

**ADVICE UNDER SECTION 48A(1)(a)
ENVIRONMENTAL PROTECTION ACT 1986**

Shire of Northam Local Planning Scheme 6 Amendment 25 (Omnibus)

Location: Various lots within the Shire of Northam

Determination: Scheme Not Assessed – Advice Given (not appealable)

Determination Published: 8 July 2026

Summary

Amendment No. 25 is an omnibus amendment to the Shire of Northam Local Planning Scheme No. 6 (LPS 6) which proposes changes to the scheme text and map in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The proposed scheme text and mapping changes fall into the following categories:

- Correcting text errors and omissions;
- Reclassifying reserves in line with Model Provisions;
- Updating the permissibility of certain land uses in the zoning table; and
- Addressing mapping corrections and other scheme map modifications.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the original referral documentation and its own investigations. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA's (2021) *Statement of Environmental Principles, Factors, Objectives and Aims of Environmental Impact Assessment*, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and vegetation
- Terrestrial fauna
- Inland waters
- Social surroundings

Flora and Vegetation and Terrestrial Fauna

As identified in the Shire's Local Biodiversity Strategy (2015), most of the remaining vegetation in the Shire of Northam is of regional conservation significance. A high proportion of vegetation remains in the western portion of the Shire (Jarrah Forest bioregion), while the eastern portion of the Shire has been highly cleared for agriculture (Avon Wheatbelt bioregion).

Remnant vegetation within the Shire provides important habitat for threatened species, including the Carnaby's and Forest red-tailed black cockatoos listed as endangered and vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and *Biodiversity Conservation Act 2016*. The Shire also contains threatened ecological

community (TEC) occurrences, including the 'Eucalypt Woodlands of the Western Australian Wheatbelt' listed as critically endangered under the EPBC Act.

Implementation of the scheme amendment has the potential to impact native vegetation including threatened ecological communities and habitat for threatened flora and fauna.

Inland Waters

The Avon River and tributaries, including the Mortlock River, are significant natural features within the Shire that support important ecological, landscape and waterway values. The health of the Avon River and its tributaries also influence the water quality of the Swan River.

Some parts of these waterways and associated foreshore areas are located within Crown reserves and public land, but most sections are on privately owned rural land within the Shire.

Implementation of the amendment has the potential to impact the hydrology of the Avon River and other waterways.

Social Surroundings

Several amendment areas occur in proximity to the Avon River, which is a prominent registered Aboriginal cultural heritage site protected under the *Aboriginal Heritage Act 1972*.

Implementation of the scheme amendment has the potential to impact Aboriginal cultural heritage values.

Advice and Recommendations

Reserves

The EPA supports the designation of 'Environmental Conservation' reserves under LPS 6, as this will provide greater statutory protection of environmental values. The EPA notes the Model scheme objectives for Environmental Conservation reserves are:

- *To identify areas of biodiversity and conservation value, and to protect those areas from development and subdivision.*
- *To identify and protect areas of diversity conservation significance within National Parks and State and other conservation reserves.*

The EPA advises that some amendment areas proposed to be designated as 'Public Open Space' (POS) reserves under LPS 6 contain important environmental values which may be at risk of future development. The EPA notes the Model scheme objectives for POS reserves are:

- *To set aside areas for public open space, particularly those established under the Planning and Development Act 2005 s. 152.*
- *To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.*

The EPA advises that the Northam Race Club property proposed to be designated as 'Public Purposes – Recreational' reserve under LPS 6 contains remnant vegetation likely to comprise Eucalypt Woodlands TEC and black cockatoo habitat, which may be at risk of future development. The EPA notes that the Model scheme objective for Public Purposes reserves is:

- *To provide for a range of essential physical and community infrastructure.*

The EPA advises that some amendment areas proposed to be designated as POS reserves contain waterways (Avon River and Mortlock River) and associated foreshore areas. These areas should be considered for designation as 'Drainage / Waterway' reserve, which has the Model scheme objective:

- *To set aside land required for significant waterways and drainage.*

In summary, the EPA recommends that:

- POS and Public Purposes reserves identified in Table 1 should be classified as Environmental Conservation reserves under LPS 6, to provide for stronger environmental protection;
- Crown reserves and Unallocated Crown Land (UCL) along the Avon and Mortlock Rivers should be classified as Drainage / Waterway or Environmental Conservation reserves under LPS 6; and
- Additional protection of biodiversity in Crown reserves should be considered by the local government via changes to the reserve purpose on management orders, such as 'recreation and conservation' (or similar), through a process administered by the Department of Planning, Lands and Heritage under the *Land Administration Act 1997*.

Land use

The EPA notes the proposed change of land use permissibility for telecommunication infrastructure from 'X' use to 'D' use in the Environmental Conservation zone. The EPA recommends consideration be given to an 'A' use or 'X' use, noting the future clearing requirements and potential impacts to social surroundings associated with telecommunication infrastructure.

Special Use areas

The EPA notes proposed Special Use Area (SU11) over Lot 65 (No. 42) Lukin Road, Clackline permits land use for a pet crematorium and cemetery. Given the presence of native vegetation with potential to support threatened fauna habitat, the EPA recommends additional requirements or scheme provisions to ensure future development demonstrates avoidance and minimisation of impacts to native vegetation and fauna habitat and incorporates appropriate measures to protect environmental values.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives for the above factors, subject to implementation of the above advice and recommendations. Future proposals that have the potential for significant impacts to environmental values may require consideration under Part IV or Part V of the EP Act and/or the EPBC Act.

Table 1. ‘Environmental Conservation’ reserves recommended by the EPA – Shire of Northam LPS 6 Amendment No. 25

Location – reserve purpose or tenure	Proposed Amendment	EPA advice and recommendation
Reserve 11619 – Recreation	Reclassification of ‘Parks and Recreation’ to ‘Public Open Space’ reserve	The EPA recommends that these Crown reserves and the Shire freehold lot containing native vegetation be classified as ‘Environmental Conservation’ reserve under LPS 6, to provide for stronger environmental protection outcomes.
Reserve 15384 – Parklands		
Reserve 1549 – Landscape Protection		
Reserve 20839 – Gravel		
Reserve 22294 – Parklands		
Reserve 24449 – Stopping Place for Caravans and Travellers		
Reserve 28043 – Recreation		
Reserve 293 – Parklands		
Reserve 30393 – Zoological Gardens		
Reserve 420 – Recreation and Parkland		
Reserve 43247 – Public Recreation		
Lot 503 on Plan 17172 – Shire freehold		
Reserve 25225 – Recreation Golf Links	Reclassification of ‘Parks and Recreation’ to ‘Public Open Space’ reserve	The EPA recommends that areas of remnant vegetation within proposed ‘Public Open Space’ reserves should be classified as ‘Environmental Conservation’ reserve under LPS 6, to provide for stronger environmental protection outcomes.
Reserve 4470 – Recreation, Parklands and Agriculture		
Reserve 51213 – Community Purposes		
Various Unallocated Crown Land (UCL) along Avon River and Mortlock River	Reclassification of ‘Parks and Recreation’ to ‘Public Open Space’ reserve	The EPA recommends that Crown reserves and UCL proposed for ‘Public Open Space’ reserve along waterways (Avon River and Mortlock River) be classified as ‘Environmental Conservation’ or ‘Drainage and Waterway’ reserve.
Reserve 43255 – Public Recreation		
Reserve 32895 – Public Recreation		
Reserve 35531 – Public Recreation		
Reserve 35961 – Public Recreation		
Reserve 39381 – Public Recreation		
Reserve 41559 – Public Recreation		
175 Yilgarn Avenue, Malabaine – Northam Race Club Inc freehold	Reclassification of part Rural Zone and ‘Parks and Recreation’ to ‘Public Purposes – Recreational’ reserve	The EPA recommends areas of remnant vegetation within proposed ‘Public Purposes – Recreation’ reserve be classified as ‘Environmental Conservation’ reserve, to provide for stronger environmental protection outcomes.