63%
Housing		(105,858)	(97,218)	(85,447)	11,769	12.11%
Community Amenities		(3,438,827)	(2,915,735)	(2,424,200)	491,535	18.88%
Recreation & Culture		(5,001,938)	(4,557,881)	(4,332,727)	225,154	4.94%
Transport		(7,831,220)	(7,145,801)	(7,267,240)	(121,439)	(1.70%)
Economic Services		(2,036,106)	(1,819,798)	(1,569,377)	250,421	13.76%
Other Property and Services		(93,608)	(93,478)	(71,032)	22,446	24.01%
Total Operating Expenses		(23,112,095)	(20,628,685)	(19,365,532)	1,263,153	6.12%
Removal of Non-Cash Items						
(Profit)/Loss on Asset Disposals	2	144,029	132,027	82,971	(49,056)	37.16%
Movement in Employee Benefit Provisions		0	1,658,401	(188,240)	(1,846,641)	0.00%
Depreciation on Assets		6,977,994		6,808,644	6,808,644	0.00%
Non Operating Items						
Purchase Land Held for Resale	1	0		0	0	0.00%
Purchase Land and Buildings	1	(3,476,168)	(2,778,841)	(183,834)	2,595,007	93.38%
Purchase Plant and Equipment	1	(1,194,897)	(1,106,577)	(894,029)	212,548	19.21%
Purchase Furniture and Equipment	1	(10,483)	(10,483)	(1,100)	9,383	0.00%
Purchase Bush Fire Equipment	1	(460,000)	(421,663)	0	421,663	100.00%
Purchase Playground Equipment	1	0	0	0	0	0.00%
Purchase Infrastructure Assets - Roads	1	(3,360,383)	(3,103,226)	(1,688,191)	1,415,035	45.60%
Purchase Infrastructure Assets - Bridges	1	(532,512)	(272,512)	(441,142)	(168,630)	(61.88%)
Purchase Infrastructure Assets - Footpaths	1	(557,315)	(510,807)	(572,879)	(62,072)	(12.15%)
Purchase Infrastructure Assets - Drainage	1	(2,292,624)	(2,158,899)	(573,638)	1,585,261	73.43%
Purchase Infrastructure Assets - Parks & Ovals	1	(649,264)	(595,100)	(448,115)	146,985	24.70%
Purchase Infrastructure Assets - Streetscape	1	(264,371)	(242,319)	(190,719)	51,800	21.29%
Purchase Infrastructure Assets - Other	1	(451,519)	(422,968)	(230,699)	192,269	45.46%
Proceeds from Disposal of Assets	2	344,642	315,922	159,920	(156,002)	49.38%
Repayment of Debentures	3	(210,154)	(192,610)	(210,154)	(17,544)	(9.11%)
Self-Supporting Loan Principal Income	3	30,099	27,591	30,099	2,508	(9.09%)
Transfers to Restricted Assets (Reserves)	4	(1,063,385)	(1,063,385)	(118,680)	944,705	88.84%
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	5,919,875	5,906,402	5,906,402	0	0.00%
LESS Year End Adjustment - Killara		-	0	0	0	0.00%
LESS Net Current Assets Year to Date	5	0	0	5,826,845	5,826,845	0.00%
Surplus		0	(3,197,320)	(117,762)	3,079,558	(96.32%)

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 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	6,400
Law, Order & Public Safety		
CESM Vehicle	31,454	37,429
Brigade Appliance -3.4 Grass Valley	335,000	0
Brigade Appliance - Light Tanker Irishtown BFB	125,000	0
Inkpen Fireshed	280,851	49,055
Clackline/Muresk Fire Shed	51,975	40,225
Electronic Conversion of Standpipe	12,500	0
Ranger Vehicle	45,000	40,725
Ranger Vehicle	25,000	33,740
Dog Pound	10,000	0
CCTV - Fitzgerald St & Peel Tce	24,200	25,310
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	1,129
Community Amenities		
Gate House - Inkpen Landfill	20,000	0
Urban Drainage	1,824,747	98,992
Town Centre Drainage Southern Investment Funding		68,538
Drainage CLGF 12/13		20,538
Aerators - Supertowns	241,123	80,744
Snr EHO Vehicle	35,000	40,271
Avon Mall Streetscaping	148,138	63,192
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 31 MAY 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	13,400
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	240,506
Play Equipment Wundowie	9,796	0
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	8,049
Retic Wundowie Oval	20,889	14,252
Drink Fountain - Rec Centre	5,500	5,679
Library Furniture & Equipment	10,483	1,100
Railway Precinct Upgrade	49,284	0
AVVVA - Building Renewal	42,000	0
AVVVA - Kitchen Refurbishment	36,365	0
Aboriginal & Environmental Building	2,100,000	49,619
Carpark/ Drop Zone Old Railway Station	70,376	84,262

SHIRE OF NORTHAM
MINUTES
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SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 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	572,879
Rural Drainage	106,570	70,308
GEH Deproclamation Funds	60,726	4,855
Southern Brook Road RRG 15/16	249,244	153,230
Jennapullin Road RRG 15/16	82,067	77,228
Roadworks - General Construction	596,917	313,353
Bridge Construction	532,512	441,142
Roadworks - Roads to Recovery	1,168,217	583,639
Roadworks - Supplementary Funding	237,917	243,624
Laneway Land Acquisition	28,500	1,250
Roadworks - Blackspot Funding	223,556	40,286
Infra Development - Super Towns	14,962	0
Roadworks - Gravel Sheeting	619,203	215,762
Kerb Renewal	107,574	42,939
Culvert Renewal	46,018	13,274
Plant & Equipment - Road Plant Purchases	834,554	647,421
Economic Services		
Christmas Decorations	17,436	17,064
Information Bays	35,857	43,264
Signs Tower - GEH	10,000	0
Building Services Plant & Equipment	60,000	23,509
Bakers Hill & Wundowie Water Project	315,289	315,262
Car Park Medical Centre	80,791	82,941
	<u>13,249,536</u>	<u>5,224,346</u>

SHIRE OF NORTHAM
MINUTES
ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 2016

1. ACQUISITION OF ASSETS (Continued)	15/16 Budget \$	2016 Actual \$
<u>By Class</u>		
Land and Buildings	3,476,168	183,834
Plant and Equipment	1,194,897	894,029
Furniture and Equipment	10,483	1,100
Bush Fire Equipment	460,000	0
Infrastructure Assets - Roads	3,360,383	1,688,191
Infrastructure Assets - Footpaths	557,315	572,879
Infrastructure Assets - Bridges & Culverts	532,512	441,142
Infrastructure Assets - Drainage	2,292,624	573,638
Infrastructure Assets - Parks & Ovals	649,264	448,115
Infrastructure Assets - Streetscape	264,371	190,719
Infrastructure Assets - Other	451,519	230,699
	13,249,536	5,224,346

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 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	29,000	0	(17,647)	0.00
Law, Order, Public Safety						
PN1315 CESH 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)	0.00
PN1304 Ranger Vehicle (N4057) MV1304	21,552	0	10,000	0	(11,552)	0.00
Health						
PN1215 SEHO Vehicle (N10734) MV1218	15,995	0	13,000	0	(2,995)	0.00
Community Amenities						
PN1208 Snr Planner Vehicle (N10714) MV1208	12,000	12,000.00	12,000	8,193	0	(3,808)
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	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	94,685	50,000	65,500	(61,342)	(29,185)
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
Other Economic Services						
PN1221 Building Mtc Vehicle (N10728) MV1213	11,752	10,000	10,000	8,636	(1,752)	(1,364)
PN1219 Snr Building Surveyor Vehicle (N3433) MV1224	12,434	0	20,000	0	7,566	0
	488,671	242,890	344,642	159,920	(144,029)	(82,971)

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 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 CESH 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	12,000	12,000	8,193	0	(3,808)
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	94,685	50,000	65,500	(61,342)	(29,185)
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	10,000	10,000	8,636	(1,752)	(1,364)
PN1219 Snr Building Surveyor Vehicle (N3433) MV1224	12,434	0	20,000	0	7,566	0
	488,671	242,890	344,642	159,920	(144,029)	(82,971)

Summary

Profit on Asset Disposals
Loss on Asset Disposals

15/16 Budget \$	Ytd Actual \$
22,612	0
(166,641)	(82,971)
(144,029)	(82,971)

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 2016

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	4,919	20,351	20,351	1,938	1,862
Loan 219 - Northam Bowling Club **	94,923	0	0	25,180	25,180	69,743	69,743	5,752	5,482
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	36,236	940,058	940,058	69,264	66,077
Transport									
Loan 221 - Airstrip Upgrade	37,519	0	0	11,749	11,749	25,770	25,770	2,435	2,307
Economic Services									
Loan 225 - Victoria Oval Purchase	798,785	0	0	29,647	29,647	769,138	769,138	56,671	54,063
	2,511,913	0	0	210,154	210,154	2,301,759	2,301,759	173,545	165,527

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.

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 2016

	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 Accommodation Reserve	255,465	6,324	15,900	(59,770)	217,919	255,465	4,922	-	-	260,387
Employee Liability Reserve	494,602	12,213	-	(35,500)	471,315	494,602	9,530	-	-	504,132
Housing Reserve	242,782	5,995	-	-	248,777	242,782	4,678	-	-	247,460
Reticulation Scheme Reserve	48,750	1,204	40,000	-	89,954	48,750	939	-	-	49,689
Office Equipment Reserve	122,458	3,024	-	-	125,482	122,458	2,360	-	-	124,818
Plant & Equipment Reserve	600,754	15,999	598,965	(678,212)	527,506	600,754	11,575	-	-	612,329
Recreation Reserve	18,131	448	-	(18,579)	-	18,131	349	-	-	18,480
Road & Bridgeworks Reserve	547,463	13,479	10,000	(459,692)	111,240	547,463	10,548	-	-	558,011
Refuse Site Reserve	228,756	5,649	150,105	(20,000)	364,510	228,755	4,408	-	-	233,163
Regional Development Reserve	873,646	21,573	-	(80,000)	815,219	873,646	15,833	-	-	890,479
Speedway Reserve	134,968	3,333	-	-	138,301	134,967	2,601	-	-	137,568
Community Bus Replacement Reserve	31,139	769	-	-	31,908	31,138	600	-	-	31,738
Septage Pond Reserve	324,006	8,001	26,415	-	358,422	324,006	6,243	-	-	330,249
Killara Reserve	154,372	7,000	-	(30,000)	131,372	168,620	3,249	-	-	171,869
Stormwater Drainage Projects Reserve	27,441	1,067	-	-	28,508	27,441	529	-	-	27,970
Recreation and Community Facilities Reserve	810,813	20,022	-	(431,296)	399,539	810,814	15,623	-	-	826,437
Administration Office Reserve	671,050	16,570	-	(23,431)	664,189	671,050	12,930	-	-	683,980
Council Buildings & Amenities Reserve	130,203	3,215	-	(100,000)	33,418	130,204	2,509	-	-	132,713
River Town Pool Dredging Reserve	283,686	7,005	-	(223,600)	67,091	283,686	5,466	-	-	289,152
Parking Facilities Construction Reserve	123,582	3,586	75,000	(80,791)	121,377	123,583	2,381	-	-	125,964
Art Collection Reserve	21,219	524	-	-	21,743	21,219	409	-	-	21,628
Total Cash Backed Reserves	6,145,276	157,000	906,395	(2,240,871)	4,967,790	6,159,524	118,682	-	-	6,278,206
Total Interest							118,682			

All of the above reserve accounts are to be supported by money held in financial institutions.

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016

SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 2016

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.

SHIRE OF NORTHAM

MINUTES

ORDINARY COUNCIL MEETING HELD ON 20 JULY 2016



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 2016

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. 17400

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.

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 31 MAY 2016

	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	2,981,107	3,118,600
Cash - Restricted Unspent Grants	0	1,665,600	2,107,310
Cash - Restricted Unspent Loans	0	0	0
Cash - Restricted Reserves	5,250,600	6,278,205	6,159,524
Self Supporting Loan		0	(5,322)
Sundry Debtors	1,141,850	468,032	1,277,154
Rates - Current	0	1,515,972	1,136,116
Pensioners Rates Rebate	0	26,545	16,222
Provision for Doubtful Debts	0	(124,729)	(124,729)
GST Receivable	0	(2)	175,694
Accrued Income/Prepayments	0	0	11,693
Inventories	10,000	0	30,222
	<u>6,602,450</u>	<u>12,810,730</u>	<u>13,902,483</u>
LESS: CURRENT LIABILITIES			
Sundry Creditors	(2,159,557)	(678,565)	(1,207,536)
Rates Income in Advance	0	(138,615)	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	95,698	(26,147)
Loan Liability	0	(54,707)	(210,153)
Provision for Annual Leave	0	(407,029)	(534,837)
Provision for Long Service Leave	0	(290,731)	(320,601)
Other Payables	0	0	0
	<u>(2,159,557)</u>	<u>(1,509,811)</u>	<u>(2,641,312)</u>
NET CURRENT ASSET POSITION	4,442,893	11,300,919	11,261,171
Less: Cash - Reserves - Restricted	(5,250,600)	(6,278,205)	(6,159,524)
Less: Cash - Unspent Grants - Restricted	0	0	0
Add: Current Loan Liability	223,416	(1)	210,153
Add: Leave Liability Reserve	488,315	504,132	494,602
Add: Budgetted Leave	100,000	100,000	100,000
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD	<u>4,024</u>	<u>5,626,845</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	(167)	0	(167)	0
01	GRV-Townsites Residential	10.5571	2,988	37,552,380	3,964,443	(899)	0	3,963,544	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	82,236	195	996,320	918,988
06	Agricultural Regional	0.4706	208	111,632,000	525,340	(2,139)	0	523,201	530,440
07	Rural Small Holdings	0.6474	546	95,829,000	620,397	(38)	0	620,359	623,497
Sub-Totals			5,209	420,536,758	7,332,538	78,994	195	7,411,727	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
								8,631,377	8,582,323
Ex-Gratia Rates								0	12,900
Excess Rate Receipts								(158,077)	0
Totals					8,552,188	78,994	195	8,473,300	8,595,223

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FOR THE PERIOD ENDING 31 MAY 2016

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	3,800	(3,500)	1,800
Lesser Hall Bond	2	900	2,000	(2,000)	900
Nomination Deposits	4	0	640	(640)	0
Library Deposits & Income	5	0	0	0	0
POS - Cash in Lieu	6	338,929	7,220	0	346,149
Bonds - Building	7	34,500	1,000	0	35,500
Crossovers - Bond	9	86,392	0	0	86,392
Recreation Centre Bond	11	400	3,000	(2,500)	900
Bert Hawke Pavillion	12	0	800	(800)	0
Facilities - Bonds	18	200	0	0	200
Footpath/Kerbing Deposit	22	96,500	18,500	(17,500)	97,500
Retentions	26	169,175	30,637	(83,087)	116,725
Sundry Trust	27	13,310	0	0	13,310
Building & Construction (BCITF)	29	0	44,131	(42,578)	1,553
Builders Reg Board Levy	30	0	41,005	(38,599)	2,406
Standpipe Key	31	6,900	550	(150)	7,300
Resited Dwellings	32	37,200	834	0	38,034
Deposits-Extractive Industries	33	261,548	6,339	0	267,887
Other	34	15,747	2,461	(1,597)	16,611
Other - Rental Bond	35	200	0	(200)	0
Bonds - Animal Traps	36	130	223	(223)	130
Storm Damage Donations	38	175	0	0	175
		<u>1,063,706</u>	<u>163,140</u>	<u>(193,374)</u>	<u>1,033,472</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	8,657,136	8,485,941	(171,195)	-2%
Operating Grants Subsidies and Contributions	3,408,645	3,279,711	3,652,216	372,505	11%
Fees and Charges	3,670,091	3,500,582	3,356,662	(143,920)	-4%
Service Charges	0	0	0	0	
Interest Earnings	385,500	353,364	312,759	(40,605)	-11%
Other Revenue	772,953	717,100	571,099	(146,001)	-20%
TOTAL OPERATING REVENUE	16,894,412	16,507,893	16,378,676	(129,217)	-1%
OPERATING EXPENSES					
Employee Costs	(7,002,731)	(5,834,563)	(5,996,533)	(161,970)	-3%
Materials and Contracts	(6,981,182)	(5,304,722)	(4,490,430)	814,292	15%
Utility Charges	(762,396)	(698,148)	(753,287)	(55,139)	-8%
Depreciation of Non Current Assets	(6,897,607)	(6,320,932)	(6,727,841)	(406,909)	-6%
Interest Expenses	(173,545)	(159,049)	(165,527)	(6,478)	-4%
Insurance Expenses	(432,268)	(431,154)	(446,328)	(15,174)	-4%
Other Expenditure	(695,725)	(642,043)	(672,680)	(30,637)	-5%
TOTAL OPERATING EXPENSE	(22,945,454)	(19,390,611)	(19,252,626)	137,985	-1%
Non Operating Grants Subsidies and Contributions	5,080,838	3,500,935	1,228,622	(2,272,313)	65%
Profit on Asset Disposals	22,612	20,713	0	(20,713)	100%
Loss on Asset Disposals	(166,641)	(153,975)	(82,971)	71,004	46%
RESULTING FROM OPERATIONS	(1,134,235)	484,955	(1,728,298)	(2,213,253)	-456%

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FOR THE PERIOD ENDING 31 MAY 2016

9. BALANCE SHEET

	Ytd Actual \$	2014/2015 Actual \$
CURRENT ASSETS		
Cash Assets	10,924,912	11,385,434
Receivables	1,885,819	2,633,780
Inventories	0	30,221
TOTAL CURRENT ASSETS	<u>12,810,731</u>	<u>14,049,435</u>
NON-CURRENT ASSETS		
Receivables	400,038	435,458
Inventories	0	0
Land and Buildings	16,575,350	16,574,100
Property, Plant and Equipment	40,345,223	40,558,374
Infrastructure	189,011,332	190,623,664
TOTAL NON-CURRENT ASSETS	<u>246,331,943</u>	<u>248,191,596</u>
TOTAL ASSETS	<u>259,142,674</u>	<u>262,241,031</u>
CURRENT LIABILITIES		
Payables	757,286	1,722,670
Interest-bearing Liabilities	-1	207,198
Provisions	667,198	855,439
TOTAL CURRENT LIABILITIES	<u>1,424,483</u>	<u>2,785,307</u>
NON-CURRENT LIABILITIES		
Interest-bearing Liabilities	2,301,760	2,301,760
Provisions	158,484	158,484
TOTAL NON-CURRENT LIABILITIES	<u>2,460,244</u>	<u>2,460,244</u>
TOTAL LIABILITIES	<u>3,884,727</u>	<u>5,245,551</u>
NET ASSETS	<u>255,257,947</u>	<u>256,995,480</u>
EQUITY		
Retained Surplus	78,059,629	79,915,843
Reserves - Cash Backed	6,278,205	6,159,524
Reserves - Asset Revaluation	170,920,113	170,920,113
TOTAL EQUITY	<u>255,257,947</u>	<u>256,995,480</u>

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FOR THE PERIOD ENDING 31 MAY 2016

10. FINANCIAL RATIO

	2016 YTD	2015	2014	2013
Current Ratio	5.29	2.08	1.43	1.82

The above rates are calculated as follows:

Current Ratio equals
$$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

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**SHIRE OF NORTHAM
STATEMENT OF FINANCIAL ACTIVITY
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<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	67,684	72,781	5,097	7.53%	Funding towards Business Continuity Plan
General Purpose Funding Other		2,229,224	2,123,801	1,945,596	(178,205)	(8.39%)	Lower Interest rates and the timing of interest being brought to account
General Purpose Funding Rates		8,582,323	8,643,323	8,631,377	(11,946)	(0.14%)	Additional Fees
Law, Order, Public Safety		1,113,262	352,550	341,513	(11,037)	(3.13%)	
Health		50,000	45,826	44,547	(1,279)	(2.79%)	
Education and Welfare		1,352,833	1,240,052	1,285,881	45,829	3.70%	Additional HACC & NRCP Funding, due to changes in the method of distribution
Housing		46,465	42,570	32,177	(10,393)	(24.41%)	Unoccupied Rental Swimming Pool
Community Amenities		2,513,390	2,435,397	2,469,153	33,756	1.39%	Additional Planning Fees
							Timing on grant income Stronger Regions Grant
Recreation and Culture		3,075,744	2,659,433	531,695	(2,127,738)	(80.01%)	AVVA, Lotterieswest NSRF Funding Delay to 2016/17, Kitchen Refurbishment Bakers Hill Golf & Tennis Club
Transport		2,294,267	1,818,103	1,764,560	(53,543)	(2.95%)	Timing on grant income MRWA
Economic Services		563,851	519,750	409,208	(110,542)	(21.27%)	Additional revenue for the Avon Festival, water charges Racing Club
Other Property and Services		84,348	81,052	99,510	18,458	22.77%	Fuel Rebates greater than budgeted
		<u>21,977,860</u>	<u>20,029,541</u>	<u>17,627,999</u>	<u>(2,401,542)</u>	<u>(11.99%)</u>	
(Expenses)/(Applications)	8						
Governance		(1,255,590)	(1,068,858)	(1,018,234)	50,624	4.74%	Lower salaries, training, consultants and advertising fees
General Purpose Funding		(364,888)	(236,255)	(220,872)	15,583	6.60%	
Law, Order, Public Safety		(1,173,368)	(1,031,570)	(896,151)	135,419	13.13%	Lower salaries, fire prevention and fire break costs
Health		(308,419)	(283,711)	(248,814)	35,097	12.37%	Internal jnl allocation to Community Amenities, rectified June
Education and Welfare		(1,502,295)	(1,378,382)	(1,231,838)	146,544	10.63%	Timing of Community sponsorship, higher depreciation charges
Housing		(105,858)	(97,216)	(85,447)	11,769	12.11%	Lower maintenance costs and admin allocation expenses (Internal)
Community Amenities		(3,438,827)	(2,915,735)	(2,424,200)	491,535	16.86%	Timing Contractor Services for both rubbish collection & site maintenance, unspent septage pond works
Recreation & Culture		(5,001,938)	(4,557,881)	(4,332,727)	225,154	4.94%	Lower than budget plant cost allocations. Aboriginal Environmental Study is in progress
Transport		(7,831,220)	(7,145,801)	(7,267,240)	(121,439)	(1.70%)	Additional depreciation expenses
							Building Services Officer vacancy, delayed spending on Council properties, lower retic maintenance, depreciation costs and festival and events expenditure are all under budget
Economic Services		(2,036,106)	(1,819,798)	(1,569,377)	250,421	13.76%	
Other Property and Services		(93,608)	(93,478)	(71,032)	22,446	24.01%	Internal jnl for recovery to be done
		<u>(23,112,095)</u>	<u>(20,628,685)</u>	<u>(19,365,532)</u>	<u>1,263,153</u>	<u>(6.12%)</u>	
Adjustments for Non-Cash (Revenue) and Expenditure							
(Profit)/Loss on Asset Disposals	2	144,029	132,027	82,971	(49,058)	37.16%	Timing of Asset disposals
Movement in Employee Benefit Provisions		0	0	(188,240)	(188,240)	0.00%	
Depreciation on Assets		6,977,994	5,233,419	6,808,644	1,575,225	(30.10%)	Fair Valuation increased the value of the assets and thus annual depreciation charges.

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**SHIRE OF NORTHAM
STATEMENT OF FINANCIAL ACTIVITY
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<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)	(2,778,841)	(183,834)	2,599,007	93.38%	Timing on building works
Purchase Plant and Equipment	1	(1,194,887)	(1,106,577)	(894,029)	212,548	19.21%	Timing on plant purchases, Flocon Refurbishment, and Replacement CEO Vehicle will carry forward to 2016/17
Purchase Furniture and Equipment	1	(10,483)	(10,483)	(1,100)	9,383	0.00%	
Purchase Bush Fire Equipment	1	(460,000)	(421,663)	0	421,663	100.00%	Timing unknown for supply by DFES
Purchase Infrastructure Assets - Roads	1	(3,360,383)	(3,103,226)	(1,088,191)	1,415,035	45.60%	Timing on final works for the financial year plus jobs that are to be carried forward. (a list of expected Carry forward projects has been presented to Council as part of the Draft Budget)
Purchase Infrastructure Assets - Bridges	1	(532,512)	(272,512)	(441,142)	(168,630)	(61.88%)	Spencers Brook & Clydesdale Road Bridge work
Purchase Infrastructure Assets - Footpaths	1	(557,315)	(510,807)	(572,879)	(62,072)	(12.15%)	Timing on final works for the financial year plus jobs that are to be carried forward. (a list of expected Carry forward projects has been presented to Council as part of the Draft Budget)
Purchase Infrastructure Assets - Drainage	1	(2,292,624)	(2,158,899)	(573,638)	1,585,261	73.43%	Timing on final works for the financial year plus jobs that are to be carried forward. (a list of expected Carry forward projects has been presented to Council as part of the Draft Budget)
Purchase Infrastructure Assets - Parks & Ovals	1	(649,264)	(595,100)	(448,115)	146,985	24.70%	Timing on final works for the financial year plus jobs that are to be carried forward. (a list of expected Carry forward projects has been presented to Council as part of the Draft Budget)
Purchase Infrastructure Assets - Streetscape	1	(264,371)	(242,319)	(190,719)	51,600	21.29%	Timing on final works for the financial year plus jobs that are to be carried forward. (a list of expected Carry forward projects has been presented to Council as part of the Draft Budget)
Purchase Infrastructure Assets - Other	1	(451,519)	(422,968)	(230,699)	192,269	45.46%	Timing on final works for the financial year plus jobs that are to be carried forward. (a list of expected Carry forward projects has been presented to Council as part of the Draft Budget)
Proceeds from Disposal of Assets	2	344,642	315,922	159,920	(156,002)	49.38%	Assets not disposed of
Repayment of Debentures	3	(210,154)	(192,610)	(210,154)	(17,544)	(9.11%)	
Self-Supporting Loan Principal Income	3	30,099	27,591	30,099	2,508	(9.09%)	
Transfers to Restricted Assets (Reserves)	4	(1,063,385)	(1,063,385)	(118,681)	944,704	88.84%	Reserves transfers processed June
Transfers from Restricted Asset (Reserves)	4	2,240,871	2,240,871	0	(2,240,871)	100.00%	Reserves transfers processed June
ADD Net Current Assets July 1 B/Fwd	5	5,919,675	5,906,402	5,906,402	0	0.00%	
LESS Year End Adjustment - Killara		-	0	0	0		
LESS Net Current Assets Year to Date	5	0	0	5,626,845	5,626,845	0.00%	
Surplus	6	0	377,698	(117,763)	(495,461)	(131.18%)	

This statement is to be read in conjunction with the accompanying notes.

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SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 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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FOR THE PERIOD ENDING 31 MAY 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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NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 31 MAY 2016

(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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NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

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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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13.3.3 NORTHAM BOWLING CLUB- APPLICATION FOR SELF SUPPORTING LOAN

Name of Applicant:	Northam Bowling Club Inc.
Name of Owner:	Shire of Northam
File Ref:	8.2.2.1 / A12737
Officer:	Colin Young / Cheryl Greenough
Officer Interest:	Nil.
Policy:	N/A
Voting:	Absolute Majority

PURPOSE

For Council to consider a Self-Supporting Loan of \$150,000.00 to the Northam Bowling Club to upgrade bowling greens.

BACKGROUND

The Shire of Northam has received correspondence from Mr John Brockman, President of the Northam Bowling Club Inc. dated 9 June 2016 (See Attachment 1). This included a profit and loss statement which was assessed by staff and can be provided to Elected Members on request. The Northam Bowling Club is seeking to replace the old worn out bowling green. The club has already saved for and funded one bowling green and would like to replace the 2nd one to make the greens more attractive and inviting for potential new members and events attraction.

Assets

The Bowling Club owns freehold a total of 3.38 hectares of land and the associated building being Lot 49 and Lot 50 Robinson Street Northam. A lease agreement has been taken out between the Bowling Club as the Lessor and Telecom as the Lessee for a portion of Lot 49 for a 10 year period with 2x5 year extensions raising \$7,391.54 with an annual CPI rise.

Subscriptions for membership is approximately \$21,000 per annum with further funds gained through events, bar sales, bingo, raffles and the Bureau of Meteorology. Further funds include \$8,682 in the Greens Account and \$13,000 in a term deposit.

The Bowling Club currently has a 15 year loan with the Shire which it has been servicing since October 2003, with repayments of \$29,509.00 per annum.

STATUTORY IMPACTS

The Local Government Act 1995 s6.20 Power to Borrow

(1) Subject to this Act, a local government may —

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- (a) borrow or re-borrow money; or
- (b) obtain credit; or
- (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

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

Will have an effect on the Shire of Northam's Debt Service ratio.

OFFICER'S COMMENT

The Northam Bowling Club (Inc) currently pays \$29,509 p.a to Council for loan 219, this loan will be amalgamated with the proposed loan giving total debt of \$223,096.17. The New annual repayments will reduce to approximately \$25,428.60 p.a, based on the inductive interest rate of 2.56%. Council must also be mindful that any borrowings will affect the Shire of Northam's' long term future borrowing capacity due to an increased Debt Service Ratio.

Debt Service Ratio =
$$\frac{\text{annual operating surplus before interest \& depreciation}}{\text{principal and interest}}$$

The Shire of Northam's current Adjusted Debt Service Ratio as of the 30th June 2015 is 7.29%.

The Department of Local Government and Communities target for the Debt Service Ratio is not less than 2.

Council will also need to ensure that it enters into a legal agreement with the Northam Bowling Club (Inc) to ensure the club meets its obligations for the self supporting loan repayments over the proposed 10 year term of the loan.

In accordance with s6.20 (2)(a) of the Act it is not necessary to give Public Notice as this application is being included in the Budget.

One (1) member of the Gallery departed the Council Chambers at 6.08pm.

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RECOMMENDATION

That Council by **ABSOLUTE MAJORITY** resolve to raise a self-supporting loan for \$223,096.17 over 10 years on behalf of the Northam Bowling Club (Inc) for the purposes a new bowling green.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2769

Moved: Cr Little
Seconded: Cr Rumjantsev

That Council by **ABSOLUTE MAJORITY**;

1. Resolve to raise a self-supporting loan for \$223,096.17 over 10 years on behalf of the Northam Bowling Club (Inc) for the purposes a new bowling green.
2. Take suitable security over the Bowling Club land.

CARRIED 8/1

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NORTHAM BOWLING CLUB (Inc)

Robinson Street, Northam

ABN. 62 400 323 476



Founded 1905

9 June 2016

Mr Colin Young
Executive Manager Corporate Services
Shire of Northam
PO Box 613
NORTHAM WA 6401

Dear Colin

I would like to apologise for the lateness of replying to your email of May 13 2016 but Gilian Beazley has since retired as Treasurer and no one quite knew who should take over this request.

The Northam Bowling Club is requesting an extension to our loan of approximately \$150,000.00 to put in a new green at the club as the old one is not really playable. We have just saved for and funded one new green for the above amount but a second new green would make the club more viable and attract more members and events. If we had another new green we would be eligible to attract The Avon Valley Bowling League events which would bring in more money to the club as well as bring more people to visit Northam.

Assets and Liabilities

The Bowling Club owns freehold a total of 3,3807 hectares of land and building being Lot 49 (2.3598 hectares) and Lot 52 (1.0209 hectares) on Certificate of Title Volume 1329 Folio 879.

Lot 49 has a 10 year lease with a 5 plus 5 year option on it on 88 square metres of land with Telecom taken out in 2006 and the first option of 5 years has just been renewed. The current rental is \$7,391.54 including GST paid annually with a 3 % rent review annually.

Member subscriptions make up approximately \$21,000.00 per year and we also make money from events, bar sales, bingo, raffles and the Bureau of Meteorology.

We have \$8,682.00 in the greens account and \$13,000.00 in a term deposit. As this is the off season the funds we hold are lower than in summer and as advised we have just paid out \$150,000.00 for a new green. The fact that we were able to save that amount and service the original loan should show that we would be able to service a further loan.

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As you are aware we already hold a loan with the Shire and have always paid diligently. The addition of a new green would enable us to generate more income and increase our ability to be a very viable club which would bring more visitors to our town as we would be able to hold two day events which so far have been very popular and our last Carnival attracted 96 players.

Our only liability is the loan to the Shire of which we also cannot find the original agreement.

I have enclosed Profit and Loss statements for the last three years as requested and also a Remittance Advice from Jones Lang La Salle for the Telecom Lease.

Should you need any further information, please do not hesitate to contact me either at the club or on 0408 965 951.

Yours faithfully



JOHN BROCKMAN
President
Northam Bowling Club
Ph: 08 9622 2002
Email: northam.bowls@bigpond.com.au

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13.4. COMMUNITY SERVICES

13.4.1 APPLICATION FOR FEE REDUCTION-NORTHAM RECREATION CENTRE

Name of Applicant:	Northam Senior Citizens Social Club
Name of Owner:	Shire of Northam
File Ref:	1.3.16.1
Officer:	Ross Rayson / Milton Brooks
Officer Interest:	N/A
Policy:	N/A
Voting:	Simple Majority

PURPOSE

For Council to consider a fee reduction for the Northam Senior Citizens Social Club for use of the Northam Recreation Centre.

BACKGROUND

The Northam Senior Citizens Social Club currently meet at the RSL Memorial Hall. The group have met with Recreation Centre staff and would like to move their group from the RSL Memorial Hall to the Recreation Centre.

The standard fees for hire for the Recreation Centre are higher than the Memorial Hall, and as such the group have requested a discount on the Recreation Centre fees.

STATUTORY IMPACTS

Local Government Act 1995, Part 6, Division 4, Section 6.12

6.12. Power to defer, grant discounts, waive or write off debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*

**Absolute majority required.*

- (2) *Subsection (1) (a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1) (b) may be subject to any conditions determined by the local government.*

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CONFORMITY WITH THE STRATEGIC COMMUNITY PLAN / CORPORATE PLAN

OBJECTIVE C 3: Provide active and passive recreation facilities and services.

STRATEGY C 3.2: Partner with stakeholders to achieve greater community participation in recreational facilities and services.

FINANCIAL IMPLICATIONS

The recommended fees and charges for the 2016/17 financial year for the Hospitality room is \$45.00 per hour. With a weekly 3.5 hour booking over the 48 weeks they operate, the following breakdown represents the charges that will be levied with various potential rates.

Rate	\$45 per hour	\$30 per hour	\$15 per hour
<i>Sessional</i>	\$157.50 per session	\$105.00 per session	\$52.50 per session
<i>Annual</i>	\$7,560 per year	\$5,040 per year	\$2,520 per year

This would see the following discount applied to the schedule of fees and charges

Rate	\$45 per hour	\$30 per hour	\$15 per hour
<i>Hourly</i>	Nil	33%	66%
<i>Sessional</i>	Nil	\$52.50 per session	\$105.00 per session
<i>Annual</i>	Nil	\$2,520 per year	\$5,040 per year

Note that the foregone income represents unrealised opportunity costs. In the 2015-16 financial year there was one external group utilising the Hospitality room. In this situation, the other rooms were available that could potentially be used.

OFFICER'S COMMENT

Supporting the Northam Senior Citizens Social Club moving to the Recreation Centre is in line with Council's desire to have all active recreation pursuits at the Northam Recreation precinct. Providing an incentive for them to move will support this desire. The increased utilisation of the centre will see greater foot traffic and greater exposure of other recreation centre programs.

The Northam Senior Citizens Social Club is a registered SilverSport provider, a State Government initiative that provides up to \$200 per person to contribute to the fees of being active. With 26 members, the Northam Senior Citizens Social Club has potential access to \$5200 through its existing members.

The \$5200 aligns closely with \$30 per hour option with the additional members the club projects to achieve by moving to the centre providing for the clubs additional costs.

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Additionally, the \$2520 annual subsidy that will be is offered represents opportunity costs that are currently being unrealised.

RECOMMENDATION / COUNCIL DECISION

Minute No: C.2770

Moved: Cr Proud
Seconded: Cr Tinetti

That Council;

- 1. Provides a reduction in fees charged for the Hospitality Room at the Northam Recreation Centre, from \$45 per hour to \$30 per hour, to assist the club in becoming established at the venue for the 2016/17 Financial year; and**
- 2. Review this reduction in line with the 2017/18 schedule of fees and charges.**

CARRIED 9/0

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13.5. ENGINEERING SERVICES

Nil.

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

Nil.

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

15.1. Elected Members

Nil.

15.2. Officers

Nil.

16. CONFIDENTIAL ITEMS

Nil.

Three (3) members of the Gallery departed the Council Chambers at 6.11pm.

17. DECLARATION OF CLOSURE

There being no further business, the Shire President, Cr S B Pollard declared the meeting closed at 6.12pm.

"I certify that the Minutes of the Ordinary Meeting of Council held on Wednesday, 20 July 2016 have been confirmed as a true and correct record."

_____ President

_____ Date