



MINUTES

Ordinary Council Meeting

19 December 2023

CONFIRMATION OF MINUTES

These Minutes have been CONFIRMED by Council as the official record for the Shire of Gingin's Ordinary Council Meeting held on 19 December 2023.

**Councillor C W Fewster
PRESIDENT**

Date of Confirmation: _____

DISCLAIMER

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Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

ACKNOWLEDGEMENT OF COUNTRY



The Shire of Gingin would like to acknowledge the Yued people who are the traditional custodians of this land. The Shire would like to pay respect to the Elders past, present and emerging of the Yued Nation and extend this respect to all Aboriginal people. The Shire also recognises the living culture of the Yued people and the unique contribution they have made to the Gingin region.

TABLE OF CONTENTS

1	DECLARATION OF OPENING	5
2	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	5
2.1	ATTENDANCE	5
2.2	APOLOGIES.....	5
2.3	LEAVE OF ABSENCE.....	5
3	DISCLOSURES OF INTEREST	5
4	PUBLIC QUESTION TIME	5
4.1	RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE.....	5
4.2	PUBLIC QUESTIONS.....	6
5	PETITIONS.....	8
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	9
7	CONFIRMATION OF MINUTES.....	9
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	9
9	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS.....	10
10	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	10
11	REPORTS - OFFICE OF THE CEO.....	11
11.1	FREE PARKING TRIAL GUILDERTON FORESHORE	12
11.2	QUARTERLY REVIEW OF LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS	16
11.3	MAIN ROADS WESTERN AUSTRALIA EMERGENCY RESPONSE.....	45
12	REPORTS - CORPORATE AND COMMUNITY SERVICES.....	49
12.1	MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2023	49
12.2	LIST OF PAID ACCOUNTS NOVEMBER 2023	75
12.3	FINANCIAL REPORT AND INDEPENDENT AUDITOR'S REPORT FOR THE YEAR ENDED 30 JUNE 2023.....	88
13	REPORTS - REGULATORY AND DEVELOPMENT SERVICES.....	138
13.1	APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED SITEWORKS (FILL) AND EXTERNAL FIXTURES ON LOTS 4 AND 5 (60 AND 62) GINGIN ROAD AND LOTS 6 AND 191 (3 AND 1) MIRAGLIOTTA STREET, LANCELIN.....	138
13.2	RECONSIDERATION OF APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED RECEPTION CENTRE ON LOT 24 (125) BARAMBA ROAD, KARAKIN	212
13.3	RECONSIDERATION OF APPLICATION FOR DEVELOPMENT APPROVAL - AGRICULTURE INTENSIVE (ANNUAL HORTICULTURE) AND ASSOCIATED STRUCTURES ON LOT 2 (182) WATERVILLE ROAD, WANERIE.....	271

13.4 APPLICATION FOR AMENDED DEVELOPMENT APPROVAL - OUTBUILDING ON LOT 56 (41) MOORE RIVER DRIVE, GUILDERTON.....	398
13.5 APPLICATION FOR DEVELOPMENT APPROVAL - OUTBUILDING ON LOT 501 (19) HARPER DRIVE, LEDGE POINT	412
14 REPORTS - OPERATIONS AND ASSETS	423
15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	423
16 COUNCILLORS' OFFICIAL REPORTS.....	423
16.1 GUILDERTON CARAVAN PARK AND FORESHORE ADVISORY GROUP.....	423
16.2 GUILDERTON CARAVAN PARK AND FORESHORE ADVISORY GROUP.....	423
16.3 GUILDERTON CARAVAN PARK AND FORESHORE ADVISORY GROUP.....	423
16.4 GINGIN CRC, GINGIN DISTRICT HIGH SCHOOL AWARDS CEREMONY AND CHRISTMAS CAROLS IN THE PARK.....	424
16.5 GINGIN DISTRICT HIGH SCHOOL AWARDS CEREMONY AND CHRISTMAS CAROLS IN THE PARK.....	424
16.6 SENIOR HAIRCUTS	424
17 NEW BUSINESS OF AN URGENT NATURE.....	425
17.1 REPLACEMENT OF WATER TRUCK (GG088)	425
18 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC	427
19 CLOSURE.....	427

ORDER OF BUSINESS

1 DECLARATION OF OPENING

The President declared the meeting open at 3.20 pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – C W Fewster (President), L Balcombe (Deputy President), R Kestel, F J Peczka, E Sorensen, L Stewart, J Weeks and N Woods

Staff – A Cook (Chief Executive Officer), L Crichton (Executive Manager Corporate and Community Services), V Crispe (Executive Manager Operations and Assets), J Bayliss (Manager Planning and Building), L Burt (Coordinator Governance), and K Johnston (Governance Support Officer/Minute Officer)

Gallery – There were 13 members of the public present in the Gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Councillor F Johnson

3 DISCLOSURES OF INTEREST

Councillor Stewart

Item: 11.2 Quarterly Review of Local Emergency Management Arrangements

Interest: Financial

Reason: I own a wildlife sanctuary and have offered to assist the services of our not for profit to assist with LEMA.

4 PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Ordinary Meeting 21 November 2023

4.1.1 Kate Lane – Neergabby
Guilderton Café

Q1. Can Council confirm that there actually are 2 commercial dishwashers, two toasters and two flat grill plates at Guilderton Cafe?

- A1. The following equipment is located at the Moore River Cafe and General Store:
- a. 1 x commercial hood-type dishwasher which accommodates glassware as well as other items;
 - b. 1 x older-style hood-type dishwasher which only accommodates glassware;
 - c. 1 x 4 slice toaster;
 - d. 1 x conveyor-type toaster;
 - e. 1 x 4 burner flat grill; and
 - f. 1 x 6 burner flat grill.

4.2 PUBLIC QUESTIONS

4.2.1 Lindise Leahy - Neergabby Guilderton Parking

Q1. As one of the only paid parking areas on the Western Seaboard and the only paid parking in the Shire of Gingin, why was this car park deemed the revenue raiser?

Response by the President

It was a Council decision in 2017 after discussion, debate and comment from the community.

Response by the CEO

It was brought in due to the increased costs of the impact to the area and to offset some of the costs of repairs and maintenance.

Q2. If revenue from the paid parking program is going to be earmarked for ongoing maintenance and improvements, how are these works funded for every other "unpaid" facility in the Shire of Gingin?

Response by the President

Every other works is funded through the budget process. Not 100% of the revenue goes into the reserve.

Response by the Executive Manager Corporate and Community Services

A percentage of the revenue is required to held in a separate reserve to fund the jetty maintenance as required under the Department of Transport grant funding received to part fund the carpark and jetty upgrade. Costs associated with the maintenance of the parking equipment (meters etc.) is also covered by the income with the balance placed into the Foreshore Reserve.

Q3 What reasoning can be provided as to why the revenue trends of one business (which has changed hands 3 times since the paid parking commenced) is being used as benchmark to assess the validity of the paid parking in Guilderton?

Response by the CEO

This was just one of the parameters utilised as part of the assessment.

**4.2.2 Kate Lane - Neergabby
Guilderton Café**

Q1 Will Council clarify if Belgravia Leisure have been credited with \$75,000, or not?

Response by the Executive Manager Corporate and Community Services

No, they haven't been paid.

Q2. Why have the public been misled for months that this payment has already been made?

Response by the President

It will be paid once the invoice has been received.

Q3. Is this yet a third dishwasher for the cafe, or a repair to an existing one - why are ratepayers footing the bill and not the tenant?

Response by the CEO

We have repaired the dishwasher and there will be another repair undertaken reasonably soon. This an ongoing issue and the issue appears to be plumbing that is associated with the machine.

Q4. Shouldn't the tenant be responsible?

Response by the CEO

It is a capital item and an installation issue; it is not a wear and tear issue therefore it is Council's responsibility.

Q5. Will the source of these problems be finally addressed? If you personally feel unwilling to do so, should you not stand aside and allow another to deal with these pressing concerns?

Response by the President

No

**4.2.3 Edward Hartman - Neergabby
Satisfaction Survey**

Q1 Is the Shire able to give a definite timeline as to the release of the said survey?

Response by the CEO

The survey will be made available early in the New Year.

Q2 Will the Shire release the findings of the survey in its entirety, warts and all, or will there be a censored version?

Response by the President

It will be an abridged version, so not the full document.

Response by the CEO

The members of the public will be provided with the results of the survey.

Q3. Is it Council policy to ask that someone drive into the office and provide identification prior before obtaining information on whether vehicle number plates ordered had arrived.

Response by the Executive Manager Corporate & Community Services

The instructions given to you by Council staff are those required by the Department of Transport. As an agency for the Department, Shire staff are required to adhere to policies and procedures set out by them.

5 PETITIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Peczka

That Council grant Leave of Absence to Councillor Johnson for the Ordinary Council Meeting on 19 December 2023.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

7 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Sorensen

That Council confirm the Minutes of the Ordinary Council Meeting held on 21 November 2023 as a true and accurate record.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Deputations

Six Deputations were heard prior to the meeting commencement, the details of which are as follows:

Item 13.2 Reconsideration of Application for Development Approval - Proposed Reception Centre on Lot 24 (125) Baramba Road, Karakin

Speaker: Ben Stanbury

The deputation was in opposition to the Officer's Recommendation.

Item 13.2 Reconsideration of Application for Development Approval - Proposed Reception Centre on Lot 24 (125) Baramba Road, Karakin

Speaker: Gary Brown

The deputation was in opposition to the Officer's Recommendation.

Item 13.2 Reconsideration of Application for Development Approval - Proposed Reception Centre on Lot 24 (125) Baramba Road, Karakin

Speaker: Emma Johnson

The deputation was in opposition to the Officer's Recommendation.

Item 13.2 Reconsideration of Application for Development Approval - Proposed Reception Centre on Lot 24 (125) Baramba Road, Karakin

Speaker: Michael Clare

The deputation was in support of the Officer's Recommendation.

Item 13.3 Reconsideration of Application for Development Approval – Agriculture Intensive (Annual Horticulture) and Associated Structures on Lot 2 (182) Waterville Road, Wanerie

Speaker: David Maiorana (Rowe Group)

The deputation was in support of the Officer's Recommendation.

Item 13.1 Development Application for Proposed Siteworks (Fill) and External Fixtures on Lots 4 and 5 (60 and 62) Gingin Road and Lots 6 and 191 (3 and 1) Miragliotta Street, Lancelin

Speaker: Murray Cassleton

The deputation was in opposition to the Officer's Recommendation.

9 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11 REPORTS - OFFICE OF THE CEO

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Stewart

That Items 13.1 to 13.5 be brought forward for consideration.

CARRIED UNANIMOUSLY

8 / 0

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

In accordance with Council's resolution, the following items were brought forward and considered as the first items of business:

- *Item 13.1 Application for Development Approval – Proposed Siteworks (fill) and external fixtures on Lots 4 and 5 (60 and 62) Gingin Road and Lots 6 and 191 (3 and 1) Miragliotta Street, Lancelin – see page 138.*
- *Item 13.2 Reconsideration of Application for Development Approval - Proposed Reception Centre on Lot 24 (125) Baramba Road, Karakin – see page 212.*
- *Item 13.3 Reconsideration of Application for Development Approval - Agriculture Intensive (Annual Horticulture) and Associated Structures on lot 2 (182) Waterville Road, Wanerie see page 271.*
- *Item 13.4 Application for Amended Development Approval - Outbuilding on Lot 56 (41) Moore River Drive, Guilderton – see page 398.*
- *Item 13.5 Application for Development Approval – Outbuilding on Lot 501 (19) Harper Drive, Ledge Point – see page 412.*

Item 11.1 was considered after Item 13.5

11.1 FREE PARKING TRIAL GUILDERTON FORESHORE

File	RDS/21
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	16 May 2023 - Item 11.2
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to consider the results of the trial of free parking at the Guilderton Foreshore Parking Area and consider the future of this initiative.

BACKGROUND

Council has been requested on several occasions in the past to reconsider the institution of paid parking in Guilderton.

This has been a long-standing request as the parking meters were installed in early 2018 and it was agreed to progress as a project with consultation from 2016.

The free parking trial was requested for the months of June, July and August 2023. However given that the decision to initiate the trial wasn't made until May, it was too late to implement for the month of June. Therefore, the trial was in effect for a period of two months.

The reasoning behind the request was that during the quiet months it may encourage members of the public to come to Guilderton, thereby increasing business and tourist attendance.

COMMENT

The free parking trial was facilitated by placing a notice on the ticket machine advising that no payment was required but requesting that people still obtain a ticket. This was in place for the full two months.

It was proposed to have three methods of assessment of the trial as follows:

1. The number of free tickets issued by the parking meters (as these are monitored).
2. Shire staff to record how many vehicles parked in the area over the trial period (as the area is under video surveillance).

3. Information from the Guilderton Store lessee as to any increase in business over the period.

After some considerable time, Method 2 was not able to be facilitated due to the time that it was taking a staff member to review the video. As such, this report is reliant on Methods 1 and 3.

Below is the number of tickets issued since the inception of the parking meters (provided on a month-by-month basis).

	2018	2019	2020	2021	2022	2023
Jan		3762	3500	3855	3847	3649
Feb		1917	1672	1149	1549	1341
Mar	390	2118	1562	1472	1340	1548
April	1828	2306	12	2054	2314	2022
May	609	653	-	655	520	467
June	717	727	1049	554	568	458
July	584	838	1442	472	617	888
Aug	593	701	969	422	383	617
Sept	1614	1650	1557	1205	1398	1389
Oct	1204	2023	2249	1346	1294	1528
Nov	1481	1812	1352	1317	1066	1532
Dec	2891	2434	2678	2245	2592	
TOTAL	11912	20942	18042	16746	17488	15439*

*Note that 2023 total does not include figures for December, which weren't available at the time of writing this report.

As this information demonstrates, there was an increase during the two months over the previous 2 years. However the increase did not evidence attendances to the level recorded for other years when it was fee paying. As the table shows, there is a level of variability in the number of vehicles parking in the area and this would have a large range of reasons.

For example, in 2023 the new store lessee had settled into the business and their takings continued to increase. So, the consistent and well-run provision of the store could have a positive impact on vehicles parking in the area. Previous months of poor weather would hold people back during July and August and likewise if the weather was unseasonably nice it could bring additional people to Guilderton.

In discussions with the store lessee, their turnover figures did increase during the trial period, but also have continued to increase even with the paid parking being re-implemented. As such, it is felt this is more general business development.

Council is reminded that every ratepayer in the Shire of Gingin receives a pass every year in conjunction with their rates notice which allows them to utilise the parking at any time for free. All owners of holiday rental properties have the ability to make the parking permit available for their guests to utilise. As such, the only persons really needing to pay for parking are day visitors to Guilderton.

It has previously been put to Council that the parking fee of \$10 per day (maximum) are negatively affecting tourism.

It has been argued that the good will of providing free parking outweighs the income gained, yet the cost of providing services to the Guilderton foreshore for the tourist has not even been considered as it has always been provided. After inspecting the foreshore on several occasions at various times of the day, it is clear that this area is very well utilised but requires significant upgrading, and there will be a proposal put forward in the near future to further increase cleaning of the area which will be an additional ongoing cost to Council.

After careful review it is proposed to Council that the free parking trial not be repeated as the impact on visitor numbers to Guilderton during the trial period was not significant. Rather, the additional income gained via parking fees will assist with the future costs of upgrading the foreshore area, and the consistency of not having a requirement like this come in and out of operation ensures that everyone coming to Guilderton understands what is required.

It should also be noted that there is ample free parking provided in various areas, including the top car park, which are within close proximity to the foreshore. Also, there is free short-term parking provided outside the Store and Café.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Should Council not accept the recommendation provided there will be a financial impact to Council and the community for every month that there is free parking provided.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.1 Management of Assets - Maintain civic buildings, sporting facilities, public places, plant and road and cycleway/pathways based on asset management plans and identified priorities

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel **SECONDED:** Councillor Weeks

That Council:

1. Acknowledge that the trial of free parking had a limited impact on visitor numbers over the trial period; and
2. Agree that paid parking will remain in place for the full twelve months of the year.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

The Manager Planning and Building left the meeting at 5.06 pm.

11.2 QUARTERLY REVIEW OF LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS

File	EMS/21
Author	Karen Okely – EA to Chief Executive Officer & Community Emergency Services Manager
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	1. Animal Welfare Plan 2023 [11.2.1 - 26 pages]

DISCLOSURES OF INTEREST

Councillor Stewart disclosed a financial interest in Item 11.2 as he owns a wildlife sanctuary and has offered to assist the services of his not for profit to assist with LEMA and left the meeting at 5.07pm.

PURPOSE

To consider endorsing amendments to the Local Emergency Management Arrangements (LEMA) Animal Welfare Plan arising from the quarterly review of the LEMA.

BACKGROUND

At the Local Emergency Management Committee meeting held on 15 November 2023, the Committee endorsed amendments to the LEMA Animal Welfare Plan. (see Appendix).

COMMENT

As part of the Shire’s ongoing commitment to continuous improvement, the LEMA is reviewed quarterly to ensure it is contemporary, effective, and easy to use. This quarter the Animal Welfare Plan was updated to include additional and updated contact details of veterinarians, equestrian grounds, pony clubs, and boarding kennels, as well as local suppliers and social media links.

The following information was amended to highlight the difference between Assistance Animals and Therapy Assistance Animals:

Assistance Animals are specially trained to alleviate the effects of a person’s disability, are recognised under the Disability Discrimination Act 1992 and must be given full access to public facilities.

Therapy Animals or Emotional Support Animals (ESA) are not recognised under Australian law. Unlike Assistance Animals there is no minimal training or standard certification for an ESA. These animals may also be called companion animals. There are many benefits of having an animal for psychological health and many experience increased mental wellness from owning a pet. ESA's are valuable in their own right, but they are different to Assistance Animals.

No other amendments were identified as a result of the quarterly review.

STATUTORY/LOCAL LAW IMPLICATIONS

Emergency Management Act 2005

Part 3 – Local arrangements

Division 2 – Emergency management arrangements for local governments

Section 4 – Emergency management arrangements in local government district

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	2. Connections & Wellbeing - Grow and Nurture Community Connectedness and Wellbeing
Strategic Objective	2.1 Community Safety & Support - Provide support and advocacy to residents and visitors so that they feel safe and secure at home and in the environment

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Kestel

That Council endorse the following amendments to the LEMA Animal Welfare Plan arising from the quarterly review of the Local Emergency Management Arrangements:

1. Updated and additional contact details for veterinarians, equestrian grounds, pony clubs, boarding kennels, local suppliers, and social media links; and

2. Amendment of information relating to Assistance Animals and Therapy/Emotional Support Animals.

CARRIED UNANIMOUSLY
7 / 0

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

Councillor Stewart returned to the meeting at 5:08 pm and was advised of Council's decision.



LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS

ANIMAL WELFARE PLAN



2022

- Public Version
- Restricted Version

Contents

Distribution List.....	4
Amendment Record	5
Acronyms & Definitions.....	6
1. Introduction.....	7
1.1 Authority	7
1.2 Purpose.....	7
1.3 Objectives.....	7
1.4 Scope	7
1.5 Related Documents.....	7
2. Overview of Animal Welfare.....	8
3. Key Roles, Responsibilities and Tasks.....	8
3.1 Animal Welfare Coordinator (AWC).....	8
3.2 Animal Welfare Team (AWT).....	9
3.3 Animal Owner/Carer	9
3.4 Plan Activation	9
3.5 Withdrawal	9
4. Facilities and Resources.....	9
4.1 Animal Welfare Operations Centre	9
4.2 Animal Sheltering Facilities.....	10
4.2.1 Pets.....	10
4.2.2 Livestock	10
4.2.3 Horses	11
4.3 Wildlife & Wildlife Parks.....	12
4.4 Transportation and Evacuation Route Options.....	13
4.5 Equipment.....	13
4.4 Food	13
4.5 Fees & Charges	14
4.6 Exotic animal diseases & biosecurity.....	14
4.7 Euthanasia	14
5. Administration & Public Information	15
5.1 Request for Assistance.....	15
5.2 Offers of Assistance - Donated Goods.....	15
5.3 Impounded Animals.....	15
5.4 Lost & Found Animals	15
5.5 Reunite	15
5.6 Pet and Animal Plans	16
Appendix 1: Equipment List for Evacuation Centre (Guide)	18
Appendix 2: Request for Assistance Form	19
Appendix 3: Offers of Assistance Form	20
Appendix 4: Impound Form	21

Appendix 5: Found Animal Register (Public Version)	22
Appendix 6: Lost & Found Register	23
Appendix 7: Equipment & Resource Register.....	24
Appendix 8: Contact Details	25

Distribution List

Organisation	Officer/ Department	Copies	
		Hardcopy	Electronic
Shire of Gingin	Shire President	1	
	CEO	1	
	Emergency Management	1	
	Records	1	
	Administration Centre	1 Public version	
	Gingin Library	1 Public version	
	Lancelin Office / Library	1 Public version	
	All Staff		Intranet Public version
	Website		Public version
Shire of Gingin LEMC	All members (Refer to General Plan Appendix 1)	1	1

Contact & Document Availability

For copies of this plan, or to provide comment, contact:

LEMC Executive Officer

Shire of Gingin

7 Brockman Street, GINGIN WA 6503

Ph: (08) 9575 5100

E: mail@gingin.wa.gov.au

This plan is available on the Shire of Gingin website www.gingin.wa.gov.au and is available for viewing at the Shire facilities outlined above.

Amendment Record

Amendment		Details	Amended By
No.	Date		
1	May 2022	Draft – First Edition	Cher Groves
2	December 2022	Wording amendments	Sharon Smith/Rachael Williams
3	October 2023	Inclusion of updated and new contact details for suppliers, kennels, pony clubs, and social media links.	Cher Groves
4			
5			
6			
7			
8			
9			
10			
11			
12			

Acronyms & Definitions

Refer to the General Plan and current Australian Emergency Management Glossary for full list of terms and definitions.

Animal	Companion animals, pets, livestock including horses and poultry, wildlife, birds and fish
AWC	Animal Welfare Controller
AWOC	Animal Welfare Operations Centre
AWP	Animal Welfare Plan
AWT	Animal Welfare Team
CEO	Chief Executive Officer
DBCA	Department of Biodiversity, Conservation and Attractions
DC	Department of Communities
DFES	Department of Fire & Emergency Services
Domestic Animals	Both pets and livestock (see individual definitions below)
DPIRD	Department of Primary Industries & Regional Development
DPaW	Department of Parks and Wildlife
HMA	Hazard Management Agency
IC	Incident Controller
ISG	Incident Support Group
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG	Local Government
Livestock	Animals not normally contained or permitted inside a family residence and would normally stay outside on the property, often for human consumption or use other than companionship i.e. cattle, sheep, goats, pigs, camels, deer, alpacas, llamas, poultry and horses
Pets	Companion animals primarily kept for companionship, hobbies, sport or work (other than horses) and would usually accompany the family when they leave the property i.e. dogs, cats, rabbits, rodents, fish, birds.
SoG	Shire of Gingin
SoGAWP	Shire of Gingin Animal Welfare Plan
Wildlife	All native and introduced animals that live without regular human intervention or support. Does not include stray domestic animals.

1. Introduction

1.1 Authority

The Shire of Gingin Animal Welfare Plan (SoGAWP) has been prepared in accordance with *Section 41 (4) of the Emergency Management Act 2005* and forms a part of the Local Emergency Management Arrangements (LEMA) for the Shire of Gingin (SoG). This plan has been endorsed by the Shire of Gingin Local Emergency Management Committee (LEMC) and approved by the Shire of Gingin.

1.2 Purpose

The purpose of the Animal Welfare Plan (AWP) is to provide clear guidance to Shire Staff, Hazard Management Agencies and Supporting Agencies to assist the community with the care and management of domestic animals and livestock during an emergency event within the Shire of Gingin district.

Ultimately, responsibility for the care of domestic animals and livestock rests with the animal owners/carers at all times, including planning for and welfare during emergencies.

1.3 Objectives

To ensure animals are better considered and protected from suffering during and immediately following emergencies. The Shires main objectives are:

- Coordinate the function and outline the management structure of animal welfare arrangements.
- Assist with reuniting owners and animals both during and after emergency events.
- Ensure the safety of both animals, the community, road users and emergency services personnel, by impounding stray and wandering animals
- Assist to increase community confidence in, and awareness of, animal welfare arrangements and considerations during an emergency

1.4 Scope

The scope of this animal welfare plan is limited to the care of domestic animals residing within the Shire of Gingin geographical boundaries, during an emergency or disaster. It does not include the routine management of animal welfare during non-emergencies. It does not include emergency arrangements for wildlife, DPaW is responsible for these types of animals.

1.5 Related Documents

This animal welfare plan forms a part of the Shire of Gingin Local Emergency Management Arrangements and should be read in conjunction with these plans and its related documents. They also interface with other hazard specific, emergency management and animal plans at District and State levels.

Consideration should also be given to the **Traffic Management During Emergencies Guidelines** regarding the management and closure of roads during an emergency and/or evacuation.

2. Overview of Animal Welfare

The Shire of Gingin acknowledges that disasters are complex events, often limiting the ability of people to fulfil these obligations. Furthermore, their inability to care for their animals can lead to significant distress in already trying situations.

The aim of this Animal Welfare Plan (AWP) is for animal owners to reference in the event of a disaster occurring within the Shire of Gingin local government (LG) boundaries, where animals must be relocated to a holding area during or after a disaster and pet owners have been relocated to an emergency welfare centre.

In the first instance owners and carers are responsible for the welfare of their pets and livestock at all times, including disaster situations. Whereby if safe to do so, should seek to evacuate their animals to the properties of friends and family outside of the impacted area. LEMA's may identify if animals can be accommodated in the vicinity of welfare centres and if not, what alternate options may be available.

The following list is indicative of what a pet owner should have for their pets in the event of an emergency:

- Animal's identification clearly labelled with animal's name; the owners contact details; collar.
- Animal's food and drink requirements for at least 7 days.
- Animal's medication requirements for at least 14 days.
- Animal cage for transport.
- Containment (leads, cage, pen) for relocation area.
- Shelter (large umbrella, portable gazebo/marquee).
- Animals bedding.
- Cleaning items (kitty litter, dog poo bags, etc).

It is important to note that whilst every effort should be made to protect and care for animals, human life and safety should always take precedence over animal welfare.

According to the *National Planning Principles for Animals in Disaster*, published by the Australian Animal Advisory Committee animals should be integrated into emergency planning because:

- They have intrinsic value.
- They contribute to human's health and wellbeing.
- They have economic value; and
- failure to account for animals puts human life at risk

Findings from the 2009 Bushfire Royal Commission noted that some residents refused to evacuate without their animals, their evacuation plans were delayed because of their animals, or they attempted to re-enter the fire ground to rescue their animals. The death of several civilians has been accounted to these situations.

3. Key Roles, Responsibilities and Tasks

3.1 Animal Welfare Coordinator (AWC)

The appointed Animal Welfare Coordinator (AWC) is the Coordinator of Ranger Services.

Depending on the size and nature of the emergency event, the Coordinator of Ranger Services may choose to delegate this position to another suitably qualified officer.

3.2 Animal Welfare Team (AWT)

Depending on the nature and size of the event, the AWC may require further assistance. This shall be granted by the appointment of an Animal Welfare Team (AWT).

The membership of this team is to be decided by the AWC, but may include officers and/or representatives from:

- Local Recovery Coordinator, or delegate
- Rangers
- RSPCA and other animal welfare agencies
- Department of Primary Industries and Regional Development (DPIRD)
- Department of Parks & Wildlife (DPAW)
- Veterinarians
- Local animal groups

3.3 Animal Owner/Carer

Animal owners/carers are ultimately responsible for the welfare of their animals and should consider preparedness for, response to and recovery from an emergency. Any person in charge of an animal has a primary duty of care to ensure it is protected from unreasonable pain and suffering.

Personal safety plans and emergency household/property plans should include contingencies for animals regardless of whether they will remain at the property or be relocated during an emergency.

3.4 Plan Activation

The activation of the SoGAWP will be determined by the IC of the relevant HMA. This will be in consultation with the:

- Incident Support Group (ISG)
- Welfare Agencies
- Shire of Gingin (primarily Ranger Services)

3.5 Withdrawal

The AWT structure shall be gradually stood down as assistance is no longer required and the capability of local resources improves. The decision to conclude the SoGAWP and withdraw additional resources shall be determined by the Animal Welfare Controller (AWC) in consultation with the Local Recovery Coordinator/Committee.

4. Facilities and Resources

4.1 Animal Welfare Operations Centre

The Shire of Gingin pound is appointed as the Animal Welfare Operations Centre (AWOC). Where this facility is not suitable, the AWC is to nominate an alternate location.

The AWOC is to be a central location for the management of all animal welfare efforts and its functions include:

- Record, register and prioritise all requests for assistance
- Task the AWT
- Record and register all lost, found, rescued and impounded animals
- Assist with the logistics of caring for all impounded animals (when possible)
- Maintain all financial and administrative records

For health and safety reasons animals, including pets, are not permitted inside Welfare Centres with the exception only of Assistance dogs or Assistance animals. There are 3 main types of assistance dogs:

- **Service dogs** are trained to assist people who have various disabilities to manage personal and other tasks. The popular term for these dogs in Australia is assistance dogs.
- **Guide dogs** or **Seeing eye dogs** are trained to help blind or visually impaired people get around safely and independently.
- **Hearing dogs** are trained to assist people who are deaf or have hearing problems by alerting them to sounds.

Assistance animals are specially trained to alleviate the effects of a person's disability, are recognised under the *Disability Discrimination Act 1992* and must be given full access to public facilities.

Therapy Animals or Emotional Support Animals (ESA) are not recognised under Australian law. Unlike Assistance Animals there is no minimal training or standard certification for an ESA. These animals may also be called companion animals. There are many benefits of having an animal for psychological health and many experience increased mental wellness from owning a pet. ESA's are valuable in their own right, but they are different to Assistance Animals.

4.2 Animal Sheltering Facilities

Animal sheltering facilities are to provide temporary housing and welfare for rescued, roaming and impounded animals. Whilst animals may be kept outside evacuation centres, the nature of the disaster may not allow this. Residents are to be urged to seek shelter for their animals with friends or families that have not been affected by the emergency event prior to utilising the services of an animal sheltering facility.

4.2.1 Pets

The Shire of Gingin pound has been appointed as the primary housing facility for pets.

Dogs and Cats accommodated within the Shire of Gingin must be registered and microchipped. The Shire's database may be used in the identification.

Where this facility is not suitable, the AWC is to nominate an alternate or additional location. Other locations may include (but are not limited to):

- Local Boarding Kennels and Catteries
- Veterinary facilities

See **Appendix 8** for contact details for boarding kennels, catteries, and vets within the Shire of Gingin area and bordering Local Governments.

4.2.2 Livestock

As per the National Livestock Identification System (NLIS), livestock includes cattle, sheep, goats, pigs, camels, deer, alpacas, llamas, poultry and horses. For the purpose of emergency animal welfare planning, horses have been addressed separately see 4.2.3 below.

Livestock are to be contained within the closest safe paddock. All attempts should be made to restrict their access to roadways, ensure they have access to feed and water, and have room to exercise. When resources become available all attempts should be made to identify

and contact the owners. Where livestock are not claimed, arrangements may have to be made to relocate the animals to a more permanent holding facility.

The Shire's Coordinator of Ranger Services will assist by approaching land holders of suitable properties and arranging for appropriate management of the animals that are housed within the facility.

4.2.3 Horses

In addition to 4.2.2, there are a range of avenues available for the short-term relocation and welfare of horses. Recommended in the following priority order:

1. Encourage community members to seek private arrangements with family and friends.
2. Encourage community members to seek private arrangements with other community members (the databases and social media pages listed below may be of assistance).
3. The Shire requests the use of a public equestrian facility (approval required).
4. The Shire requests the use of public open space (approval required).

Online Databases and Social Media

Name & Type	Web Link	Other details
WA Horse Emergency	https://www.wahorsecouncil.com.au Email horsecouncilwa@gmail.com	Website page - registration required
Emergency Animal Support Evacuation (EASE) WA	https://www.facebook.com/EASEWA Email easewa1@gmail.com	Facebook Public Page
Shire of Gingin Horse Community	WA Cutting Horse https://www.facebook.com/profile.php?id=100057177141167 Email wacuttinghorse@gmail.com Gingin Campdraft https://www.facebook.com/GinginCampdraftClubInc Email gingincampdraftwa@outlook.com Denim & Lace Barrel Racing https://www.facebook.com/dandlbarrelracinginc Email dnlbarrelracing@gmail.com Woodridge Equestrian Centre https://www.facebook.com/WoodridgeEquestrian Email woodridge.equestrian@yahoo.com	Facebook Public Pages/Groups
Surrounding Horse Community	South Midlands Polocrosse Club https://www.facebook.com/southmidlandspolox Email: southmidlandspolox@gmail.com South Midlands Pony Club https://www.facebook.com/southmidlandspc Email: smpcsecretary@outlook.com	Facebook Public Pages/Groups

Public Equestrian Facilities

There are two public equestrian facilities (Gingin Equestrian Grounds and Woodridge Equestrian Centre) with loose yards located in Shire of Gingin.

The following should be considered prior to making this option available:

- Approval and management processes of the respective LG and the facility
- Distance and travel arrangements
- Staffing or volunteer arrangements for the management of the facility
- Limitations of human welfare services able to be provided at the facility
- Clear route of access to DC Evacuation Centre (to provide the above)
- Potential threat or risk to the facility from the incident or another hazard

Please note: Woodridge Equestrian Centre (leased from SoG) has offered to accommodate housing horses before and during an emergency evacuation as they have access to yards and water.

Other:

South Midlands Pony Club, Sandown Park, Brand Highway, Muchea and the State Equestrian Centre, 303 Cathedral Avenue, Brigadoon would be closer than Coolup and Baldivis.

There are also several racing/equestrian facilities and veterinary complexes in the Wheatbelt and Peel regions (not listed) that may be used in some capacity:

- Racing facilities are only suitable to shelter displaced animals for short periods of times (-8hrs) or as transfer points, due to the restrictive yarding type (cross ties)
- Veterinary complexes have limited space and should be reserved for injured, rather than displaced animals

Public Open Space:

If none of the above are available or suitable, the Shire may consider using public open space (i.e., ovals and parks). The following should be considered prior to making this option available:

- Secure gated perimeter fencing
- Access to water and amenities
- Damage likely to be caused to the ground surface by animals and vehicles
- Waste management
- Lack of established yarding at these types of facilities (Note: not all horse owners have float yards and some have more animals than they can transport in one trip)

4.3 Wildlife & Wildlife Parks

Fires and other wildlife species in emergencies can have a significant impact on native animals particularly on vulnerable or threatened populations.

The Shire of Gingin is home to many different wildlife species including the Western grey kangaroo, emus, echidna, brushtail possums, bush wallabies, quenda, honey possums, ash-grey mouse and snakes.

Department of Biodiversity Conservation and Attractions (DBCA) is responsible for coordinating the provision of emergency animal welfare services and advising the owner or carer of wildlife during emergencies

Prior to being taken into care or under control or supervision, there is no owner or carer for wildlife living in their natural habitat. Where an emergency is likely to impact wildlife in a wildlife park, DBCA

are responsible for providing assistance and should be contacted for advice about suitable temporary containment and other welfare needs of wildlife.

For advice on sick, injured, orphaned or displaced native animals, DBCA runs the Wildcare Helpline Phone: (08) 9474 9055.

This is a 24 hour a day, seven days a week telephone referral service operated by volunteers.

National/Conservation Parks and Reserves	Areas
Nilgen Nature Reserve	22km North of Lancelin
Timaru Nature Reserve	Bambun
Moore River National Park	Guilderton
Breera Road Nature Reserve	Breera
Wilbinga Nature Reserve	Wilbinga
Yeal Nature Reserve	Yeal

4.4 Transportation and Evacuation Route Options

Transporting animals between their home and an evacuation centre is primarily the responsibility of the owner/carer. In the first instance, the owner/carer will be required to use private or professional means for transport.

Where the owner/carer has insufficient arrangements to transport their animal(s), the Shire may be able to assist. The Shire has limited access to Ranger vehicles that may be used to transport animals where needed.

4.5 Equipment

Where possible animal owners/carers are to be encouraged to supply equipment when impounding their animal.

The SoG Ranger Services has a limited established supply of animal equipment: cages, crates, blankets, water & food bowls.

Any purchase of additional equipment or food supplies, it is essential that throughout the response effort, all costs associated with emergency animal welfare are recorded and collected for possible reimbursement from the Disaster Relief Funding Arrangements in Western Australia (DRFAWA). See Equipment & Resources Register **Appendix 7**

4.4 Food

The Shires preferred supplier for animal food is Gingin Stockfeeders, however, depending on the nature and extent of the disaster, other suppliers may be required. Contact details of suppliers for animal food, equipment and other supplies within the Shire of Gingin and bordering areas can be found on *Equipment & Resources Register* (Appendix 7)

4.5 Fees & Charges

An owner/carer of an animal has the primary duty of care and is therefore responsible for any costs incurred for the provision of transport, board and care.

Where possible the Shire will endeavor to assist the community in caring for their animals, by the waiving (authorised by SoG CEO on request) of selected fees and charges. Only the Shire CEO has the delegated authority to waive, amend or impose Shire fees and charges as deemed appropriate.

To ensure there is a consistent approach to the waiver of fees, the following points for consideration are to be clarified by the AWC and AWT as early as practicable:

- Length of impoundment fee waiving period for animals cared for during an emergency, provided the animal(s) is/are collected within 7 days after the danger has passed.
- Fees for the use of alternate animal sheltering facilities (i.e. boarding kennels)
- Fees for the extended impoundment of existing impounded animals due to emergency controls (i.e. roadblocks)
- Veterinary costs related to impoundment period
- Fees for surrendering animals for destruction or rehoming

During an emergency, the Shire may incur substantial costs associated with animal welfare. These may include engaging contractors, shelter fees, veterinary expenses, food and other welfare needs.

It is essential that throughout the response effort, all costs associated with emergency animal welfare are recorded and collected for possible reimbursement from the Disaster Relief Funding Arrangements in Western Australia (DRFAWA)

4.6 Exotic animal diseases & biosecurity

The Shire of Gingin has a limited agricultural industry within its boundaries, however any significant outbreak of disease is still likely to have an impact on the community.

The Department of Primary Industries and Regional Development - Agriculture and Food Western Australia (DPIRD) is the HMA for Animal and Plant Pests and Diseases.

The SoG may be requested to provide community level resources and assistance to comply with their incident management and is responsible for recovery efforts. Refer to WESTPLAN Animal & Plant Biosecurity for further information.

4.7 Euthanasia

It is the responsibility of the person in charge of the animal to arrange for the humane destruction of affected animals where the animals will continue to suffer if they remain alive, or where the animals have little or no chance of survival.

For animals in the care of the SoG or where alternative accommodation has been arranged, wherever possible, destruction activities will take place in consultation with the owner.

However, where reasonable attempts have been made to locate the owner and the owner cannot be found, authorisation for destruction in the owner's absence is provided if it is humane to do so.

Whilst it is prohibited to destroy native wildlife under the Wildlife Act, registered veterinary practitioners and appropriately accredited officers, Rangers and volunteers who destroy wildlife in accordance with the *Animal Welfare Act 2002* are exempt

5. Administration & Public Information

5.1 Request for Assistance

All incoming requests for assistance from the public regarding animal welfare (i.e rescues, roaming, lost and found) shall be recorded using the Request for Assistance form (**Appendix 2**). These forms are available in each of the Welfare Centre activation kits.

5.2 Offers of Assistance - Donated Goods

In many emergency situations, members of the public/businesses will donate bedding, food and other items for the upkeep of animals. Accepting donations of goods will only be supported in circumstances where a particular need has been identified.

All offers of donations should be directed to the AWOC. The AWT will accept donations, when a particular need has been identified and authorised by the AWC, to assist in the care of animals until the end of the emergency.

All public offers of assistance, such as donations of services and accommodation are to be recorded on the DC Offers of Assistance form (**Appendix 3**) and be made available for public viewing (i.e public notice board).

Whilst DC and the Shire of Gingin may facilitate this process they will not endorse any service providers or be held accountable for the quality of assistance provided.

5.3 Impounded Animals

All impounded animals are to be registered with the Shire of Gingin Ranger, these animals are to be registered on the Impound Form (**Appendix 4**).

Where there is more than one animal sheltering facility, it is to be clearly noted on the *Impound Form* where the animal is located.

5.4 Lost & Found Animals

All found animals are to be listed in the Found Animal Register (**Appendix 5**) and listed on the SoG website for public viewing.

All records of lost and found animals are documented on the Lost & Found Register (**Appendix 6**).

Where this online service is not available a physical list of animals is to be displayed at an appropriate venue (i.e evacuation center or recovery coordination centre) using the Found Animal Register public display (**Appendix 5**)

5.5 Reunite

The National Livestock Identification System (NLIS) is a livestock identification and tracking system.

This system can be used in an emergency to assist in the identification of relocated or stray livestock.

Dogs and Cats accommodated within the Shire of Gingin must be registered and microchipped. The Shire’s database may be used in the identification.

Any stray or unclaimed animals residing in the Shire of Gingin pound will follow business as usual Local Government policy.

All impounded animals registered with the Shire of Gingin Ranger should update/sign for the animal’s release by completing the Impound Form (**Appendix 4**).

5.6 Pet and Animal Plans

In preparation for emergencies, animal owners/carer should prepare their own Animal Emergency Plan and Animal Emergency kit. Items to consider and include are listed below:

When developing your Animal emergency, it is important to consider the following:
Animals will require a constant source of water and food, shade and a safe place to shelter.
If you need to move your animals to a safer place, think about when and how you will relocate them.
This may be a boarding facility, or a family member or friend located in a safe area. Keep in mind that the premise may have specific requirements – for example, boarding facilities require pets to be up to date with vaccinations.
Animals are not allowed inside Welfare Centres, except assistance dogs/ assistance animals.
Is your animal trained to be settled in a cage / carrier / crate / horse float.
Prepare an Animal Emergency Kit for each animal in advance.
Remember to act safely and not to risk human life.

Preparation Checklist - Prepare an Animal Emergency kit
Pack animal supplies i.e.: food, bowls, leash, bedding, transportation etc.
Ensure your Animal’s Registration is current with the Shire of Gingin (have the Tag on the collar)
Update your Animals microchip details (have a record of this)
Ensure your Animals have ID Tags – Animal Name & Contact Number
Ensure vaccinations are all up to date (a record may be required)
Have a current photo of your Animal to assist in easy identification.
Include any medication for the animal
<i>Include the following phone numbers/information in your emergency plan:</i>
<ul style="list-style-type: none"> ○ Your veterinarian ○ Clear instructions for treatment of your animals i.e Allergies/Medical issues ○ Emergency numbers –Family members or Friends / Ranger/ Animal Rescue Services

All forms listed above can be found in the Welfare Centre Activation Kits

Additional information for emergency animal plans can be found online at:

<https://dfes.wa.gov.au>

<https://kb.rspca.org.au/knowledge-base/>

<https://nema.gov.au/stories/emergency-planning-pets-livestock>

<https://www.redcross.org/get-help/how-to-prepare-for-emergencies/pet-disaster-preparedness.html>

<https://animalsaustralia.org/our-work/compassionate-living/emergency-planning-animals/>

<https://www.ready.gov/pets>

<https://animalemergencyservice.com.au/blog/pet-emergency-plan/>

The abovementioned websites listed is not an exhaustive list.

Appendix 1: Equipment List for Evacuation Centre (Guide)

ITEM	NUMBER/DESCRIPTION
Contact Lists	3 x Contact Lists
Forms	<ul style="list-style-type: none"> • Request for Assistance Form • Offers of Assistance Form • Impound Form • Found Animal Register (Public Version) • Lost & Found Register • Alternative Contact Details
Stationery	2 x Whiteboard 4 x White board Marker Pens (different color)
Miscellaneous	<ul style="list-style-type: none"> • Dog Leads • Water Bowls • Collapsible Animal Cages

Equipment Required to Purchase:

Cat Boxes – Foldable
 Dog and Cat Bowls
 Dog Leads
 Horse Lead/Rope

Appendix 3: Offers of Assistance Form



Government of Western Australia
Department for Child Protection
and Family Support



Offers of Assistance

THIS FORM IS FOR THE COLLECTION OF INFORMATION ONLY
The Department for Child Protection and Family Support has not screened this information, and is not responsible for the delivery of services, donated goods or accommodation offered on this form.
All agreements on the delivery of services, donated goods and accommodation offered will be agreed upon between the private parties without the assistance of the Department, ADRA Australia or Volunteering WA.
By filling out this form I (You) agree to the information being forwarded on to impacted persons and/or relevant services/organisations.

Type of Assistance
 Accommodation Service Donation Other
 *Please fill out a separate form for each type of assistance offered.

Name: _____
Address: _____
Phone Number (Best number to reach you on): _____
Email: _____

Accommodation
 House Granny Flat Caravan Other
Accommodation Address: _____
Availability:
 Immediate Short term Long term

Information on Accommodation, Service, Donation and Other
 Eg:
 Accommodation – Availability dates, Size, Exclusions, Children, Pets, etc.
 Service – Availability dates, Skills, Health and medical issues. Are you currently with a volunteering agency, etc.
 Donations of goods and services – What you wish to donate, etc.
 Other – please describe.

Signature _____ Date: _____ Time: _____

Thank you

Appendix 4: Impound Form

ANIMAL POUND REGISTER

Impounding Details	Date	Time
Investigation Number		Impounding Officer
Road/Locality Where Animal was round		
Reason for impoundment		
Wondering at large <input type="checkbox"/>	Request for Destruction <input type="checkbox"/>	Attack <input type="checkbox"/> Other <input type="checkbox"/>
Description of Animal	Colour	Breed
SIZE Small <input type="checkbox"/> Medium <input type="checkbox"/> Large <input type="checkbox"/>	SEX Male <input type="checkbox"/> Female <input type="checkbox"/>	Sterilised <input type="checkbox"/>
Identification (if any)		
Collar <input type="checkbox"/>	Chain <input type="checkbox"/>	Leather <input type="checkbox"/> Webbed <input type="checkbox"/> Colour
Registration Tag No.	Chip No.	
Owner's Details		
Destiny	Collected Date	Time
Vet <input type="checkbox"/>	Relocated <input type="checkbox"/>	Rescue Group <input type="checkbox"/> K9 Rescue <input type="checkbox"/>
If Claimed	Name	
or New Owner	Date of Birth	Phone No
Address		
Agent	Name	
	Date of birth	Phone No.
Address		
Explanation		
Storm <input type="checkbox"/>	Fireworks <input type="checkbox"/>	Gate Open <input type="checkbox"/> Fence Damaged <input type="checkbox"/> Ran Away <input type="checkbox"/>
Explanation Summary		
Infringement No	Issued for	
Pound Keepers Fees		
Poundage \$	Sustenance \$	Total \$ Receipt No
Register on Release <input type="checkbox"/>	Amount \$	Receipt No
Req. to Reg Issued	Req. to Reg #	To be Registered by /_/_/___
The above information is true and correct to the best of my knowledge		
Owner/Agent Signature	Date	
Pound Attendant Signature	Date	

Appendix 5: Found Animal Register (Public Version)

*FOR PUBLIC DISPLAY
OFFICER INPUT ONLY*

FOUND ANIMAL REGISTER

The animals listed below have been found and reported to Rangers Services.

For further information contact: _____

Rescue Date / Time	Rescue Location	ID #	Quantity (refers to livestock)	Type / Breed	Description / Comments

Appendix 6: Lost & Found Register

LOST & FOUND ANIMALS

Officer: Date:	Time:	Contact:
Animals Name: Breed:	Address:	
Colour:		
Male Female		
Collar:	Home:	
ID Yes / No	Mobile:	
Age: Sterilised: Yes No	Work:	
Last Seen / Distinguishing Marks		
	Date Found: By Owner / Deceased / Still Missing / Office Other:	

Appendix 7: Equipment & Resource Register

Company Name	Product	Qty	Authorised By:

Supplier Details

Gingin Stockfeed

Address: Units 3&4, 27 Gingin Brook Road, Gingin WA 6503
Contact: (08) 9575 1640

*Mon-Fri: 8:30am – 5:00pm
Sat: 9:00am – 1:00pm
Sun: Closed*

Greenwells Gingin

Address: 5 Brockman Street, Gingin WA 6503
Contact: (08) 9575 2220

*Mon-Fri: 8:30am – 5:30pm
Sat: 8:00am – 12 noon
Sun: 8:30am – 10:30am*

Lancelin Trade & Rural Supplies

Address: 29 Walker Avenue, Lancelin WA 6044
Contact: (08) 9655 1537

*Mon-Fri: 7:30am – 5:00pm
Sat: 7:30am – 1:00pm
Sun: Closed*

Elders Muchea

Address: 11 Mercury Rise, Muchea WA 6501
Contact: (08) 9570 7999

*Mon-Fri: 8:00am – 5:00pm
Sat: 8:00am – 12 noon
Sun: Closed*

Appendix 8: Contact Details

Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service (DPaw)

Contact: Wildcare Helpline - (08) 9474 9055 (for sick or injured native animals)

Contact: Wildlife Watch: 1800 449 453 (to report illegal wildlife activity)

Website: <https://www.dpaw.wa.gov.au/>

Emergency Animal Support Evacuation (EASE) WA

Contact: Dusty – 0436 389 445

Address: 695 Gnangara Road, LEXIA WA 6079

Website: <https://www.facebook.com/EASEWA>

Email: easewa1@gmail.com

Moore River Boarding Kennels

Contact: 9655 3005 / 0439 733 396

Address: 1219 Bennies Rd, COWALLA WA 6503

Ledge Point Boarding Kennels

Contact: Peter Cruden – 0408 584 479

Address: Lot 637 Old Ledge Point Road, LEDGE POINT

(Kennels at rear of property)

Dog Refuge Home

30 Lemnos Street, SHENTON PARK WA 6008

Contact: (08) 9381 8166

Website: <https://www.dogshome.org.au/>

Cat Haven

23 Lemnos St, SHENTON PARK WA 6008

Contact: (08) 9442 3600

Website: <https://www.cathaven.com.au/>

Shire of Gingin Ranger Services

Contact: 9575 5140

Gingin Veterinary Clinic

Contact: Dirk Bolsenbroek – 9575 2274 or 0428 912 337

Address: 54 Coonabidgee Road, GINGIN

Email: dirk@ginginveterinaryclinic.com.au

Yanchep Veterinary Hospital

Contact: (08) 9561 2438

Address: 156 Yanchep Beach Road, YANCHEP WA 6035

Website: <https://yanchepvet.com.au/>

Emergency Vet Hospital (EVH)

Contact: 08 9200 4460

Address: 1 Chokolich Street, WANGARA WA 6065

Website: <https://emergencyvethospital.com.au/>

State Equestrian Western Australia

Contact: Nerissa Foster – 92961200 or 0418 810 933 (24x7)

Address: 303 Cathedral Avenue, BRIGADOON WA 6069

Website: <https://www.wa.equestrian.org.au/>

Woodridge Equestrian Centre

Contact: Morag – 0405 191 231

Address: Lot 267 King Drive, WOODRIDGE

Email: woodridge.equestrian@yahoo.com
Website: <https://www.facebook.com/WoodridgeEquestrian>

**Gingin Equestrian Grounds
WA Cutting Horse**

Contact: Jasmine – 0458 331 021
Address: Racecourse Road, GINGIN
Email: wacuttinghorse@gmail.com
Website: <https://www.facebook.com/profile.php?id=100057177141167>

Gingin Campdraft

Contact: Dan – 0427 514 413
Address: Racecourse Road, GINGIN
Email: gingincampdraftwa@outlook.com
Website: <https://www.facebook.com/GinginCampdraftClubInc>

Denim & Lace Barrel Racing

Contact: Tylah – 0427 754 002
Address: Racecourse Road, GINGIN
Email: dnlbarrelracing@gmail.com
Website: <https://www.denimandlacebarrelracing.com.au/>

South Midlands Equestrian Grounds

South Midlands Polocrosse Club
Contact: Alison Reliti 0429 194 763 – Shire of Chittering
Address: 7 Chittering Street, MUCHEA
Email: southmidlandspolox@gmail.com
Website: <https://www.facebook.com/southmidlandspolox>

South Midlands Pony Club

Contact: Alison Reliti 0429 194 763 – Shire of Chittering
Address: Sandown Park, 7 Chittering Street, MUCHEA
Email: smpcsecretary@outlook.com
Website: <http://southmidlandspc.org.au/>

Central Midlands Riding & Pony Club

Contact:
Address: Dandaragan Street, MOORA WA 6510
Website: <https://www.facebook.com/profile.php?id=100057524106895>

END DOCUMENT



11.3 MAIN ROADS WESTERN AUSTRALIA EMERGENCY RESPONSE

File	EMS/22
Author	Karen Okely – PA to Chief Executive Officer
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	1. MRWA Map [11.3.1 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider forwarding correspondence to Main Roads Western Australia (MRWA) expressing concern at the delays by MRWA in attending incidents requiring traffic management on roads under MRWA control.

BACKGROUND

At the Local Emergency Management Committee meeting held on 15 November 2023, the Committee discussed MRWA response time to incidents.

On Monday 9 October at 6.53 am, a traffic accident was reported at the intersection of Gingin Brook Road and Brand Highway. The Gingin Volunteer Fire and Rescue Service was turned out for a road crash rescue.

It was deemed appropriate to close the following roads:

- Brand Highway at Honeycomb Road;
- Brand Highway at Dewar Road;
- Brand Highway at Bell Road; and
- Gingin Brook Road at Bell Road.

As approved verbally by the Acting Community Emergency Services Manager and MRWA, detour points were installed at:

- Brand Highway/Honeycomb Road;
- Brand Highway/Dewar Road;
- Brand Highway/Bell Road; and
- Gingin Brook Road/Bell Road, through estate onto Brand Highway south only.

All heavy vehicles over 7.5 metres long were parked up to wait (**refer Appendix**).

The Gingin Police advised the Shire that they had requested MRWA to attend the accident site and close Brand Highway, but that Shire assistance would be required until MRWA officers arrived. Shire staff assisted at the four road closures until they could be released by MRWA.

The traffic accident was a fatal accident, and as such, the roads needed to be closed until official processes could be completed.

At 11.30 am, MRWA arrived at the accident site with two vehicles and three staff to undertake traffic management. Shire staff were still required to assist until all road closures were removed.

On Thursday 12 October 2023 at 1.40 pm, a traffic accident was reported on Brand Highway near Airfield Road. Again, the Gingin Volunteer Fire and Rescue Service was turned out for a road crash rescue. The Shire again assisted with road closures until MRWA attended the site.

Two hours later, MRWA were still not on site, and were estimated to be at least an hour away from attending.

COMMENT

MRWA is responsible for the State's road network including Brand Highway and Indian Ocean Drive. These two recent accidents within the Shire of Gingin, both on Brand Highway, have highlighted the poor response times to call outs by MRWA from the local Police.

In the past, Shire staff have generally assisted with road closures for a maximum of one and a half hours, after which a traffic management agency should be activated to take over MRWA duties. This does not include accidents on Shire road networks.

The Shire of Gingin is serviced by the Mid-West Gascoyne Region (Geraldton branch) of MRWA, whereas the Wheatbelt Region (Northam branch) would seem more appropriate due to proximity to the Shire.

The Local Emergency Management Committee is an appropriate platform to request MRWA to assess and update its processes to ensure a timely response to requests for road closure and traffic management from Hazard Management Authorities for accidents, stock, and fire incidents.

STATUTORY/LOCAL LAW IMPLICATIONS

Emergency Management Act 2005

Part 3 – Local arrangements

Division 2 – Emergency management arrangements for local governments

Section 4 - Emergency management arrangements in local government districts

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	2. Connections & Wellbeing - Grow and Nurture Community Connectedness and Wellbeing
Strategic Objective	2.1 Community Safety & Support - Provide support and advocacy to residents and visitors so that they feel safe and secure at home and in the environment

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Peczka

That Council write to Main Roads Western Australia:

1. Expressing concern at the delays by Main Roads Western Australia in attending to incidents requiring traffic management; and
2. Requesting that Main Roads Western Australia advise what actions it proposes to take to improve response times.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*



12 REPORTS - CORPORATE AND COMMUNITY SERVICES

12.1 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2023

File	FIN/25
Author	Alarna Richards - Coordinator Financial Planning & Reporting
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Monthly Financial Report - November 2023 [12.1.1 - 23 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To present for Council endorsement the Monthly Financial Reports for the period ending 30 November 2023.

BACKGROUND

The Financial Reports are presented to Council in accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

COMMENT

The Monthly Financial Reports for the period ending 30 November 2023 present the financial performance of the Shire for the 2023/24 financial year and compare year-to-date expenditure and revenue against the corresponding year-to-date budget.

A break-up of the **\$1,423,668** variance in the Monthly Financial Report for the period ending 30 November 2023 is summarised across operations, investing and financing below, with a detailed explanation of variations within each area contained within the **Appendix**.

Under Budget

Operating Fund Surplus/Deficit	\$(356,021)
Operating Revenue	\$(177,644)
Operating Expenditure	\$313,905
Investing Activities – Expenditure	\$1,479,901
Financing Activity – Revenue	\$(715,000)

Over Budget

Investing Activities -Revenue	\$891,801
Financing Activities – Expenditure	\$(13,274)

An explanation outlining a summary of the variances across each of the above areas is provided in Note 14, and those specific to capital works at Note 7.

Investments

As required by Council Policy 3.2 Investments, details of Council’s investments are provided within Note 2.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 6 – Financial Management

Division 3 – Reporting on activities and finance

Section 6.4 – Financial Report

Local Government (Financial Management) Regulations 1996

Part 4 – Financial Reports

Reg 34 – Financial activity statement required each month.

Shire of Gingin Delegation Register – Delegation 1.1.10 Power to Invest and Manage Investments

POLICY IMPLICATIONS

Policy 3.2 – Investments

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Woods **SECONDED:** Councillor Sorensen

That Council endorse the Monthly Financial Reports for the period ending 30 November 2023.

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

SHIRE OF GINGIN

**MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 November 2023**

*LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

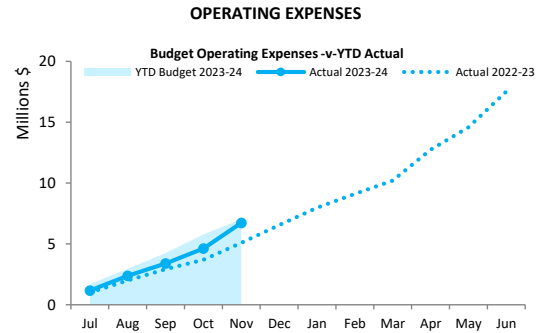
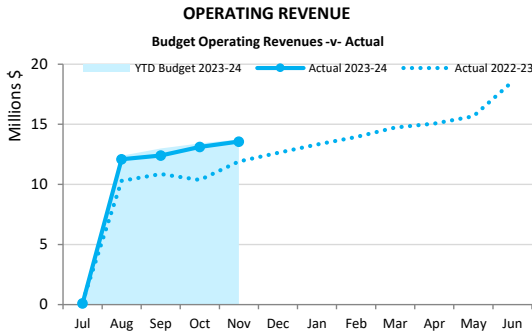
TABLE OF CONTENTS

Statement of Financial Activity by Nature or Type	5
Basis of Preparation	6
Note 1 Statement of Financial Activity Information	7
Note 2 Cash and Financial Assets	8
Note 3 Receivables	9
Note 4 Other Current Assets	10
Note 5 Payables	11
Note 6 Disposal of Assets	12
Note 7 Capital Acquisitions	13
Note 8 Borrowings	16
Note 9 Lease Liabilities	17
Note 10 Reserve Accounts	18
Note 11 Other Current Liabilities	19
Note 12 Operating grants and contributions	20
Note 13 Non operating grants and contributions	21
Note 14 Budget Amendments	22
Note 15 Explanation of Material Variances	23

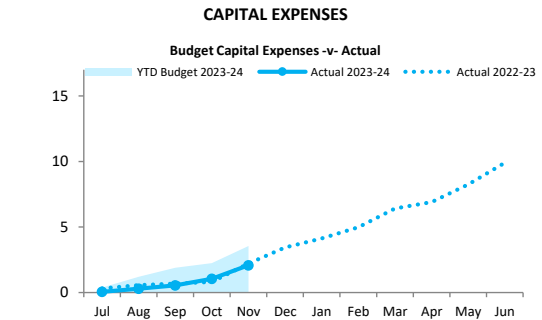
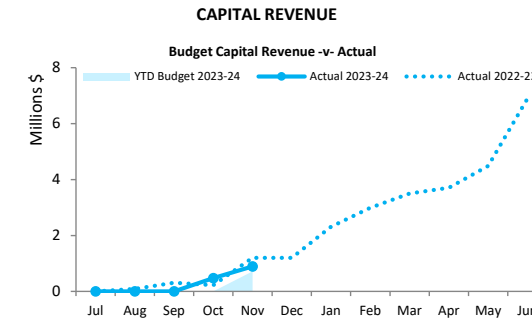
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

SUMMARY INFORMATION - GRAPHS

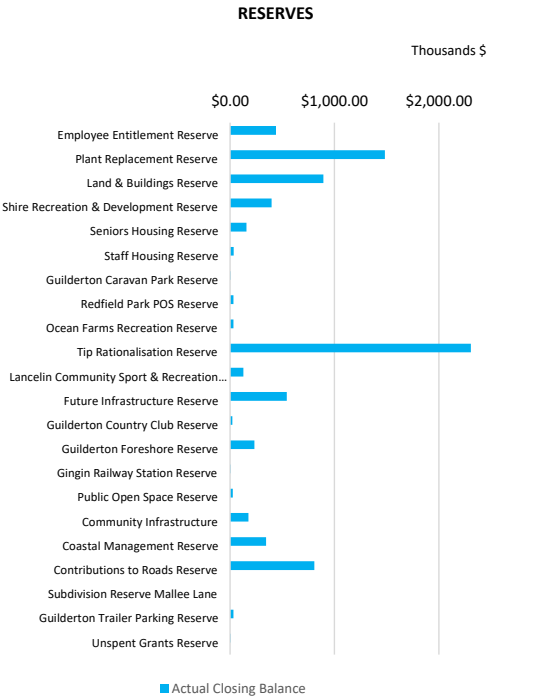
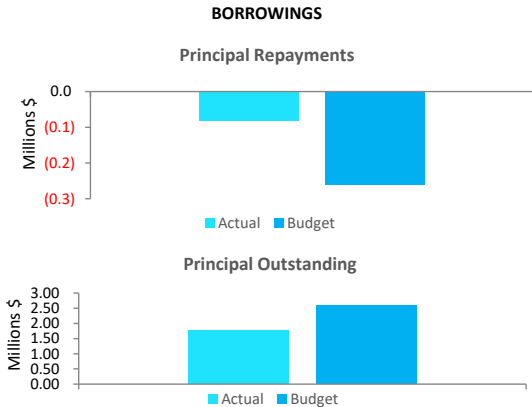
OPERATING ACTIVITIES



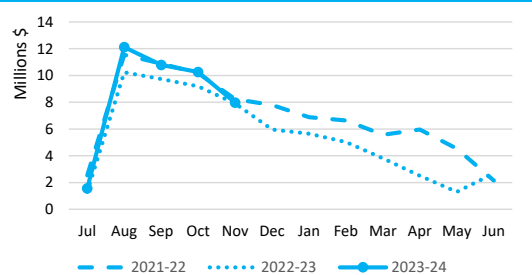
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

EXECUTIVE SUMMARY

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.67 M	\$2.67 M	\$2.31 M	(\$0.36 M)
Closing	\$0.00 M	\$6.55 M	\$7.97 M	\$1.42 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$7.22 M	47.1%
Restricted Cash	\$8.11 M	52.9%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.15 M	
0 to 30 Days		87.0%
Over 30 Days		13.0%
Over 90 Days		2.4%

Refer to Note 5 - Payables

Receivables		
	\$	% Collected
Rates Receivable	\$3.25 M	69%
Trade Receivable	\$0.85 M	% Outstanding
Over 30 Days		76.0%
Over 90 Days		1.4%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.57 M	\$6.71 M	\$6.85 M	\$0.14 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$10.09 M	
YTD Budget	\$10.08 M	0.2%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.55 M	
YTD Budget	\$0.70 M	(21.3%)

Refer to Note 12 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$2.70 M	
YTD Budget	\$2.77 M	(2.8%)

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$6.24 M)	(\$3.45 M)	(\$1.08 M)	\$2.37 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.00 M	
Adopted Budget	\$0.36 M	(100.0%)

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$1.97 M	
Adopted Budget	\$10.94 M	(81.9%)

Refer to Note 7 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.89 M	
Adopted Budget	\$4.34 M	(79.4%)

Refer to Note 7 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$3.01 M	\$0.62 M	(\$0.11 M)	(\$0.73 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.08 M
Interest expense	\$0.03 M
Principal due	\$1.76 M

Refer to Note 8 - Borrowings

Reserves	
Reserves balance	\$8.11 M
Interest earned	\$0.01 M

Refer to Note 10 - Cash Reserves

Lease Liability	
Principal repayments	\$0.01 M
Interest expense	\$0.00 M
Principal due	\$0.05 M

Refer to Note 9 - Lease Liabilities

This information is to be read in conjunction with the accompanying Financial Statements and notes.

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

NATURE OR TYPE DESCRIPTIONS

REVENUE

EXPENSES

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Excludes administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

EMPLOYEE COSTS

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

UTILITIES (GAS, ELECTRICITY, WATER)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates, reimbursements etc.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

BY NATURE OR TYPE

	Ref	Adopted Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	2,665,937	2,665,937	2,309,916	(356,021)	(13.35%)	▼
Revenue from operating activities							
Rates		10,077,038	10,077,038	10,094,117	17,079	0.17%	
Rates (excluding general rate)		6,299	0	0	0	0.00%	
Operating grants, subsidies and contributions	12	1,587,992	702,631	552,769	(149,862)	(21.33%)	▼
Fees and charges		4,195,911	2,774,226	2,695,897	(78,329)	(2.82%)	▼
Interest earnings		308,442	21,999	86,170	64,171	291.70%	▲
Other revenue		375,476	168,696	137,993	(30,703)	(18.20%)	▼
Profit on disposal of assets	6	76,025	0	0	0	0.00%	
		16,627,183	13,744,590	13,566,946	(177,644)	(1.29%)	
Expenditure from operating activities							
Employee costs		(6,856,559)	(2,942,615)	(2,610,806)	331,809	11.28%	▲
Materials and contracts		(7,487,183)	(3,269,478)	(3,380,243)	(110,765)	(3.39%)	▼
Utility charges		(509,110)	(212,175)	(172,461)	39,714	18.72%	▲
Depreciation on non-current assets		(6,309,532)	0	(13,033)	(13,033)	0.00%	
Interest expenses		(92,173)	(29,108)	(38,759)	(9,651)	(33.16%)	▼
Insurance expenses		(393,956)	(393,956)	(396,075)	(2,119)	(0.54%)	
Other expenditure		(645,229)	(182,865)	(117,948)	64,917	35.50%	▲
Loss on disposal of assets	6	(291,099)	0	0	0	0.00%	
		(22,584,841)	(7,030,197)	(6,729,325)	300,872	(4.28%)	▼
Non-cash amounts excluded from operating activities	1(a)	6,524,606	0	13,033	13,033	0.00%	
Amount attributable to operating activities		566,948	6,714,393	6,850,654	136,261	2.03%	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	13	4,336,989	0	891,801	891,801	0.00%	▲
Proceeds from disposal of assets	6	356,900	0	0	0	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans	8	2,327	1,158	1,157	(1)	(0.09%)	
Payments for financial assets at amortised cost - advances	8	1,964	0	0	0	0.00%	
Payments for property, plant and equipment and infrastructure	7	(10,937,871)	(3,454,731)	(1,974,830)	1,479,901	42.84%	▲
Amount attributable to investing activities		(6,239,691)	(3,453,573)	(1,081,872)	2,371,701	(68.67%)	▲
Financing Activities							
Proceeds from new debentures	8	1,015,000	715,000	0	(715,000)	(100.00%)	▼
Transfer from reserves	10	2,917,096	0	0	0	0.00%	
Payments for principal portion of lease liabilities	9	(32,089)	(13,481)	(13,027)	454	3.37%	
Repayment of debentures	8	(262,349)	(80,883)	(80,883)	0	0.00%	
Transfer to reserves	10	(630,852)	0	(13,728)	(13,728)	0.00%	
Amount attributable to financing activities		3,006,806	620,636	(107,638)	(728,274)	(117.34%)	▼
Closing funding surplus / (deficit)	1(c)	0	6,547,393	7,971,061	1,423,668	(21.74%)	▼

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 15 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

BASIS OF PREPARATION

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 November 2023

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Institution	Interest Rate	Maturity Date
		\$	\$	\$			
Municipal Bank Account	Cash and cash equivalents	705,119	0	705,119	Bendigo Bank	0.00%	At Call
Reserve Bank Account	Cash and cash equivalents	0	92,530	92,530	Bendigo Bank	0.00%	At Call
Cash on hand	Cash and cash equivalents	2,300	0	2,300	Petty Cash/Till float	N/A	At Call
Municipal Investment 4508681	Cash and cash equivalents	3,000,000	0	3,000,000	Bendigo Bank	4.82%	20/03/2024
Municipal Investment 4568185	Cash and cash equivalents	2,000,000		2,000,000	Bendigo Bank	4.23%	14/12/2023
Municipal Investment 4568183	Cash and cash equivalents	1,517,252		1,517,252	Bendigo Bank	4.37%	15/01/2024
Reserve Investment 4572604	Cash and cash equivalents	0	2,013,728	2,013,728	Bendigo Bank	4.10%	20/11/2023
Reserve Investment 4515174	Cash and cash equivalents	0	6,000,000	6,000,000	Bendigo Bank	4.79%	26/03/2024
Total		7,224,671	8,106,258	15,330,929			
Comprising							
Cash and cash equivalents		7,224,671	8,106,258	15,330,929			
		7,224,671	8,106,258	15,330,929			

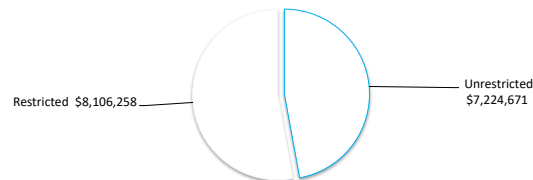
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

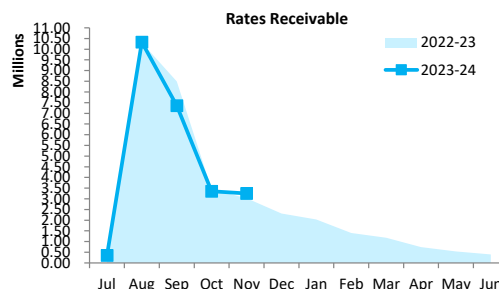
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

Rates receivable	30 Jun 2023	30 Nov 2023
	\$	\$
Opening arrears previous years	399,663	393,514
Levied this year	9,437,442	10,094,117
Less - collections to date	(9,443,591)	(7,237,522)
Gross rates collectable	393,514	3,250,109
Net rates collectable	393,514	3,250,109
% Collected	96%	69%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	29,021	58,044	261,737	7,885	4,961	361,648
Percentage	8.0%	16%	72.4%	2.2%	1.4%	
Balance per trial balance						
Sundry receivable						361,648
GST receivable						209,283
Allowance for impairment of receivables from contracts with customers						(8,871)
Legal costs - recovery of rates						72,632
Rubbish fees						218,516
Total receivables general outstanding						853,208

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

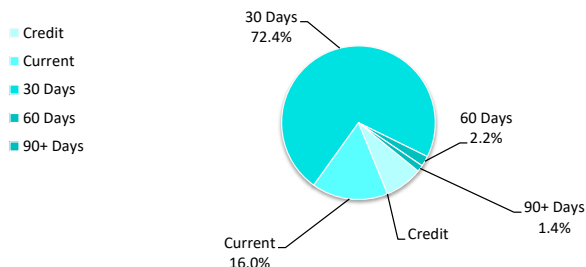
Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Accounts Receivable (non-rates)



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS**

	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 30 November 2023
	\$	\$	\$	\$
Other current assets				
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	2,327	0	(2,314)	13
Financial assets at amortised cost - loan advances	1,964	0	0	1,964
Inventory				
Fuel	8,222	174,459	(163,327)	19,353
History books	14,690	0	0	14,690
Other Assets				
Prepayments	39,059	0	(39,059)	0
Contract assets				
Contract assets	383,908		(191,921)	191,987
Total other current assets	450,170	174,459	(396,622)	228,007
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured 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.

Contract assets

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

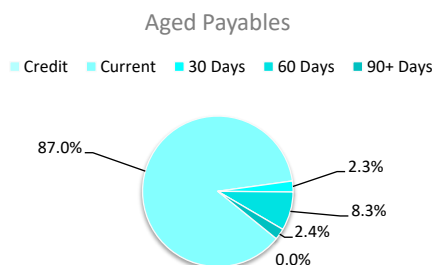
**OPERATING ACTIVITIES
NOTE 5
PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	136,834	3,697	13,035	3,770	157,337
Percentage	0%	87%	2.3%	8.3%	2.4%	
Balance per trial balance						
Sundry creditors						148,078
ATO liabilities						24,927
Prepaid rates						88,393
Bonds & deposits						818,675
Accrued interest on long term borrowings						26,674
Total payables general outstanding						1,106,747

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

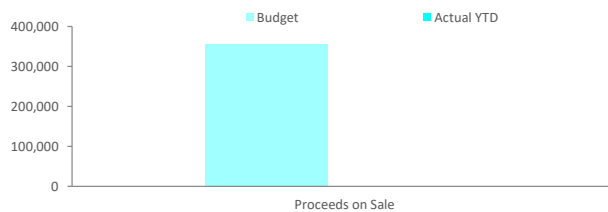
APPENDIX 12.1.1

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2023

OPERATING ACTIVITIES NOTE 6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Law, order, public safety								
	Beermullah BFB Light Tanker	19,053	45,000	25,947	0	0	0	0	0
	Guilderton BFB Fire Tanker	278,169	90,000	0	(188,169)	0	0	0	0
	Transport								
	GG045 Volvo Prime Mover	83,972	60,000	0	(23,972)	0	0	0	0
	GG002 Volvo Prime Mover	45,996	60,000	14,004	0	0	0	0	0
	GG034 Kubota Mower	0	7,200	7,200	0	0	0	0	0
	GG041 Kubota Mower	4,000	7,200	3,200	0	0	0	0	0
	GG056 Spray Truck	28,000	15,000	0	(13,000)	0	0	0	0
	GG066 Mercedes Benz Water Truck	60,000	20,000	0	(40,000)	0	0	0	0
	GG079 Bomag Roller	25,044	50,000	24,956	0	0	0	0	0
	GG6015 Trailer	762	1,000	238	0	0	0	0	0
	Economic services								
	Guilderton Caravan Park - Generator	1,020	1,500	480	0	0	0	0	0
	Other property and services								
	Infrastructure - Parks and Ovals								
	Recreation and culture								
	Granville Park Dam - Bridge x 2	18,225	0	0	(18,225)	0	0	0	0
	Economic Services								
	Guilderton Caravan Park - Waste Water	0	0	0	0	0	0	0	0
	Infrastructure - Other								
	Recreation and culture								
	Harold Park BBQs	4,000	0	0	(4,000)	0	0	0	0
	Economic Services								
	Guilderton Caravan Park - Bench seats in camp kitchen	3,733	0	0	(3,733)	0	0	0	0
		571,974	356,900	76,025	(291,099)	0	0	0	0

* A result of a Council approved budget variation



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	FY Budget	YTD Budget		
	\$	\$	\$	\$
Land	805,000	715,000	0	(715,000)
Buildings - non-specialised	662,900	37,500	79,268	41,768
Buildings - specialised	1,027,687	316,498	183,809	(132,689)
Plant and equipment	2,829,097	229,114	420,228	191,114
Vehicles	348,672	0	0	0
Infrastructure - roads	2,885,954	1,968,619	1,209,705	(758,914)
Infrastructure - parks & ovals	242,500	134,000	66,630	(67,370)
Infrastructure - other	454,000	54,000	15,190	(38,810)
Infrastructure - bridges	1,682,061	0	0	0
Payments for Capital Acquisitions	10,937,871	3,454,731	1,974,830	(1,479,901)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	4,336,989	0	891,801	891,801
Borrowings	1,015,000	715,000	0	(715,000)
Lease liabilities	44,967	15,232	15,232	0
Other (disposals & C/Fwd)	356,900	0	0	0
Cash backed reserves	2,917,096	2,917,096	0	(2,917,096)
Contribution - operations	2,266,919	(192,597)	1,067,797	1,260,394
Capital funding total	10,937,871	3,454,731	1,974,830	(1,479,901)

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

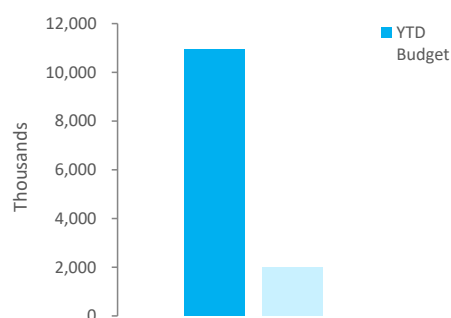
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

APPENDIX 12.1.1

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2023

INVESTING ACTIVITIES NOTE 7 CAPITAL ACQUISITIONS (CONTINUED)










Level of completion indicator, please see table at the end of this note for further detail.

	Account Description	FY Budget	Adopted YTD Budget	YTD Actual	Variance (Under)/Over
		\$	\$	\$	\$
	BC11100-141101120	80,000	0	0	0
	BC11103-141101120	90,000	90,000	80,913	(9,087)
	BC11316-141103120	35,000	17,499	0	(17,499)
	BC11319-141103120	30,000	15,000	0	(15,000)
	BC11361-141103120	30,000	30,000	28,850	(1,150)
	BC11700-141107120	280,000	0	0	25,105
	BC1182-141007120	30,000	0	11,830	11,830
	BC1192-14103120	13,500	0	0	0
	BC12100-141201120	30,000	30,000	32,876	2,876
	BC12200-141201140	75,000	37,500	73,704	36,204
	BC13260-141302120	79,000	79,000	2,891	(76,109)
	BC14200-141402120	130,000	0	0	(54,999)
	BC5100-140501120	40,187	0	0	0
	BC7700-140707140	15,000	0	5,564	5,564
	BC8390-140803120	10,000	0	1,345	1,345
	BC9701-140807140	35,500	0	0	0
	BC9101-140901140	40,000	0	0	0
	BC9105-140901140	20,000	0	0	0
	BC9490-140904120	150,000	0	0	0
	CH90201-140902140	477,400	0	0	0
	LC11300-141103080	715,000	715,000	0	(715,000)
	LC11300-141302080	90,000	0	0	0
	P002-141203300	350,000	0	0	0
	P005-140501310	93,472	0	0	0
	P034-141203300	30,539	0	0	0
	P041-141203300	30,539	0	0	0
	P045-141203300	350,000	0	0	0
	P056-141203300	250,000	0	0	0
	P058-141203300	71,000	71,000	72,441	1,441
	P059-141203300	71,000	71,000	72,441	1,441
	P076-140501310	255,200	0	0	0
	P077-140501300	549,100	0	0	0
	P079-141203300	200,000	0	0	0
	P088-141203300	100,000	0	0	0
	P6014-141203300	45,000	0	0	0
	P6017-141203300	45,000	45,000	66,281	21,281
	PE11200-141102300	0	0	6,268	6,268
	PE13260-141302300	30,000	30,000	7,958	(22,032)
	PE13800-141308300	12,114	12,114	0	(12,114)
	PNEW12-141203300	70,000	0	55,900	55,900
	PNEW2-141203300	113,805	0	0	0
	PNEW5-141203300	140,000	0	138,929	138,929
	PNEW7-141203300	300,000	0	0	0
	PNEW8-141402300	21,000	0	0	0
	PNEW9-141203300	50,000	0	0	0
	BR661-141201670	1,682,061	0	0	0
	DC000-141201650	30,000	30,000	0	(30,000)
	LRCI0002-140503900	40,000	0	0	0
	LRCI0003-141103700	63,500	0	0	0
	OC10701-141007900	60,000	0	0	0
	OC11200-141102900	18,000	18,000	0	(18,000)
	OC13261-141302900	36,000	36,000	15,190	(20,810)
	PC1102-141103700	30,000	30,000	1,568	(28,432)
	PC11100-141103700	25,000	0	22,933	22,933
	PC11316-141103700	29,000	29,000	0	(29,000)
	PC1170-141103700	15,000	15,000	6,064	(8,936)

MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

APPENDIX 12.1.1

 PC1192-141201450	Lancelin Harold Park - Infrastructure Parks & Gard	50,000	50,000	23,784	(26,216)
 PC1198-141201410	Lancelin Skate Park Bowl (at BMX Track)	10,000	10,000	12,281	2,281
 PC14200-141201420	Gingin Administration Office - Park (Capital)	20,000	0	0	0
 R2019-141201420	Coonabidgee Road (R2R)	323,435	323,435	333,500	10,064
 RC004-141201420	Beerullaah Road West (Capital)	54,800	54,800	31,873	(22,927)
 RC012-141201420	Wannamal Road West (Capital)	320,510	320,510	221,540	(98,970)
 RC032-141201420	Aurisch Road (Capital)	344,508	344,508	290,784	(53,724)
 RC038-141201420	Wannamal Road South (Capital)	132,700	132,700	109,791	(22,909)
 RC066-141201410	Old Ledge Point Road (Capital)	0	0	6,875	6,875
 RC254-141201410	Todman Road (Capital)	304,000	304,000	189,577	(114,423)
 RRG001-141201490	Moollabeenee Road (RRG)	1,376,000	458,665	25,765	(432,900)
 SC10300-141003900	Guilderton Caravan Park - Replace Waste Water - de	300,000	0	0	0
	Total	10,937,871	3,454,731	1,974,830	(1,479,901)

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2023	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
Health										
Gingin Medical Centre	100	36,081	0	0	(17,747)	(36,081)	18,334	0	(590)	(1,771)
Community amenities										
Tip Rationalisation Site	111	374,840	0	0	(11,216)	(22,797)	363,624	352,043	(9,950)	(23,963)
Seabird Sea Wall	127	81,001	0	0	(11,143)	(22,426)	69,858	58,575	(751)	(1,893)
Recreation and culture										
Guilderton Country Club Hall Extension	114	254,993	0	0	(21,666)	(44,105)	233,327	210,888	(7,529)	(17,433)
Regional Hardcourt Facility	120	192,913	0	0	0	(27,111)	192,913	165,802	(5,387)	(12,441)
Regional Hardcourt Facility	124A	188,721	0	0	0	(23,769)	188,721	164,952	(3,258)	(7,551)
Gingin Swimming Pool Tiling	126	49,937	0	0	(8,006)	(16,136)	41,931	33,801	(565)	(1,424)
Gingin Outdoor Activity Space	132	143,591	0	0	0	(17,066)	143,591	126,525	(859)	(1,995)
Lancelin Cunliffe Street Carpark	133	250,000	0	0	0	(20,774)	250,000	229,226	0	(11,165)
Ledge Point Country Club Cool Room	130	14,745	0	0	(1,157)	(2,327)	13,588	12,418	(132)	(306)
Land for Future Gingin Sporting Precinct	New	0	0	715,000	0	0	0	715,000	0	0
Economic services										
Guilderton Caravan Park Waste Water	New	0	0	300,000	0	0	0	300,000	0	0
Other property and services										
Altus Financials Suite	131	139,253	0	0	0	(9,516)	139,253	129,737	(1,128)	(2,653)
Lot 44 Weld Street, Gingin	123	116,589	0	0	(9,947)	(20,241)	106,642	96,348	(3,305)	(7,768)
		1,827,919	0	1,015,000	(79,726)	(260,022)	1,748,193	2,582,897	(33,323)	(90,057)
Self supporting loans										
Recreation and culture										
Ledge Point Country Club Cool Room	130	14,745	0	0	(1,157)	(2,327)	13,588	12,418	(132)	(306)
		14,745	0	0	-1,157	-2,327	13,588	12,418	(132)	-306
Total		1,842,664	0	1,015,000	(80,883)	(262,349)	1,761,781	2,595,315	(33,455)	(90,363)
Current borrowings		262,349					180,933			
Non-current borrowings		1,580,315					1,580,848			
		1,842,664					1,761,781			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

New borrowings 2023-24

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$					%	\$	\$	\$
Guilderton Caravan Park Waste Water	0	300,000	Council		10		4.54	0	300,000	0
Future Gingin Sporting Precinct	0	715,000	Council		20			0	715,000	0
	0	1,015,000						0	1,015,000	0

KEY INFORMATION

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 until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

FINANCING ACTIVITIES

NOTE 9

LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars	Lease No.	1 July 2023	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Other property and services										
Lancelin administration office	1A	0	15,232	22,634	(3,032)	(7,236)	12,200	15,398	(315)	(797)
Photocopier - Ineo 958	2	2,559	0	0	(2,559)	(2,559)	-0	0	(6)	(6)
Photocopier NEW	2A	0	0	22,333	0	(4,726)	0	17,607	0	(554)
IT Server	4	42,835	0	0	(7,436)	(17,568)	35,399	25,267	(220)	(451)
Total		45,394	15,232	44,967	(13,027)	(32,089)	47,599	58,272	(541)	(1,808)
Current lease liabilities		20,122					14,515			
Non-current lease liabilities		25,274					33,086			
		45,396					47,601			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.1.1

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

OPERATING ACTIVITIES

**NOTE 10
RESERVE ACCOUNTS**

Reserve accounts

Reserve name	Actual Opening Balance	Budget Interest Earned	Actual Interest Earned	Current Budget Transfers In (+)	Actual Transfers In (+)	Current Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
LSL, Annual, Sick Leave and Staff Contingency	440,075	8,828	747	0	0	0	0	448,903	440,822
Plant and Equipment Reserve	1,479,886	28,859	2,510	7,500	0	(1,295,955)	0	220,290	1,482,396
Land and Buildings Reserve	893,170	17,916	1,515	0	0	(875,350)	0	35,736	894,685
Guilderton Caravan Park Reserve	4,842	97	8	100,000	0	0	0	104,939	4,850
Shire Recreation Development Reserve	393,010	7,883	667	0	0	(40,000)	0	360,893	393,677
Redfield Park Reserve	32,231	647	55	0	0	0	0	32,878	32,286
Ocean Farm Recreation Reserve	31,915	640	54	0	0	0	0	32,555	31,969
Tip Rationalisation Reserve	2,302,313	46,181	3,905	71,428	0	(37,500)	0	2,382,422	2,306,218
Lancelin Community Sport and Recreation Reserve	127,542	2,558	216	26,530	0	0	0	156,630	127,758
Community Infrastructure Reserve	35,790	718	61	8,000	0	0	0	44,508	35,851
Staff Housing	34,372	690	58	0	0	(34,372)	0	690	34,430
Future Infrastructure Reserve	542,123	10,874	920	0	0	0	0	552,997	543,043
Guilderton Country Club Reserve	21,219	426	36	8,232	0	0	0	29,877	21,255
Coastal Management Reserve - Coastal Inundation	344,272	6,906	584	100,000	0	(85,000)	0	366,178	344,856
Guilderton Foreshore Reserve	232,411	4,662	394	0	0	(50,000)	0	187,073	232,805
Unspent Grants Reserve - Youth Services Website Grant	5,136	103	9	0	0	0	0	5,239	5,145
Seniors Housing Reserve	157,126	3,152	267	25,000	0	(150,000)	0	35,278	157,393
Gingin Railway Station Reserve	5,886	118	10	0	0	0	0	6,004	5,896
Contributions to Roads Reserve - Cullalla Road Intersection	46,221	927	78	0	0	0	0	47,148	46,299
Contribution to Roads Reserve - Cowalla Road Intersection	16,434	330	28	0	0	0	0	16,764	16,462
Contribution to Roads Reserve - Chitna Road	3,081	62	5	0	0	0	0	3,143	3,086
Contribution to Roads Reserve - Balance of Muni Funds	739,584	14,835	1,255	0	0	(348,919)	0	405,500	740,839
Community Infrastructure Reserve - Lower Coastal Fire Control	25,878	519	44	0	0	0	0	26,397	25,922
Community Infrastructure Reserve - Gingin Logo Plates	8,497	170	14	300	0	0	0	8,967	8,511
Community Infrastructure Reserve - Gingin Ambulance	55,285	1,109	94	6,000	0	0	0	62,394	55,379
Community Infrastructure - Lancelin Ambulance	49,686	997	84	18,000	0	0	0	68,683	49,770
Public Open Space Reserve	26,681	535	45	0	0	0	0	27,216	26,726
Guilderton Trailer Parking Reserve	32,913	660	56	84,611	0	0	0	118,184	32,969
Gingin Outdoor Activity Space	4,951	99	8	0	0	0	0	5,050	4,959
Gingin Resilience Fund	0	0	0	13,750	0	0	0	13,750	0
	8,092,530	161,501	13,728	469,351	0	(2,917,096)	0	5,806,286	8,106,258

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**OPERATING ACTIVITIES
NOTE 11
OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2023	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 30 November 2023
		\$		\$	\$	\$
Other current liabilities						
Other liabilities						
- Contract liabilities		922,102	0	296,687	0	1,218,789
Total other liabilities		922,102	0	296,687	0	1,218,789
Employee Related Provisions						
Annual leave		605,946	0	0	0	605,946
Long service leave		535,718	0	0	0	535,718
Total Employee Related Provisions		1,141,664	0	0	0	1,141,664
Other Provisions						
Provision for sick leave		115,758	0	0	0	115,758
Total Other Provisions		115,758	0	0	0	115,758
Total other current assets		2,179,524	0	296,687	0	2,476,211
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**NOTE 12
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget Revenue	YTD Adopted Budget	YTD Revenue Actual
	1 July 2023		(As revenue)	30 Nov 2023	30 Nov 2023			
	\$	\$	\$	\$	\$	\$	\$	
Operating grants and subsidies								
General purpose funding								
Financial Assistance Grant - General Purpose	0	0	0	0	0	0	0	23,993
Financial Assistance Grant - Roads	0	0	0	0	0	0	0	26,900
Financial Assistance Grant - Bridges	350,062	0	0	350,062	350,062	0	0	0
Law, order, public safety								
DFES Operating Grant	0	0	0	0	0	224,404	112,202	99,164
Community amenities								
Coastal Hazard Risk Management Plan Grant	0	0	0	0	0	10,580	4,410	0
CAP Grant Funding	0	0	0	0	0	45,000	0	0
CMPAP Coastal Inundation Integration	0	0	0	0	0	20,000	8,335	0
Transport								
Direct Road Grant MRWA	0	0	0	0	0	261,330	261,330	267,159
	350,062	0	0	350,062	350,062	561,314	386,277	417,216
Operating contributions								
General purpose funding								
Rates incentive Prize Night	0	0	0	0	0	12,000	12,000	16,682
Law, order, public safety								
CESM Grant - DFES	0	0	0	0	0	96,143	39,336	45,468
BRMO Grant - DFES	72,084	46,508	(23,471)	95,121	95,121	111,618	111,618	23,471
MAF Mitigation - DFES	0	0	0	0	0	600,517	0	0
Gingin Resilience Project - Mindaroo Foundation	100,000	0	(677)	99,323	99,323	137,500	100,000	677
Community amenities								
Claymont Estate - Planning contributions	0	0	0	0	0	8,000	3,330	1,600
Recreation and culture								
Naming Sponsorship - Gingin Aquatic Centre - Image	0	0	0	0	0	10,000	10,000	0
Contribution income for suite of events	0	0	0	0	0	36,400	26,735	47,655
Transport								
Contribution income for Aurisch Road Maintenance	0	0	0	0	0	12,500	12,500	0
Economic services								
Guilderton Caravan Park Deposit Liability	282,340	0	0	282,340	282,340	0	0	0
Market PLI contributions	0	0	0	0	0	2,000	835	0
	454,424	46,508	(24,148)	476,784	476,784	1,026,678	316,354	135,553
TOTALS	804,486	46,508	(24,148)	826,845	826,845	1,587,992	702,631	552,769

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2023

NOTE 13
NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget Revenue	YTD Adopted Budget	YTD Revenue Actual
	1 July 2023		(As revenue)	30 Nov 2023	30 Nov 2023			
	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies								
Law, order, public safety								
DFES - Capital Grant - Buildings	40,187	0	0	40,187	40,187	40,187	0	0
DFES - Capital Grant - Vehicles	0	0	0	0	0	804,300	0	0
Recreation and culture								
LRCI - Unspent funds	15,101	0	(15,101)	0	0	103,500	0	0
Transport								
LRCI - Unspent Funds Roads	21,732	550,733	(489,421)	83,044	83,044	892,579	0	562,601
Roads to Recovery	40,596	268,713	(40,596)	268,713	268,713	1,641,309	0	40,596
Regional Road Group (Mooliabeenee Rd)	0	0	0	0	0	505,053	0	288,603
Wheatbelt Secondary Freight Network (KW Rd)	0	0	0	0	0	350,061	0	0
	117,616	819,446	(545,118)	391,944	391,944	4,336,989	0	891,801

MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

APPENDIX 12.1.1

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2023

NOTE 14 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL/Project Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget adoption						0
	Management approval 06/11/2023 to reduce budget for Gully Traps			0	10,000	0	10,000
OC13261	Management approval 06/11/2023 to reduce budget for Replacement of bench seats			0	29,000	0	39,000
OC13261	Management approval 06/11/2023 to increase budget for repairs to Chalet verandah roofing			0	0	(39,000)	0
BC13260	CCM 19/09/2023 - Item 18.1 Purchase of land for Future Gingin Sporting Precinct			0	0	(715,000)	(715,000)
LC11300	CCM 19/09/2023 - Item 18.1 Purchase of Land for Future Gingin Sporting Precinct - Lot 7 Dewar Road, Granville			0	715,000	0	0
151103550				0	754,000	(754,000)	0

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				NOTE 15		
FOR THE PERIOD ENDED 30 NOVEMBER 2023				EXPLANATION OF MATERIAL VARIANCES		
The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.						
The material variance adopted by Council for the 2023-24 year is \$20,000 or 10.00% whichever is the greater.						
Nature or type	Var. \$	Var. %	Explanation of positive cash variances		Explanation of negative cash variances	
			Timing	Permanent	Timing	Permanent
	\$	%				
Opening funding surplus / (deficit)	(356,021)	(13.35%)	▼			Increase in Employee Leave Provisions, Reserve Transfer and additional 2022/23 supplier invoices recognised in correct financial year
Revenue from operating activities						
Operating grants, subsidies and contributions	(149,862)	(21.33%)	▼			Mindaroo payment funding DFES Funding
Fees and charges	(78,329)	(2.82%)	▼			Guilderton Caravan Park fee income due to timing of season, Tipping Fees Billing
Interest earnings	64,171	291.70%	▲	Rates Penalty Interest		
Other revenue	(30,703)	(18.20%)	▼			Rates to lessees of Shire owned properties to be completed, Administration Reimbursements
Expenditure from operating activities						
Employee costs	331,809	11.28%	▲	Timing of salary changes due to budget adoption in August 2023 and Vacancy of positions		
Materials and contracts	(110,765)	(3.39%)	▼			Timing of payments for operating expenditure
Utility charges	39,714	18.72%	▲	Timing of billing cycle for utilities		
Interest expenses	(9,651)	(33.16%)	▼			Accrued Interest
Other expenditure	64,917	35.50%	▲	Timing of community grant payments		
Investing activities						
Proceeds from non-operating grants, subsidies and contributions	891,801	0.00%	▲			
Payments for property, plant and equipment and infrastructure	1,479,901	42.84%	▲	Timing of capital projects		
Financing activities						
Proceeds from new debentures	(715,000)	(100.00%)	▼			Land Purchase for Future Sporting Facilities
Closing funding surplus / (deficit)	1,423,668	(21.74%)	▼			

12.2 LIST OF PAID ACCOUNTS NOVEMBER 2023

File	FIN/25
Author	Alarna Richards- Coordinator Financial Planning and Reporting
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Voucher List 2023-2024 - November [12.2.1 - 10 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to note the payments made in November 2023.

BACKGROUND

Council has delegated authority to the CEO to exercise the power to make payments from the Municipal Fund (Delegation 1.1.13 Payments from the Municipal or Trust Funds). The CEO is required to present a list to Council of those payments made since the last list was submitted.

COMMENT

Accounts totalling \$3,937,045.77 were paid during the month of November 2023.

A payment schedule is included as **an appendix** to this report. The schedule details:

• Municipal Fund electronic funds transfers (EFT)	\$3,361,570.22
• Municipal Fund cheques	\$583.10
• Municipal Fund direct debits	\$574,892.45
• Municipal Fund - Transfer to Term Deposit Investments	\$0
TOTAL MUNICIPAL EXPENDITURE	\$3,937,045.77
• Reserve Fund – Transfer to Term Deposit Investments	\$0
TOTAL RESERVE FUND EXPENDITURE	\$0
TOTAL EXPENDITURE	\$3,937,045.77

All invoices have been verified, and all payments have been duly authorised in accordance with Council's procedures.

In accordance with Regulation 13A of the *Local Government (Financial Management) Regulations 1996* requiring details of purchasing card expenditure, the list of payments includes details of fuel card purchases in addition to previously supplied credit card purchases.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995
s.6.4 – Financial Report

Local Government (Financial Management) Regulations 1996
Reg. 13 – Payments from municipal fund or trust by CEO
Reg 13A – Payments by employees via purchasing cards

Shire of Gingin Delegation Register – Delegation 1.1.13 Payments from the Municipal or Trust Funds

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocations.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.4 Strategic & Sustainable Financial Planning - Undertake long-term resource planning and allocation in accordance with the Integrated Planning and Reporting Framework

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Sorensen **SECONDED:** Councillor Balcombe

That Council note all payments made by the Chief Executive Officer under Delegation 1.1.13 for November 2023 totalling \$3,937,045.77 as detailed in the schedule appended to this report, comprising:

• Municipal Fund electronic funds transfers (EFT)	\$3,361,570.22
• Municipal Fund cheques	\$583.10
• Municipal Fund direct debits	\$574,892.45
• Municipal Fund term deposit investment	\$0
• Reserve Fund term deposit investment	\$0

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023

			Payment Category		
			L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C		
TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-40031	2/11/2023	Data#3	Microsoft Licences	24,429.76	
EFT-40032	2/11/2023	Full Flow Plumbing and Gas	Supply and install hot water unit Lancelin playgroup	1,479.41	
EFT-40033	2/11/2023	Gingin Florist	Flowers for Lancelin CRC	60.00	L
EFT-40034	2/11/2023	Karen Grant	Cleaning Offices and Ablution Gingin town	5,494.50	L
EFT-40035	2/11/2023	LGISWA	LGISWA Scheme Membership - 2023/24	295,809.40	
EFT-40036	2/11/2023	Mcintosh and Son	GG026 - service	748.00	
EFT-40037	2/11/2023	Moore Australia (WA) Pty Ltd	SFO- 2023 Nuts and Bolts Workshop	1,155.00	
EFT-40038	2/11/2023	PLE Computers Pty Ltd	Power cables and PC peripherals	1,291.33	
EFT-40039	2/11/2023	Robert Kelly	Reimbursement for Phone expenses	47.00	R/S
EFT-40040	2/11/2023	The National Trust of Western Australia	Gingin Railway Station - Rent 28/09/23- 27/10/23	255.37	
EFT-40041	2/11/2023	Uniforms at Work	Staff Uniform Order 2023	175.45	
EFT-40042	7/11/2023	Alarm Assets Group & Austech Surveillance	Supply and install batteries to security system at GESC	270.00	
EFT-40043	7/11/2023	Brown Automotive Gingin	Pre -season Servicing to fire appliances GG082 & GG06	720.00	L
EFT-40044	7/11/2023	CB Traffic Solutions Pty Ltd	Traffic Management - Flavours of Gingin	979.00	
EFT-40045	7/11/2023	Coastal Courier	1x Advertisement - Music in the Park - November, December & January editions of Coastal Courier	120.00	L
EFT-40046	7/11/2023	Coastal Hospitality Services	Flavours of Gingin Stall Holder Fee Refund	186.00	
EFT-40047	7/11/2023	Complete Office Supplies Pty Ltd	Stationery Order for Planning, Rates, Corporate Services, Water for Council and Stationery room restock including 2024 Diary and Planner Order	3,149.04	
EFT-40048	7/11/2023	Cornerstone Ventures Pty Ltd T/As Cornerstone Renovations	Guilderton Caravan Park - Dump point refurbishment - Female Ablutions - carry out repairs to door	4,415.40	
EFT-40049	7/11/2023	Department of Planning, Lands & Heritage - DPLH	Development Assessment Panel Fee	10,084.00	
EFT-40050	7/11/2023	Emmie-Rose Wright	Prize Winner - Completion of 2023 Community Perception Survey	100.00	
EFT-40051	7/11/2023	Gingin District Community Resource Centre Inc (CRC)	Citizenship Gift Bag items 1x Advertisement - Public Notice of Planning Proposal in Gingin Buzz	153.80	L
EFT-40052	7/11/2023	Gingin Grading Service Pty Ltd	Cartage Fill- Seabird and Gingin Waste Facilities 2023-24	15,867.50	L
EFT-40053	7/11/2023	Gloria Carlisle	Rate Refund Pension Rebate	797.19	
EFT-40054	7/11/2023	Harbour Software	Doc Assembler Administrator Training (1 day) - Governance Staff	1,925.00	
EFT-40055	7/11/2023	Hersey's Safety Pty Ltd	Floppy Hats	407.00	
EFT-40056	7/11/2023	IT Vision Australia Pty Ltd	Map Data Refresh - SynergySoft	554.40	
EFT-40057	7/11/2023	Ledge Point Reticulation & Refrigeration	Guilderton Country Club - Remove existing A/C, replace with new.	31,735.00	L
EFT-40058	7/11/2023	Leigh Solomon	Guilderton Caravan Park- supply and install new sink for the camp kitchen and remove old benches and install new benches.	5,873.90	L
EFT-40059	7/11/2023	Novatec Energy Solutions Pty Ltd	Contractor troubleshoot / repair problem with A/C in Rangers Office and Stationery Orders - Diaries 2024 & other stationery for Operations - Stationery only Health, Rates and Governance Depts	330.00	
EFT-40060	7/11/2023	Officeworks	Stationery Orders - Diaries 2024 & other stationery for Operations - Stationery only Health, Rates and Governance Depts	1,127.28	
EFT-40061	7/11/2023	Olivia Gallagher	Guilderton Holiday Park Reservation Refund	296.00	
EFT-40062	7/11/2023	Omnicom Media Group Australia Pty Ltd (Marketforce)	Advertisement - Flavours of Gingin event in Best WA Travel Experiences feature, Sunday Times, 29 October 2023 edition.	3,910.50	
EFT-40063	7/11/2023	PME Plastic & Metal Engraving	Memorial Plaque - Marine grade anodized aluminum	226.60	
EFT-40064	7/11/2023	Presidential Building Services Pty Ltd	CWA building - Contractor remove all timber floors, fill same with aggregate, compact same. Pour concrete floors throughout building. Grind concrete, apply epoxy coating to same. Internal paint / patch. New skirting boards, paint same. Install sink.	56,934.62	
EFT-40065	7/11/2023	Rebecca Foulkes-Taylor	Reimbursement for Gingin Aquatic Centre Expenses - Kiosk Supplies	435.99	R/S
EFT-40066	7/11/2023	RiteCert Pty Ltd	Building Surveyor Contractor carry out / review on Engineering specs for Transportable Office construction for Gingin Shire Depot.	2,090.00	
EFT-40067	7/11/2023	Sai Global Limited	Building Department- i2i NCC Subscription Renewal	3,403.00	
EFT-40068	7/11/2023	Seabreeze Landscape Supplies	Contractor supply, deliver 12 Cu/m jungle mulch to GG Shire Industrial area for Entry Statements off Brand Highway	1,138.00	
EFT-40069	7/11/2023	Sharon Smith	Health Fee Charged incorrectly for septic system change.	93.00	S
EFT-40070	7/11/2023	Tanya Anderson	Accommodation - Waste Conference 13/09/2023	319.00	R/S
EFT-40071	7/11/2023	Troy's Plumbing Pty Ltd	Guilderton Caravan Park- supply and installation of 4 x Concrete Caravan Park sumps under taps connected to 600 x 600 concrete soak wells.	4,800.00	L
EFT-40072	7/11/2023	Tudor House	Print and supply 2 x Shire of Gingin flags (includes postal delivery).	518.00	
EFT-40073	10/11/2023	ACS Swan Express Print	Rates Instalment Reminder Notices x 3000	946.00	
EFT-40074	10/11/2023	AMPAC Debt Recovery WA Pty	Debt Recovery Costs for the month October	1,649.75	
EFT-40075	10/11/2023	Avantgarde Technologies	External Vulnerability Assessment and Penetration Test / Brute Force Attack on SoG passwords	10,824.00	
EFT-40076	10/11/2023	BGC (Australia) Pty Ltd t/as BGC Cement	2 x tonne bulka bags for Mooliabeenee Road, Beermullah Road and WRS	4,070.00	
EFT-40077	10/11/2023	Brown Automotive Gingin	GG09 - Scheduled Service	415.00	L
EFT-40078	10/11/2023	Cellarbrations Gingin	Council Meeting Bar Re Stock 16/10/2023	186.00	L
EFT-40079	10/11/2023	Dell Australia Pty Ltd	Failing hard drive in GGVH1 needs replacing.	203.50	
EFT-40080	10/11/2023	Ecowater Services	Granville Hall & Admin Building - Biomax Routine Service & Chlorine	453.00	

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023

			Payment Category		
			L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C		
TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-40081	10/11/2023	Erik Sorensen	Shire Councillor Travel & Out of Pocket Expenses 01/07/2023 - 30/09/2023	955.40	C
EFT-40082	10/11/2023	Future Security WA PTY LTD	Gingin Railway Station - Service Call Out, Alarm Fault, Labour & Parts	286.00	
EFT-40083	10/11/2023	Gingin IGA Express	Refreshments and receptions for October 2023	774.69	L
EFT-40084	10/11/2023	Gull Gingin Pty Ltd	Student Council Meeting - Catering	110.00	L
EFT-40085	10/11/2023	IT Vision User Group	IT VISION - 2023/2024 Annual membership	770.00	
EFT-40086	10/11/2023	Leigh Solomon	Guilderton Caravan Park- Repairs Verandah Units 1 & 2	4,388.00	L
EFT-40087	10/11/2023	McGees Property	Valuation - Lot 125 (20) Brockman Street, Gingin	3,300.00	
EFT-40088	10/11/2023	Moore Australia (WA) Pty Ltd	Valuation - Lot 425 Dewar Street, Guilderton		
EFT-40089	10/11/2023	Moore Australia (WA) Pty Ltd	Provision of Technical and Accounting advice relating to Closure of Landfill sites	6,710.00	
EFT-40089	10/11/2023	Plumb It Right Pty Ltd	Guilderton Caravan Parkreplace the taps to a mixer in the second shower on urinal side of Male toilets and carry out repairs to burst retic pipe.	1,122.00	L
EFT-40090	10/11/2023	Shape Urban	Coastal Management Strategy - consultation, community and Stakeholder engagement, research and analysis, development of strategy	6,490.00	
EFT-40091	10/11/2023	Tutt Bryant Equipment (BT	GG079 - Hydraulic filter	833.95	
EFT-40093	10/11/2023	Western Australia Holiday Guide	Guilderton Caravan Park - Annual listing renewal.	550.00	
EFT-40094	10/11/2023	Western Australian Local Government Association	2023/24 Renewal of Subscription - WALGA Introduction to Local Government	2,428.80	
EFT-40095	13/11/2023	Access Icon Pty Ltd T/As	Replace cover pumps at foreshore and Weld Street Drainage covers, pits,	1,147.30	
EFT-40096	13/11/2023	AFGRI Equipment Pty Ltd	GG019 tractor door	2,308.51	
EFT-40097	13/11/2023	Bunnings Buildings Supplies Pty	Kick board and skirting for Depot - Guilderton	885.25	
EFT-40098	13/11/2023	CB Traffic Solutions Pty Ltd	Traffic Management for August 15-31st and 1st October to 15th October	40,283.39	
EFT-40099	13/11/2023	Daimler Trucks Perth	GG066 track rod ball joints	1,171.49	
EFT-40100	13/11/2023	Ecowater Services	Guilderton Caravan Park - ATU maintenance	487.00	
EFT-40101	13/11/2023	Full Flow Plumbing and Gas	Plumbing for Guilderton Depot	5,038.00	
EFT-40102	13/11/2023	Gingin Tree Services	Green Waste Collection and Removal of Japanese Peppers on Shire land - Creating issues for landowner	52,470.00	L
EFT-40103	13/11/2023	Hempfield Small Motors	Honda water pump	1,740.00	
EFT-40104	13/11/2023	K B Riley & Sons Pty Ltd t/a Lancelin Sands	Limesand supply and Delivery Grace Darling Edward Island Foreshore	101,860.00	L
EFT-40105	13/11/2023	LD Total	Fertilise all broad acre lawn areas within Shire.	28,561.56	
EFT-40106	13/11/2023	Nurafidah Mohd Amin	Guilderton Holiday Refund for cancellation	293.50	
EFT-40107	13/11/2023	Nutrien Ag Solutions Limited	Landscape and irrigation supplies.	459.00	
EFT-40108	13/11/2023	Nutrien Water	Purchase gear driven sprinklers for replacement of damaged .	479.33	
EFT-40109	13/11/2023	Ron Fuller's Air	Hoist inspection	561.00	
EFT-40110	13/11/2023	RTV Computers Pty Ltd	Laptop, Dock Station and AC Adapter	5,901.50	
EFT-40111	13/11/2023	SITI BAKAR	Guilderton Holiday Refund for cancellation	296.00	
EFT-40112	13/11/2023	Speirs Fencing	Repairs to the Lancelin Primary School fence - Storm Damage	3,971.00	
EFT-40113	13/11/2023	Tiffany's Catering	Catering - Briefing Session 8 November 2023 M/T & Lunch and Council Meeting 21 November 2023 M/T & Lunch	448.00	L
EFT-40114	13/11/2023	West Coast Technical Services Pty Ltd	Electrical work at Guilderton Depot	484.00	
EFT-40115	14/11/2023	Alltrack Earthmoving	Crushing/Screening gravel for various Rural Road	165,815.40	
EFT-40116	14/11/2023	Gingin Fuel & Tyres	GG029 - fitting tyres, Tools for vehicle, GG045 - engine oil, GG029 - tyre repair, GG073- Replace 4 Tyres on Ranger ute, adblue 1000 litres, GG041- Narva Mini Blade Fuse Kits, Batteries and Charger Beermullah 2.4	7,204.19	L
EFT-40117	14/11/2023	Ledge's Kanga Service and Skip	Annual Jetty Bin Collection 2023 - ongoing contract	11,000.00	L
EFT-40118	14/11/2023	Nicola McCormack	Guilderton Holiday Refund for cancellation	60.00	
EFT-40119	14/11/2023	Tony Pisconeri	Management/Supervision Seabird and Lancelin Waste Facility for the period 01/09/2023 - 30/09/2023	17,374.00	L
EFT-40120	14/11/2023	TLCWA Pty Ltd t/as Saferoads WA	Emulsion on various roads	181,193.98	
EFT-40141	16/11/2023	TLCWA Pty Ltd t/as Saferoads WA	Emulsion on various roads	197,835.05	
EFT-40142	16/11/2023	Access Icon Pty Ltd T/As Cascada	Supply 20 x 375mm pipe	5,588.00	
EFT-40143	16/11/2023	Arrow Bronze	Bronze Memorial Plaque for Gingin Cemetery Niche Wall	1,215.30	
EFT-40144	16/11/2023	Australian Taxation Office (PAYG)	Payroll deduction for PE: 09/11/2023	47,004.00	
EFT-40145	16/11/2023	Bullbrook Windscreens and Window Tinting	Contractor apply film / clear tint to original CWA building to align with latest Australian Standards / Regulations	676.00	
EFT-40146	16/11/2023	CB Traffic Solutions Pty Ltd	Traffic Management for September 1st to 30th	73,693.13	
EFT-40147	16/11/2023	Cellarbrations Gingin	Depot - Ice	32.00	L
EFT-40148	16/11/2023	Complete Office Supplies Pty Ltd	Stationery Order for Stationary Roomm Re-stock and Rangers	194.18	
EFT-40149	16/11/2023	Gingin Fuel & Tyres	4 new tyre & repair	216.00	L
EFT-40150	16/11/2023	Greenway Solutions Pty Ltd t/as Greenway Turf Solutions	Sprays for spraying of verges within Shire	11,852.50	
EFT-40151	16/11/2023	Karen Wanless	Refund Duplicate Payments	259.44	
EFT-40152	16/11/2023	Kleen West Distributors	Cleaning supplies	3,099.63	
EFT-40153	16/11/2023	LD Total	Turf Maintenance Contract 2022-2023	23,268.56	
EFT-40154	16/11/2023	LGRCEU (WA Division)	Payroll deduction for PE: 09/11/2023	44.00	

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023

				Payment Category	
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TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-40155	16/11/2023	Pool Heating Solutions WA	Service of Heating system	440.00	
EFT-40156	16/11/2023	Presidential Building Services Pty Ltd	Wall patching & painting toilet Guilderton Country Club and Contractor carry out repair works to Granville Dam Barrier Bridge	9,732.25	
EFT-40157	16/11/2023	Robbro WA Pty Ltd	Gravel carting Coonabidgee Road, Aurisch Road, Wannamal Road West and Wannamal Road South	173,800.00	L
EFT-40158	16/11/2023	Strettle Pty Ltd	Preparation of New/Amendment/Repeal Local Laws as resolved by Council 20/12/2022.	3,245.00	
EFT-40159	16/11/2023	Tanya Hemi	Flavours of Gingin 2023- Day Entertainment	600.00	
EFT-40160	16/11/2023	Wandera Transport Pty Ltd T/A	Single side tipper Carting gravel Wannamal Road West	24,351.25	L
EFT-40161	16/11/2023	WEX Australia Pty Ltd	Caltex fuel cards- fuel purchases for the month of October 2023	1,973.16	
EFT-40185	20/11/2023	Avon Waste	Flavours of Gingin 14 x 240L Bins and a 4.5 skip bin	385.00	
EFT-40186	20/11/2023	Cellarbrations Gingin	Soft drink re-stock - councilor meetings	30.00	L
EFT-40187	20/11/2023	Dry Kirkness (Audit) Pty Ltd	Provision of audit services for 2022-23 R2R and LRCI annual reports.	1,650.00	
EFT-40188	20/11/2023	Full Flow Plumbing and Gas	Unblock sink unit 6 Lancelin aged units	297.00	L
EFT-40189	20/11/2023	Gingin Fuel & Tyres	Front tyre replaced bolt damaged, Gg026 tyre repair, Gg017 - electrical fittings, S31-100MF AC Delco Battery, Events trailer spare tyre repaired, tyres for truck and trailer fitted, Batteries for sign board, Batteries	4,964.00	L
EFT-40190	20/11/2023	Greenway Solutions Pty Ltd t/as	Purchase 1000kg of Permawet wetting agent granules for application to	3,740.00	
EFT-40191	20/11/2023	Gull Gingin Pty Ltd	Flavours on Day meals 30 x Breakfast and Lunch	584.00	L
EFT-40192	20/11/2023	Haulmore Trailer Rentals Pty Ltd	Hire Trailer- 1.10.23 - 31.10.23	7,994.90	
EFT-40193	20/11/2023	Indian Ocean Pest Control	Annual termite inspection of bridges plus additional martial charges for treatment of termites after inspection	11,990.00	L
EFT-40194	20/11/2023	Joanne Daw	Refund Duplicate Payments	100.00	
EFT-40195	20/11/2023	Karen Grant	Cleaning offices and shire buildings	3,019.50	L
EFT-40196	20/11/2023	Ledge Point Reticulation & Refrigeration	Guilderton Foreshore - Contractor troubleshoot issue with Guilderton Foreshore Bore / Bore Pump.	2,797.30	L
EFT-40197	20/11/2023	Moore Demo & Civil	Brick paving repairs to driveway aged units Lancelin.	1,848.00	L
EFT-40198	20/11/2023	Moore River Music Club Inc	23/24 Community Grant	1,000.00	L
EFT-40199	20/11/2023	NAPA a division of GPC Asia Pacific Pty Ltd	Filter Kits for Fire Appliances	57.20	
EFT-40200	20/11/2023	Robbro WA Pty Ltd	Carting to Cowalla Road - 20.10.23	3,608.00	L
EFT-40201	20/11/2023	The National Trust of Western	Annual building insurance for Gingin Railway Station 2023/24	667.40	
EFT-40202	20/11/2023	TLCWA Pty Ltd t/as Saferoads WA	Jetpatching various roads with Shire	34,534.22	
EFT-40203	20/11/2023	Uniforms at Work	Staff Uniform Order 2023	2,188.93	
EFT-40204	20/11/2023	Volunteer Centre of Western	Volunteering WA Annual Membership Renewal 2023 - 2024	550.00	
EFT-40205	20/11/2023	West Coast Shade Pty Ltd	Install 11 shade sails 5x Aquatic Centre and 6x playground	1,870.00	
EFT-40206	20/11/2023	West Coast Technical Services Pty Ltd	Annual A/C Maintenance Gingin -37a Lefroy Street, Depot, Rec Centre, Bendigo Complex, Pool, Red Cross Building, Granville Hall, CWA Building.	9,817.50	
EFT-40207	22/11/2023	PFDF Food Services Pty Ltd	Kiosk Items miscellaneous	1,240.40	
EFT-40208	22/11/2023	Pool Robotics Perth	Replacement Wave 100 Dolphin Cleaner for Gingin Aquatic 25m Pool	6,894.84	
EFT-40209	22/11/2023	Uniforms at Work	3x Councillor Polos	81.15	
EFT-40210	22/11/2023	Vorgee Pty Ltd	Goggles for Kiosk	198.00	
EFT-40211	22/11/2023	Alexander Wright	Prize Winner - Completion of 2023 Community Perception Survey	100.00	
EFT-40212	22/11/2023	Altus Planning Pty Ltd	Planning Advice (SAT)- Waterville Fresh P/L - Lot 2 (182) Waterville Road, Wanerie (BLD/5091) Legal Advice- DR 50/2023 JCR Management Pty Ltd v Shire of Gingin Bioscience- Planning services relating to application for review DR 107/2021 Bioscience Pty Ltd v Shire of Gingin	4,862.00	
EFT-40213	22/11/2023	Elizabeth French Consulting	Relief Environmental Health Officer Services Commencing 24/10/2023 x 3	4,047.40	
EFT-40214	22/11/2023	Emerg Solutions Pty Ltd	Shire of Gingin BFB BART Subscription	560.00	
EFT-40215	22/11/2023	Gingin District Community Resource Centre Inc (CRC)	1x Advertisement - Music in the Park - November and December Editions - Gingin Buzz	220.00	L
EFT-40216	22/11/2023	Gingin Florist	Condolence Flowers - Cr Frank Johnson	100.00	L
EFT-40217	22/11/2023	Kleenheat Gas Pty Ltd	Shire of Gingin - Guilderton Dewar St - C/Van Park- Bulk LPG 1935L	2,488.09	
EFT-40218	22/11/2023	Leigh Solomon	Guilderton Caravan Park- Units 3 & 4 and Units 7 & 8	8,776.00	L
EFT-40219	22/11/2023	Moore River News Inc	1x Advertisement - Music in the Park - November Edition - Moore River News	45.00	L
EFT-40220	22/11/2023	Moray & Agnew Perth	Preparation of Template Deed - Transfer of Responsibility for Shire Assets	3,300.00	
EFT-40221	22/11/2023	Samantha McKay	Refund Dog Registration Life Sterilised	100.00	
EFT-40222	22/11/2023	Usher Bay Pty Ltd T/As Lancelin Mechanical	Replace battery and carry out pre-season service	819.00	
EFT-40223	23/11/2023	Alltrack Earthmoving	Gravel Carting Coonabidgee Road 3 single side tipplers, Gravel Carting	84,715.14	
EFT-40224	23/11/2023	Bindoon Hill Gravel Supply	Cartage Cowalla Road	26,728.18	L
EFT-40225	23/11/2023	Brown Automotive Gingin	GG046 air con repair, radiator coolant flush and GG017 - gear box fault	4,265.00	L
EFT-40226	23/11/2023	Bunnings Buildings Supplies Pty Ltd	Paint for Depot Kitchen floor.	175.15	
EFT-40227	23/11/2023	Gingin Florist	ERIS Prize Night 2023 - 1x long table flower arrangement, 10x winner prize flower arrangement	350.00	L

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

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TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-40228	23/11/2023	Gingin Trading	Hardware supplies October 2023	10,152.70	L
EFT-40229	23/11/2023	Gingin Tree Services	Western Power notification works -Grind stump - 21 Lefroy Street (termites)	5,830.00	L
EFT-40230	23/11/2023	Hot Works Yanchep	Security on Depot Doors	3,077.54	
EFT-40231	23/11/2023	Landgate	GRV Interim Vals Country Full Value GRV Int Vals CTRY and FESA 02/09/2023 - 29/09/2023	209.09	
EFT-40232	23/11/2023	Midland Trophies	6 X Honour Board plaques, 5 x gold name plates, 4 x engraved wine glasses	453.00	
EFT-40233	23/11/2023	Nutrien Water	Irrigation Lancelin	239.40	
EFT-40234	23/11/2023	Premier Trailers Pty Ltd	Custom Made Bin Lifter Trailer	44,990.00	
EFT-40235	23/11/2023	Presidential Facility Services Pty Ltd	Contractor assist with gardening projects / duties around Gingin townsite and Contractor carry out oven / kitchen clean in preparation for 'Flavours of Gingin'.	3,100.00	
EFT-40236	23/11/2023	The Grants Hub Pty LTD	Annual Membership	313.20	
EFT-40237	23/11/2023	Alltrack Earthmoving	Carting to Cowalla Road - 20.10.23	3,176.25	
EFT-40238	23/11/2023	Avon Waste	Shire of Gingin Kerbside Collections for the period 9 -20.10.2023	41,516.12	
EFT-40239	23/11/2023	Bindoon Hill Gravel Supply	Gravel supply 10000 tonnes Aurisch Road	159,795.31	L
EFT-40240	23/11/2023	Bunnings Buildings Supplies Pty Ltd	Granular Wetting agent, Parks and Reserves Upper Wangaree	213.00	
EFT-40241	23/11/2023	D.A. Christie Pty Ltd (All Park Products)	Douglas Park 2x BBQ	9,774.60	
EFT-40242	23/11/2023	Dell Australia Pty Ltd	laptops + docks for staff, laptops for councillors and desktops for new positions	15,620.00	
EFT-40243	23/11/2023	Eagleye Technical Services	Hot water disconnection and re-connection	275.00	L
EFT-40244	23/11/2023	Full Flow Plumbing and Gas	Guilderton Foreshore Ablution Block - Contractor called out on a Sunday to unblock toilets / septic system. Problem found to be 2 x pump failure. Order / fit new pump, secondary pump repaired by electrician.	2,403.50	L
EFT-40245	23/11/2023	J. & K. Hopkins	White Board	139.00	
EFT-40246	23/11/2023	Officeworks	Stationery Order - Stationery Room Restock & Building Department and Lancelin Office	850.56	
EFT-40247	23/11/2023	TLCWA Pty Ltd t/as Saferoads WA	Emulsion on various roads within Shire	4,081.28	
EFT-40248	23/11/2023	Tradesales	Chemical cabinet Ledge Point	2,017.40	
EFT-40249	23/11/2023	WA Stump Grinding & Tree Services	Coonabidgee Road Tree Work - Pruning and dead tree removal	21,175.00	
EFT-40251	27/11/2023	Access Icon Pty Ltd T/As Cascada	Weld Street - Drainage covers, pits, soak wells	1,188.00	
EFT-40252	27/11/2023	Brooks Hire Service	Hire charges for October	9,399.06	
EFT-40253	27/11/2023	Cornerstone Ventures Pty Ltd T/As Cornerstone Renovations	Guilderton Caravan Park/Male Ablutions - 1 x Shower tap re-tile. Grind back old render & old grout. Female Ablutions - 1 x Shower tap re-tile as above. Grout 2x floor waists.	685.30	
EFT-40254	27/11/2023	Country Copiers	Colour Copier Fees- Lancelin Office July and August	235.45	L
EFT-40255	27/11/2023	Daniel Garlett	Daniel Garlett - Yued Welcome to Country at Flavours of Gingin	1,500.00	
EFT-40256	27/11/2023	Department of Transport	Release of Information fee for the Shire of Gingin Parking Infringement Notice. Disclosure of Information fees for applications during July 2023 - June 2024	96.80	
EFT-40257	27/11/2023	Eagleye Technical Services	Replace inoperable sensor light Red Gully Fire Station.	423.50	L
EFT-40258	27/11/2023	Frontline Fire and Rescue Equipment	Supply foam drum slide and enclosure bracket for Gingin West 4.4 fire appliance	2,365.00	
EFT-40259	27/11/2023	Full Flow Plumbing and Gas	Water leak- Guilderton Country Club	5,530.97	L
EFT-40260	27/11/2023	Gingin District Community Resource Centre Inc (CRC)	Technology and Digital Inclusion Grant for Library 2023- Grant Application: Gingin Library Tech Upgrade - Technology & Digital Inclusion Grant 2023-	5,000.00	L
EFT-40261	27/11/2023	Gingin Florist	Remembrance Day Wreath	60.00	L
EFT-40262	27/11/2023	Gingin Fuel & Tyres	Gg079 - tyre replacement	3,356.00	L
EFT-40263	27/11/2023	Iron Mountain Australia Group Services Pty Ltd	Storage Business Cartons 2023 / 2024	328.22	
EFT-40264	27/11/2023	ack Miller	Entertainment - Flavours of Gingin	375.00	
EFT-40265	27/11/2023	Jeff's Mechanical Service	Gg045 - service Gg028 - service	1,048.30	L
EFT-40266	27/11/2023	Kleen West Distributors	Supply 2 x 5 litre graffiti remover, Bin Odorant pellets 20 L, Disinfectant	784.45	
EFT-40267	27/11/2023	Moore River Electrical Services	Replace damaged solar light at Lancelin plaza	3,500.00	
EFT-40268	27/11/2023	Moore River News Inc	2x Advertisements - Music in the Park & Australia day - December Edition - Moore River News	220.00	
EFT-40269	27/11/2023	NAPA a division of GPC Asia Pacific Pty Ltd	Filter Kits for Fire Appliances	409.75	
EFT-40270	27/11/2023	Omnicom Media Group Australia Pty Ltd (Marketforce)	Employment advertisement - Heavy Plant Operator/General Hand in West Australian Newspaper, Wednesday 11 October 2023 edition and Advertisement - Proposed Permanent Road Closure of a portion of Cowalla Road Reserve, Cowalla	865.06	
EFT-40271	27/11/2023	Perth Trade Parts	GG020 sun visor	263.32	

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

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TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-40272	27/11/2023	Plumb It Right Pty Ltd	Guilderton Caravan Park- Fix burst retic in front of ablutions (located under concrete footing of new fence and Toilet continuously leaking from cistern to pan	451.00	L
EFT-40273	27/11/2023	Rebecca Foulkes-Taylor	Reimbursement for Kiosk Supplies - Gingin Aquatic Centre	119.22	R/S
EFT-40274	27/11/2023	Sunny Signs Company Pty Ltd	Left & Right (Link Road) / T Intersection & 60km sign (Cockram Rd) /Hazard Board (Cockram)	2,619.10	
EFT-40275	27/11/2023	T-Quip	Belts and service kit	691.25	
EFT-40276	27/11/2023	Uniforms at Work	Staff Uniform Order	284.05	
EFT-40277	27/11/2023	Vorgee Pty Ltd	Purchase of kiosk stock for 2023/2024	1,171.50	
EFT-40278	28/11/2023	Bindoon Hill Gravel Supply	Gravel Supply Wannamal Road South	53,929.23	L
EFT-40279	28/11/2023	Coastal Courier	1x Advertisement - Australia Day Picnic Breakfast - December & January Editions - Coastal Courier 1x Advertisement - LG Election Results - December - Coastal Courier	120.00	L
EFT-40280	28/11/2023	Eastern Hills Chainsaws & Mowers Pty Ltd	BG 86 Blower Blower	381.65	
EFT-40281	28/11/2023	Office Line	Replacement Office Chair	748.00	
EFT-40282	28/11/2023	Roamin Enterprises PTY LTD	Install new Culvert Wannamal Road South	7,200.00	
EFT-40283	28/11/2023	Adrienne Pellegrini	2023/24 Early Rates Incentive Scheme Prize Night Winner	1,000.00	
EFT-40284	28/11/2023	Conor Clements	Refund ratepayer duplicate payment	1,373.00	
EFT-40285	28/11/2023	Douglas McFarlane	2023/24 Early Rates Incentive Scheme Prize Night Winner	1,000.00	
EFT-40286	28/11/2023	Giovanni Deceglie	2023/24 Early Rates Incentive Scheme Prize Night Winner	1,000.00	
EFT-40287	28/11/2023	John Goodacre	2023/24 Early Rates Incentive Scheme Prize Night Winner	5,000.00	
EFT-40288	28/11/2023	Kim Gravenall	2023/24 Early Rates Incentive Scheme Prize Night Winner	700.00	
EFT-40289	28/11/2023	Newtown Heights Pty Ltd	2023/24 Early Rates Incentive Scheme Prize Night Winner	2,000.00	
EFT-40290	29/11/2023	Access Icon Pty Ltd T/As	Weld Street - Drainage covers, pits, soak wells	5,304.20	
EFT-40291	29/11/2023	Arrow Bronze	Bronze Memorial Plaque - Gingin Cemetery Niche Wall	1,112.40	
EFT-40292	29/11/2023	Avantgarde Technologies	Block hours	11,275.00	
EFT-40293	29/11/2023	Basics Approval Services	Contract Building Survey services	1,782.00	
EFT-40294	29/11/2023		Guilderton Caravan Park - October 2023 payments for 85% of Pure Glamping Revenue & Hire Equipment Income Guilderton Caravan Park - RMS License Fees October 2023 Guilderton Caravan Park Management Fee for 2023/24 - October 2023	47,638.81	
EFT-40295	29/11/2023	BOC Pty Ltd	Gas & Oxygen Supplies for the Workshop & Gingin Medical Centre for the period 01/10/2023 - 31/10/2023	107.40	
EFT-40296	29/11/2023	Brown Automotive Gingin	GG09- Fit and Install Emergency Beacons for Operational Capability	255.00	L
EFT-40297	29/11/2023	Coastline Cleaning Services	Cleaning ablutions Lancelin/Ledge Oct 23	6,436.00	L
EFT-40298	29/11/2023	Commercial Kitchen Services	Guilderton Cafe- dishwasher	1,154.50	
EFT-40299	29/11/2023	CSStech	Migration from Mitel to RingCentral project	1,573.00	
EFT-40300	29/11/2023	Daniel Mallinson	Expenses Claim Reimbursement- Staff Uniform	178.00	R/S
EFT-40301	29/11/2023	Full Flow Plumbing and Gas	Fit non return valve to dishwasher drain	137.50	L
EFT-40302	29/11/2023	Gull Gingin Pty Ltd	26 x Rolls	22.00	L
EFT-40303	29/11/2023	Juel Enterprises Pty Ltd T/As	Asphalt Todman Road	132,723.80	
EFT-40304	29/11/2023	Lancelin Community Resource Centre Inc (CRC)	840x A4 Full Colour Printing - Coastal Courier Insert for Flavours of Gingin	126.00	L
EFT-40305	29/11/2023	Leigh Solomon	Guilderton Caravan Park Units 9 & 10	4,388.00	L
EFT-40306	29/11/2023	McLeods Barristers and Solicitors	Legal Expenses- DR 107/2022 - BIOSCIENCE PTY LTD v Shire of Gingin	539.55	
EFT-40307	29/11/2023	Minuteman Press Balcatta	17x Name Badges	394.35	
EFT-40308	29/11/2023	Moore River Electrical Services	Replace Fused IS AMP W/Proof GPO Near Shed at Guilderton Caravan Park	165.00	L
EFT-40309	29/11/2023	Northern Valley News	Advertising - C2C in Northern Valley News for 2023/24	800.00	L
EFT-40310	29/11/2023	Nutrien Water	Irrigation supplies Key Biscayne, Ledge Point.	407.56	
EFT-40311	29/11/2023	Ocean Farm Volunteer Bush Fire Brigade	Reimbursement for Telstra Internet Charges (July, August, September)	186.00	R/L
EFT-40312	29/11/2023	Omnicom Media Group Australia Pty Ltd (Marketforce)	Advertisement - Appointment of Bush Fire Control Officers (Additional) for 2023-2024 Bush Fire Season	285.96	
EFT-40313	29/11/2023	Quality Press	BFB Incident report books	526.90	
EFT-40314	29/11/2023	Rebecca Foulkes-Taylor	Reimbursement of Gingin Aquatic Centre Kiosk Supplies - Icecreams	66.95	R/S
EFT-40315	29/11/2023	RingCentral Australia Pty Ltd	Ringcentral service	1,071.00	
EFT-40316	29/11/2023	Roamin Enterprises PTY LTD	Install new 600 Culvert Mooliabeene Road, Removal of Culvert Beermulla Road West, Install twin box culverts Beermulla Road West, Installation of Royal Life Saving Society of WA- Pool Operations Course 30/01/2023 - 01/11/2023	46,200.00	
EFT-40317	29/11/2023	Royal Life Saving Western Australia	Royal Life Saving Society of WA- Pool Operations Course 30/01/2023 - 01/11/2023	552.50	
EFT-40318	29/11/2023	Seek Limited	Employment advertisement - Planning Officer on Seek.com website.	407.00	
EFT-40319	29/11/2023	Stephen Ferguson	2023/24 Early Rates Incentive Scheme Prize Night Winner	2,000.00	
EFT-40320	29/11/2023	Stephen Jones	Rate Refund - Pensioner Rebate	362.67	
EFT-40321	29/11/2023	Team Global Express Pty Ltd	Freight charges for 30/10/2023 & 07/11/2023	164.77	
EFT-40322	29/11/2023	Teresa Helm	20 x Cupcakes Catering for 12 people - Project Management Essentials Workshop - MT/Lunch/AT - 13 & 14 November 2023	1,137.00	L

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023			Payment Category L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C		
TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-40323	29/11/2023	Western Australian Local Government Association	Registration - Cr Stewart - WALGA Council Member Essentials training program (5 modules) in person training	544.50	
EFT-40324	30/11/2023	Gingin Pistol Club (SSAA) Inc.	Gingin Pistol Club New Club Rooms - Final 2020/21 Community Funding Contribution	4,537.50	L
EFT-40325	30/11/2023	Gingin Tree Services	Trees overhanging buildings at Scouts - safety issues	1,925.00	L
EFT-40326	30/11/2023	GR Thomson Truck Hire	Water carting Wannamal Road West Capital works	15,881.25	L
EFT-40327	30/11/2023	Instant Transportable Offices Pty Ltd	Pay balance of new Transportable Office for Gingin Works Depot	46,376.00	
EFT-40328	30/11/2023	Mylollies.com.au	Refreshments for Council Meetings - mini bags of lollies	143.34	
EFT-40329	30/11/2023	PLE Computers Pty Ltd	Computer Parts	1,294.00	
EFT-40330	30/11/2023	Advance Office Solutions	Franking Machine - Quarterly rental 2023 - 24	643.50	
EFT-40331	30/11/2023	Arrow Bronze	Bronze Memorial Plaque 215mm x 115mm	506.88	
EFT-40332	30/11/2023	Bethwyn Innes	Reimbursement of purchase of temporary access ramp for Railway Station Toilets	114.88	R/S
EFT-40333	30/11/2023	BGL Solutions Pty Ltd	Contractor Core active Sports Surfaces and second application of soil amendment program as per results from soil samples.	10,696.40	
EFT-40334	30/11/2023	Complete Office Supplies Pty Ltd	Flavours of Gingin	166.68	
EFT-40335	30/11/2023	Copyright Agency	Shire of Gingin 2023-24 Copyright Licence	2,272.69	
EFT-40336	30/11/2023	Cromag Pty Ltd T/A Sigma Chemicals	Chemicals for the Aquatic Centre	1,154.45	
EFT-40337	30/11/2023	DFES - Department of Fire and Emergency Services	2023/2024 - ESL Quarter 1 and 2 in accordance with the DFES of WA Act 1998 Part 6a - Emergency Services Levy	328,465.46	
EFT-40338	30/11/2023	Garbin Estate Wines	Long Table Dinner Local Wine Garbin Estate	440.00	
EFT-40339	30/11/2023	Gingin District Community Resource Centre Inc (CRC)	Gingin CRC Synergy Account -Reimbursement - 50% Medical Centre usage 127 Sept 2023 - 02 Nov 2023	376.19	L
EFT-40340	30/11/2023	Gingin Tree Services	Granville Park Picnic area. Remove large dangerous tree, imminent possibility of tree dropping / falling	2,090.00	L
EFT-40341	30/11/2023	Howard Porter Pty Ltd	Purchase new side tipper	152,822.00	
EFT-40342	30/11/2023	Kerry Munns Artlife	Refund Long Table Dinner Ticket Cancellation	280.00	
EFT-40343	30/11/2023	Landgate	Rural UV interim valuation shared Rural UV's chargeable Schedule:R2022/11 Date: 12/11/2022 to 09/12/2022 Rural UV's chargeable Schedule:R2023/09 date:22/07/2023 to 15/09/2023 schedule:M2023/07 date:04/08/2023 to 06/09/2023	161.09	
EFT-40344	30/11/2023	Leigh Solomon	Guilderton Caravan Park Units 5 & 6	4,388.00	L
EFT-40345	30/11/2023	Local Government Professionals WA - LGPA	Onsite Delivery of Project Management Essentials Workshop	8,662.50	
EFT-40346	30/11/2023	Mark Ladny	2023/24 Early Rates Incentive Scheme Prize Night Winner	2,000.00	
EFT-40347	30/11/2023	McLeods Barristers and Solicitors	Rates Recovery and Register Rates Caveat on Certificate of Title	1,315.60	
EFT-40348	30/11/2023	OPAM Consulting	Review of Odour Impact Assessment - Poultry Farm - Lot 1254 Hunter Road, Orange Springs	4,928.00	
EFT-40349	30/11/2023	Plumb It Right Pty Ltd	Guilderton Caravan Park - Carry out replacement of shower grates in ablution block. Guilderton Caravan Park - repairs to hot water system in the male showers section of the ablution block. Guilderton Caravan Park - 2x mixers installed - 1. Shower in females right hand side leaking 2. Basin cold tap spindle gone	2,509.00	L
EFT-40350	30/11/2023	Seabreeze Landscape Supplies	Flavours of Gingin - Entertainment - Sand pit	463.00	
EFT-40351	30/11/2023	Sunny Signs Company Pty Ltd	Guilderton Caravan Park -No scaling of fish sign	21.78	
EFT-40352	30/11/2023	The National Trust of Western Australia	Reimbursement of Legal fees received by National Trust for execution of transfer of Sublease of Gingin Railway Station Cafe from Lovela Dela Cruz to Teresa Helm	1,069.67	
EFT-40353	30/11/2023	WANT Plumbing Services Pty Ltd	Gingin Railway Stn - Rent 28 Oct 2023 - 27 Nov 2023 Slashing Caraban Road, Gingin Equestrian Centre - Contractor slash overgrown grassy area prior event / fire regulations, Airfield Road and Gingin Brook Road	12,474.00	L
EFT-40354	30/11/2023	WCS Concrete Pty Ltd	Curbing concrete weld street	498.08	L
EFT-40355	30/11/2023	Western Australian Local Government Association	Registration - Cr Weeks - WALGA Council Member Essentials training program (3 modules) via eLearning Registration - Cr Stewart - WALGA Council Member Essentials training program (5 modules) in person training	2,222.00	
EFT-40356	30/11/2023	Gingin Fuel & Tyres	Supply & deliver diesel to Shire depot 3.11.23	47,982.00	L
EFT TOTAL				3,361,570.22	

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023

Payment Category
L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C

TYPE	DATE PAID	NAME	DETAILS	AMOUNT
CHEQUES				
CHQ-116487	8/11/2023	Shire of Gingin (Petty Cash)	Petty Cash Reimbursement	583.10
CHEQUES TOTAL				583.10
DIRECT DEBIT				
DE-4011	1/11/2023	Water Corporation	Water 09/08/2023 - 10/10/2023 - Ocean Farm Fire Shed	22.94
DE-4012	1/11/2023	Water Corporation	Water 09/08/2023 - 10/10/2023 - LGA Standpipe (Ocean Farm Dr Nilgen)	20.07
DE-4030	1/11/2023	Synergy	Electricity - 09/08/2023 - 09/10/2023 - Guilderton Foreshore	168.61
DE-4031	1/11/2023	Synergy	Electricity - 09/08/2023-09/10/2023 - Guilderton Caravan Park Residence	685.91
DE-4032	1/11/2023	Synergy	Electricity - 09/08/2023-09/10/2023 - Ablution Block Guilderton Foreshore	319.35
DE-4079	1/11/2023	Bendigo Bank	Bendigo Bank: Bpay Biller Fee	2,134.88
DE-4080	1/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 30.10.2023	3,971.70
DE-4084	1/11/2023	Bendigo Bank	Bendigo Bank: Fts De Process Gst	7.37
DE-4085	1/11/2023	Bendigo Bank	Bendigo Bank: Transfer Fees	62.50
DE-4033	2/11/2023	Synergy	Electricity - 11/08/2023 - 10/10/2023 - Guilderton Fire Shed	261.15
DE-4034	2/11/2023	Synergy	Electricity - 11/08/2023-10/10/2023 - Guilderton Oval	172.15
DE-4035	2/11/2023	Synergy	Electricity - 11/08/2023 - 10/10/2023 - Gabbadah Park	183.21
DE-4086	2/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 31.10.2023	9,984.35
DE-4093	2/11/2023	Bendigo Bank	Bendigo Bank: Tyro Fees Sep23	66.00
DE-4094	2/11/2023	Bendigo Bank	Bendigo Bank: Tyro Fees Sep23	582.95
DE-4095	2/11/2023	Bendigo Bank	Bendigo Bank: Tyro Fees Sep23	1,900.16
DE-4036	3/11/2023	Synergy	Electricity - 22/08/2023 - 13/10/2023 - Radio Mast Ocean Farms	1,320.66
DE-4076	3/11/2023	Helen Sampson	Management of the Gingin Waste Facility Ongoing Contract 2022/2024 \$69,300 per annum Fortnightly invoicing	2,538.46
DE-4077	3/11/2023	QPC Group	Ineo 958 Printer - Click charges for October 2023	168.08
DE-4078	3/11/2023	Go Go Media	Monthly On Hold Message Service November 2023	75.90
DE-4087	3/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 01.11.2023	6,929.60
DE-4088	3/11/2023	Bendigo Bank	Bendigo Bank: De Fees	1.65
DE-4089	3/11/2023	Bendigo Bank	Bendigo Bank - CBA Merchant Fee	5,704.20
DE-4090	3/11/2023	Bendigo Bank	Bendigo Bank - CBA Merchant Fee	1,233.27
DE-4091	3/11/2023	Bendigo Bank	Bendigo Bank - CBA Merchant Fee	482.67
DE-4092	3/11/2023	Bendigo Bank	Bendigo Bank - CBA Merchant Fee	39.99
DE-4098	3/11/2023	Synergy	Electricity 20.07.2023 - 14.09.2023 - Lancelin South Public Open Space	132.22
DE-4199	3/11/2023	QPC Group	Overcharged Photocopier Direct Debit. Paid for term of lease 36payments and was deducted 37 payments. Requested a refund of \$705.40. Email attached	705.40
DE-4037	6/11/2023	Synergy	Electricity - 12/08/2023-12/10/2023 - Woodridge Fire Shed	774.38
DE-4038	6/11/2023	Synergy	Electricity - 13/09/2023 - 11/10/2023 - Granville Civic Centre	1,742.91
DE-4101	6/11/2023	Telstra	Telstra telephone charges up to 13/10/2023	234.99
DE-4105	6/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 02.11.2023	846.15
DE-4055	7/11/2023	Synergy	Electricity - 13/09/2023 - 11/10/2023 - Gingin Aquatic Centre	1,189.60
DE-4056	7/11/2023	Synergy	Electricity - 13/09/2023 - 11/10/2023 - Guilderton Holiday Park	2,414.14
DE-4057	7/11/2023	Synergy	Electricity - 16/08/2023 - 13/10/2023 - Neergabby Recreation Ground	257.90
DE-4099	7/11/2023	Synergy	Electricity 01.10.2023 - 11.10.2023 - Gingin Administration Office Electricity 01.10.2023 - 11.10.2023 - Council Chambers	176.41
DE-4106	7/11/2023	Bendigo Bank	Bendigo Bank: De Fees	4.65
DE-4107	7/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 03.11.2023	2,292.90
DE-4100	8/11/2023	Synergy	Electricity 18.08.2023 - 18.10.2023 - Ocean Farm Community Hall	498.93
DE-4103	8/11/2023	Telstra	Telstra telephone charges up to 13.10.2023	922.00
DE-4108	8/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 06.11.2023	3,444.45
DE-4109	9/11/2023	Bendigo Bank	Bendigo Bank: De Fees	16.05
DE-4110	9/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 07.11.2023	5,457.85
DE-4119	9/11/2023	Precision Administration Services Pty Ltd	Payroll deduction for PE: 09/11/2023	31,287.68
PAYJ-95	9/11/2023	Shire of Gingin	Net Pays	158,176.95
DE-4207	9/11/2023	Synergy	Electricity - 18.08.2023 - 17.10.2023 - LOT 269 SEAVIEW DR, KARAKIN Seaview Park Community Hall	304.33
DE-4102	10/11/2023	Telstra	Telstra Integrated Messaging 22.10.2023 - 21.11.2023	53.57
DE-4104	10/11/2023	Telstra	Telstra mobile charges up to 21/10/2023	1,038.32
DE-4111	10/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 08.11.2023	1,781.30
DE-4112	10/11/2023	Bendigo Bank	Bendigo Bank: De Fees	3.30
DE-4206	10/11/2023	Synergy	Electricity 21.09.2023 - 19.10.2023 - LOT 99 WELD ST, GINGIN - Gingin	590.63
DE-4113	13/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 09.11.2023	1,359.75
DE-4114	13/11/2023	Bendigo Bank	Bendigo Bank - De Fees	3.00

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023

			Payment Category		
			L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C		
TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
DE-4132	14/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 10.11.2023	3,609.05	
DE-4133	14/11/2023	Bendigo Bank	Bendigo Bank - De Fees	0.90	
DE-4187	14/11/2023	Credit Card - CEO	Credit card payments for the month of October 2023	1,920.32	
DE-4188	14/11/2023	Credit Card - EMRDS	Credit Card for October 2023	372.64	
DE-4189	14/11/2023	Credit Card - CESM	Credit card for October 2023	189.74	
DE-4191	14/11/2023	Credit Card - EMO	Credit card October 2023	2,151.38	
DE-4200	14/11/2023	Credit Card - EMCCS	EMCCS Credit card October 2023	3,323.47	
DE-4203	14/11/2023	QPC Group	Ineo 958 Printer Toner Charges - Delivery	33.00	
DE-4081	15/11/2023	Synergy	Electricity 21 Sep 2023 - 19 Oct 2023 - Ledge Point Golf Club	1,166.00	
DE-4130	15/11/2023	Bendigo Bank	Bendigo Bank: (T) Bpnt Dir Dr Trans Fees	214.12	
DE-4131	15/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 13.11.2023	4,132.55	
DE-4134	16/11/2023	Bendigo Bank	Bendigo Bank: De Fees	0.15	
DE-4135	16/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 14.11.2023	523.85	
DE-4129	17/11/2023	Business Service Brokers T/A TeleChoice	Mobile charges for the period 01/11/2023 - 30/11/2023	192.00	
DE-4136	17/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 15.11.2023	1,024.80	
DE-4137	17/11/2023	Bendigo Bank	Bendigo Bank: De Fees	3.00	
DE-4204	17/11/2023	QPC Group	Ineo 958 Printer Toner Charges - Delivery Charges	31.90	
DE-4139	20/11/2023	Helen Sampson	Management of the Gingin Waste Facility Ongoing Contract 2022/2024 \$69,300 per annum Fortnightly invoicing	2,538.46	
DE-4149	20/11/2023	Bendigo Bank	Bendigo Bank.- De Fees	3.30	
DE-4150	20/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 16.11.2023	3,395.40	
DE-4151	20/11/2023	Western Australian Treasury Corporation (WATC)	LN-114-Guilderton Country Club (Hall) Extensions Repayment: 31	30,769.06	
DE-4082	21/11/2023	Synergy	Electricity 03 Oct 2023 - 31 Oct 2023 - Granville Park Gingin (Pump)	128.49	
DE-4083	21/11/2023	Synergy	Electricity 22 Aug 2023 - 31 Oct 2023 - Red Gully Fire Shed	183.58	
DE-4152	21/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 17.11.2023	642.55	
DE-4153	21/11/2023	Westnet Internet Services	Internet 27/11/2023 - 26/12/2023 - CEO Residence	74.99	
DE-4141	22/11/2023	Vocus Communications	Gingin Administration Office & Gingin Colocation Fire Facility - Fibre Internet & IP Allocation 01/11/2023 - 30/11/2023	1,769.90	
DE-4154	22/11/2023	Western Australian Treasury Corporation (WATC)	LN-130-Ledge Point Country Club Coolroom Repayment: 9	1,316.71	
DE-4155	22/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 20.11.2023	3,736.30	
DE-4156	23/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 21.11.2023	2,936.25	
DE-4157	23/11/2023	Bendigo Bank	Bendigo Bank: De Fees	20.85	
DE-4158	23/11/2023	Bendigo Bank	Bendigo Bank: De Fees	2.40	
DE-4159	23/11/2023	Water Corporation	Water Corporation - MIRAGLIOTTA ST LANCELIN LOT 85 - Pioneer Park Lancelin 1 Nov 2023 - 31 Dec 2023	117.09	
DE-4197	23/11/2023	Precision Administration Services	Payroll deduction for PE: 23/11/2023	31,835.67	
PAYJ-96	23/11/2023	Shire of Gingin	Net Pays	176,584.31	
DE-4160	24/11/2023	Australia Post	Postage charges up to 31/10/2023	1,603.13	
DE-4161	24/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 22.11.2023	1,352.30	
DE-4195	27/11/2023	Bendigo Bank	Bendigo Bank - De Fees	0.15	
DE-4196	27/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 23.11.2023	813.30	
DE-4142	28/11/2023	Telstra	Telephone charges Seabird Fire Shed 05/10/2023 - 04/11/2023	102.20	
DE-4205	28/11/2023	QPC Group	Ineo 958 Printer Black Click Charges	172.00	
DE-4208	28/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 24.11.2023	2,363.40	
DE-4209	28/11/2023	Bendigo Bank	Bendigo Bank - De Fees	4.05	
DE-4210	28/11/2023	Bendigo Bank	Bendigo Bank - De Fees	1.80	
DE-4115	29/11/2023	Synergy	Electricity 09.09.2023 - 08.11.2023 - Gingin Constable St Park	220.98	
DE-4116	29/11/2023	Synergy	Electricity 25.08.2023 - 24.09.2023 - Street Lighting	13,225.14	
DE-4117	29/11/2023	Synergy	Electricity 25.09.2023 - 24.10.2023 - Street Lighting	12,798.53	
DE-4143	29/11/2023	Synergy	Electricity - 05.10.2023 - 05.11.2023 - Woodridge Hall - 13 King Dr, Woodridge	1,944.21	
DE-4211	29/11/2023	Department of Justice	Lodgment fee for registering infringement - 28.11.2023	171.70	
DE-4212	29/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 27.11.2023	5,040.70	
DE-4213	29/11/2023	Bendigo Bank	Bendigo Bank - De Fees	5.10	
DE-4192	30/11/2023	LJ Hughes	Allocation of lease payment for November 2023 - Lancelin Office Lease	669.50	
DE-4194	30/11/2023	Dell Financial Services Pty Ltd	Allocation of lease payment for November 2023 - IT Server Refresh	1,651.29	
DE-4214	30/11/2023	Bendigo Bank	Bendigo Bank - De Fees	4.05	
DE-4215	30/11/2023	Department of Transport	Department of Transport - Police Licensing DOT - 28.11.2023	3,056.30	
DE-4216	30/11/2023	Bendigo Bank	Bendigo Bank - De Fees	0.90	
DIRECT DEBIT TOTAL				574,892.45	

TERM DEPOSIT INVESTMENTS

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023			Payment Category L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C	
TYPE	DATE PAID	NAME	DETAILS	AMOUNT
TERM DEPOSIT INVESTMENTS TOTAL				<u>0.00</u>
TOTAL MUNICIPAL				<u>3,937,045.77</u>
RESERVE - TERM DEPOSIT INVESTMENT				
RESERVE - TERM DEPOSIT INVESTMENT TOTAL				<u>0.00</u>
TOTAL EXPENDITURE				<u>3,937,045.77</u>
CREDIT CARD BREAK-UP				
October	CEO	Mail Chimp Australian HR Institute CU@Park Gull Gingin Hampers with Bite Bendigo Bank	Monthly Subscription - September 2023 Professional Membership HR Team Meeting Local Government Election Count Staff Refreshment Christmas Healthy and Well-Being Hampers Credit Card Bendigo Bank Fee - October 2023	111.27 396.00 38.20 239.00 1,131.85 4.00 <u>1,920.32</u>
	EMCCS	Vinnies Salvo's Kmart Bunnings Good Sammys Pet City City of Perth Anaconda Campbells Woolworths Dan Murphys Bendigo Bank	Platters for Flavours of Gingin Platters for Flavours of Gingin Items for Flavours of Gingin Items for Flavours of Gingin Items for Flavours of Gingin Items for Flavours of Gingin IT Vision Conference - Parking Gazebo's for Flavours of Gingin Kiosk Supply Pool Beverages for Flavours of Gingin Beverages for Flavours of Gingin Credit Card Bendigo Bank Fee - October 2023	23.00 85.00 521.91 444.89 84.00 28.96 24.23 357.99 528.21 224.05 997.23 4.00 <u>3,323.47</u>
	EMRDS	Safetyculture Landgate Spot Me Bendigo Bank	Audit program x 3 Annual Licences Certificate of Titles Spot Me Fee October 2023 Credit Card Bendigo Bank Fee - October 2023	316.80 30.50 21.34 4.00 <u>372.64</u>
	EMO	Gull Gingin Main Roads WA Sprayline Midvale Coles Express Gingin Butcher Good Guys Australia Post Total Workwear Bendigo Bank	Fuel for Pump WRW Permit GG066 Spray Equipment Fuel 5GG Catering Fridge/Freezer/Kettle SD for Camera's Boots Credit Card Bendigo Bank Fee - October 2023	25.10 50.00 275.95 150.64 50.00 1,279.00 39.99 276.70 4.00 <u>2,151.38</u>
	CESM	Woolworths Gingin Fuel and Tyres Gingin Trading Bendigo Bank	Volunteer Training Catering Supplies Fuel Fire Appliance Parts Credit Card Bendigo Bank Fee - October 2023	25.15 93.09 67.50 4.00 <u>189.74</u>
Total				<u><u>7,957.55</u></u>

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.2.1

Payments made under Delegated Authority 2.1 Payment of Creditors for the period 01/11/2023 - 30/11/2023

Payment Category L - Local, R - Reimbursement, F - Funded, S - Staff, PF - Partially Funded, C
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TYPE	DATE PAID	NAME	DETAILS	AMOUNT
PUMA				
CARD				
BREAKUP				
October		WEX Australia	4GG - 30.42 Litres	66.83
			GG033 - 267.70 Litres	615.09
			GG034 - 35.54 Litres	83.00
			GG05 - 47.32 Litres	100.63
			GG06 - 110.01 Litres	241.12
			GG070 - 116.65 Litres	271.63
			GG082 - 30.71 Litres	66.91
			GG09 - 233.99 Litres	526.45
			Card Fees	1.50
				<u>1,973.16</u>

12.3 FINANCIAL REPORT AND INDEPENDENT AUDITOR'S REPORT FOR THE YEAR ENDED 30 JUNE 2023

File	FIN/23
Author	Karina Leonhardt – Manager Corporate Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Financial Report - Shire of Gingin - 30 June 2023 [12.3.1 - 42 pages] 2. Opinion - Shire of Gingin - 30 June 2023 [12.3.2 - 3 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the Financial Report and Independent Auditor's Report for the financial year ended 30 June 2023.

BACKGROUND

Regulation 16 of the *Local Government (Audit) Regulations 1996* specifies that a function of an Audit Committee is to guide and assist the local government in carrying out its functions under Part 6 of the *Local Government Act 1995* relating to financial management. In fulfilling this function, the Committee is to examine the audit and management reports provided by the external auditor, determine whether any matters raised in the reports require action to be taken by the local government, and then ensure that appropriate action is implemented.

Regulation 10 requires –

- (1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.
- (2) The report is to give the auditor's opinion on –
 - (a) the financial position of the local government; and
 - (b) the results of the operations of the local government.
- (3) The report is to include a report on the conduct of the audit.

- (4) Where it is considered appropriate by the Auditor, the auditor is to prepare a management report to accompany the auditor’s report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor’s report.

Representatives from the Office of Auditor General (OAG) and Dry Kirkness (Contract Auditor) attended the Audit and Governance Committee meeting on 5 December 2023 to discuss its findings as detailed in its Audit Completion Report and respond to queries from Committee members. Following the meeting, the OAG has subsequently issued the audited Financial Report and Independent Auditor’s Report for the year ended 30 June 2023 (**refer Appendices**)

COMMENT

It is pleasing to report that the Shire of Gingin has received an unqualified Audit Report in relation to the 2022/23 Financial Statements consistent with a fair presentation of the financial position of the Shire.

In recommending that Council receive the Financial Report and Independent Auditor’s Report for the year ended 30 June 2023, the Audit Committee considered and reviewed the following matters noted by the Auditor together with management responses and proposed actions to address those matters.

Significant Accounting Matter Resolved During the Audit

First time recognition of provision for landfill rehabilitation and infrastructure – landfill assets.

Audit Misstatements

There were no unadjusted misstatements noted by auditors during the audit. Corrected misstatements were mostly immaterial in nature. Material misstatements related to the initial recognition of existing cells at the waste management sites and correction to original entries raised on recognition of the provision for rehabilitation of waste management sites.

Audit Findings

INDEX OF FINDINGS	RATING			Prior year finding
	Significant	Moderate	Minor	
1. Excessive annual leave balance		✓		✓
2. Monitoring of changes made to supplier masterfile		✓		✓

3. Inadequate procurement practices		✓		✓
4. Signed employee contracts		✓		
5. Employee exit checklist		✓		
6. Tax File Number (TFN) declarations		✓		
Information System				
7. IT Governance, Policies and Procedures		✓		
8. Disaster Recovery Plan Testing		✓		
9. Lack of Cyber Security Training		✓		
10. Change Management		✓		
11. IT Risk Register		✓		

Key to Ratings

The ratings are based on the audit team’s assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

Significant - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However even if the issue is not likely to impact the audit opinion, it should be addressed promptly.

Moderate - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.

Minor - Those findings that are not of primary concern but still warrant action being taken.

Key changes for Next Year

Changes to Local Government Regulations – Regulation 17A of the *Local Government (Financial Management) Regulations 1996* has been amended to remove the requirement to revalue assets whenever the fair value is likely to be materially different from their carrying amount, other than the mandatory revaluation process every five years.

Australian Accounting Standards – not aware of any new standards or significant changes to existing standards that will impact 2023/24.

The Audit Committee recommends that Council receive the Financial Report and Independent Auditor’s Report for the year ended 30 June 2023.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 6 – Financial Management

Division 3 – Reporting on activities and finance.

Part 7 – Audit

Division 1A – Audit Committee

Division 3 – Conduct of Audit

Division 3A – Financial Audit

Division 4 – General

Local Government (Audit) Regulations 1996

Reg. 9 – Performance of Audit

Reg. 10 – Report by auditor

Reg. 16. Functions of audit committee

Local Government (Financial Management) Regulations 1996

Regs. 36-50 – Annual financial report, content of

Reg. 51 – Annual Financial Report to be signed etc, by CEO and given to Department of Local Government

Australian Accounting Standards Board Standards

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment
Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.4 Strategic & Sustainable Financial Planning - Undertake long-term resource planning and allocation in accordance with the Integrated Planning and Reporting Framework

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Peczka **SECONDED:** Councillor Sorensen

That Council accept the Financial Report and Independent Auditor's Report for the year ended 30 June 2023 (as detailed in Appendices)

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

Council moved to Item 14 following this Item.

**SHIRE OF GINGIN
FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

TABLE OF CONTENTS

Statement by Chief Executive Officer	2
Statement of Comprehensive Income	3
Statement of Financial Position	4
Statement of Changes in Equity	5
Statement of Cash Flows	6
Statement of Financial Activity	7
Index of Notes to the Financial Report	8
Independent Auditor's Report	43

The Shire of Gingin conducts the operations of a local government with the following community vision:

“We are a welcoming inclusive community that celebrates its unique coastal and inland landscapes with an aim to increase visitation to the region.”

Principal place of business:
7 Brockman Street
GINGIN

**SHIRE OF GINGIN
FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

*Local Government Act 1995
Local Government (Financial Management) Regulations 1996*

STATEMENT BY CEO

The accompanying financial report of the Shire of Gingin has been prepared in compliance with the provisions of the *Local Government Act 1995* from proper accounts and records to present fairly the financial transactions for the reporting period ended 30 June 2023 and the financial position as at 30 June 2023.

At the date of signing this statement the particulars included in the financial report are not misleading or inaccurate.

Signed on the 5th day of December 2023



Chief Executive Officer

Aaron Cook

Name of Chief Executive Officer

**SHIRE OF GINGIN
STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2023**

	NOTE	2023 Actual	2023 Budget	2022 Actual
		\$	\$	\$
Revenue				
Rates	2(a),25	9,437,442	9,422,765	8,889,160
Grants, subsidies and contributions	2(a)	3,973,105	1,332,638	4,032,448
Fees and charges	2(a)	4,165,761	3,941,679	3,925,738
Interest revenue	2(a)	351,498	113,775	69,274
Other revenue	2(a)	416,418	237,509	562,162
		18,344,224	15,048,366	17,478,782
Expenses				
Employee costs	2(b)	(6,085,531)	(6,254,772)	(5,873,096)
Materials and contracts		(7,014,752)	(6,649,869)	(6,321,670)
Utility charges		(484,922)	(474,691)	(462,885)
Depreciation		(6,084,962)	(4,922,951)	(6,310,701)
Finance costs	2(b)	(89,953)	(92,430)	(102,467)
Insurance		(382,019)	(350,872)	(368,772)
Other expenditure	2(b)	(709,283)	(460,465)	(437,338)
		(20,851,422)	(19,206,050)	(19,876,929)
		(2,507,198)	(4,157,684)	(2,398,147)
Capital grants, subsidies and contributions	2(a)	5,317,689	8,088,343	4,482,933
Profit on asset disposals		226,582	0	0
Loss on asset disposals		(217,662)	0	(4,040)
Fair value adjustments to financial assets at fair value through profit or loss	4(b)	3,686	0	3,997
		5,330,295	8,088,343	4,482,890
Net result for the period		2,823,097	3,930,659	2,084,743
Other comprehensive income for the period				
<i>Items that will not be reclassified subsequently to profit or loss</i>				
Changes in asset revaluation surplus	17	60,571,526	0	0
Total other comprehensive income for the period		60,571,526	0	0
Total comprehensive income for the period		63,394,623	3,930,659	2,084,743

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF GINGIN
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2023**

	NOTE	2023	2022
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	3	13,161,376	13,598,004
Trade and other receivables	5	958,703	1,975,769
Other financial assets	4(a)	4,291	4,207
Inventories	6	22,913	48,891
Other assets	7	422,967	19,325
TOTAL CURRENT ASSETS		14,570,250	15,646,196
NON-CURRENT ASSETS			
Trade and other receivables	5	169,380	153,311
Other financial assets	4(b)	100,015	100,620
Property, plant and equipment	8	51,756,372	51,210,036
Infrastructure	9	218,636,014	151,247,484
Right-of-use assets	11(a)	44,774	76,741
TOTAL NON-CURRENT ASSETS		270,706,555	202,788,192
TOTAL ASSETS		285,276,805	218,434,388
CURRENT LIABILITIES			
Trade and other payables	12	1,985,146	3,407,473
Other liabilities	13	922,102	1,410,754
Lease liabilities	11(b)	20,122	31,608
Borrowings	14	261,817	250,521
Employee related provisions	15	1,257,422	930,057
TOTAL CURRENT LIABILITIES		4,446,609	6,030,413
NON-CURRENT LIABILITIES			
Lease liabilities	11(b)	25,274	45,789
Borrowings	14	1,580,847	1,592,664
Employee related provisions	15	65,612	254,868
Other provisions	16	5,253,186	0
TOTAL NON-CURRENT LIABILITIES		6,924,919	1,893,321
TOTAL LIABILITIES		11,371,528	7,923,734
NET ASSETS		273,905,277	210,510,654
EQUITY			
Retained surplus		49,827,476	47,351,695
Reserve accounts	28	8,092,530	7,745,214
Revaluation surplus	17	215,985,271	155,413,745
TOTAL EQUITY		273,905,277	210,510,654

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF GINGIN
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2023**

	NOTE	RETAINED SURPLUS	RESERVE ACCOUNTS	REVALUATION SURPLUS	TOTAL EQUITY
		\$	\$	\$	\$
Balance as at 1 July 2021		46,559,741	6,452,425	155,413,745	208,425,911
Comprehensive income for the period					
Net result for the period		2,084,743	0	0	2,084,743
Total comprehensive income for the period		2,084,743	0	0	2,084,743
Transfers from reserve accounts	28	85,482	(85,482)	0	0
Transfers to reserve accounts	28	(1,378,270)	1,378,270	0	0
Balance as at 30 June 2022		47,351,695	7,745,214	155,413,745	210,510,654
Comprehensive income for the period					
Net result for the period		2,823,097	0	0	2,823,097
Other comprehensive income for the period	17	0	0	60,571,526	60,571,526
Total comprehensive income for the period		2,823,097	0	60,571,526	63,394,623
Transfers from reserve accounts	28	907,624	(907,624)	0	0
Transfers to reserve accounts	28	(1,254,940)	1,254,940	0	0
Balance as at 30 June 2023		49,827,476	8,092,530	215,985,271	273,905,277

This statement is to be read in conjunction with the accompanying notes.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

**SHIRE OF GINGIN
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2023**

	NOTE	2023 Actual \$	2022 Actual \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
Rates		9,429,452	9,340,165
Grants, subsidies and contributions		5,068,407	5,227,435
Fees and charges		4,164,702	3,924,714
Interest revenue		351,498	69,274
Goods and services tax received		1,684,518	1,454,386
Other revenue		416,418	562,162
		<u>21,114,995</u>	<u>20,578,136</u>
Payments			
Employee costs		(5,906,899)	(5,740,429)
Materials and contracts		(8,864,022)	(5,256,631)
Utility charges		(484,922)	(462,885)
Finance costs		(89,953)	(102,467)
Insurance paid		(382,019)	(368,772)
Goods and services tax paid		(1,689,491)	(1,456,066)
Other expenditure		(693,587)	(437,338)
		<u>(18,110,893)</u>	<u>(13,824,588)</u>
Net cash provided by (used in) operating activities		3,004,102	6,753,548
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for purchase of property, plant & equipment		(1,287,990)	(2,381,466)
Payments for construction of infrastructure		(6,320,781)	(4,402,396)
Capital grants, subsidies and contributions		3,794,169	4,482,933
Proceeds from financial assets at amortised cost - self supporting loans		4,207	(2,021)
Proceeds from sale of property, plant & equipment		404,273	0
Net cash provided by (used in) investing activities		(3,406,122)	(2,302,950)
CASH FLOWS FROM FINANCING ACTIVITIES			
Repayment of borrowings	27(a)	(250,521)	(259,387)
Payments for principal portion of lease liabilities	27(c)	(34,087)	(31,606)
Proceeds from new borrowings	27(a)	250,000	0
Net cash provided by (used In) financing activities		(34,608)	(290,993)
Net increase (decrease) in cash held		(436,628)	4,159,605
Cash at beginning of year		13,598,004	9,438,399
Cash and cash equivalents at the end of the year	3	<u>13,161,376</u>	<u>13,598,004</u>

This statement is to be read in conjunction with the accompanying notes.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

**SHIRE OF GINGIN
STATEMENT OF FINANCIAL ACTIVITY
FOR THE YEAR ENDED 30 JUNE 2023**

NOTE	2023 Actual \$	2023 Budget \$	2022 Actual \$	
OPERATING ACTIVITIES				
Revenue from operating activities				
General rates	25	9,431,143	9,416,965	8,883,383
Rates excluding general rates	25	6,299	5,800	5,777
Grants, subsidies and contributions		3,973,105	1,332,638	4,032,448
Fees and charges		4,165,761	3,941,679	3,925,738
Interest revenue		351,498	113,775	69,274
Other revenue		416,418	237,509	562,162
Profit on asset disposals		226,582	0	0
Fair value adjustments to financial assets at fair value through profit or loss	4(b)	3,686	0	3,997
		<u>18,574,492</u>	<u>15,048,366</u>	<u>17,482,779</u>
Expenditure from operating activities				
Employee costs		(6,085,531)	(6,254,772)	(5,873,096)
Materials and contracts		(7,014,752)	(6,649,869)	(6,321,670)
Utility charges		(484,922)	(474,691)	(462,885)
Depreciation		(6,084,962)	(4,922,951)	(6,310,701)
Finance costs		(89,953)	(92,430)	(102,467)
Insurance		(382,019)	(350,872)	(368,772)
Other expenditure		(709,283)	(460,465)	(437,338)
Loss on asset disposals		(217,662)	0	(4,040)
		<u>(21,069,084)</u>	<u>(19,206,050)</u>	<u>(19,880,969)</u>
Non-cash amounts excluded from operating activities	26(a)	5,867,031	4,922,951	6,488,878
Amount attributable to operating activities		<u>3,372,439</u>	<u>765,267</u>	<u>4,090,688</u>
INVESTING ACTIVITIES				
Inflows from investing activities				
Capital grants, subsidies and contributions		5,317,689	8,088,343	4,482,933
Proceeds from disposal of assets		404,273	307,000	0
Proceeds from financial assets at amortised cost - self supporting loans		4,207	13,252	7,979
		<u>5,726,169</u>	<u>8,408,595</u>	<u>4,490,912</u>
Outflows from investing activities				
Payments for financial assets at amortised cost - self supporting loans		0	0	(10,000)
Purchase of property, plant and equipment	8(a)	(2,235,635)	(6,658,428)	(2,381,466)
Purchase and construction of infrastructure	9(a)	(11,573,967)	(6,702,036)	(4,402,396)
		<u>(13,809,602)</u>	<u>(13,360,464)</u>	<u>(6,793,862)</u>
Non-cash amounts excluded from investing activities	26(b)	5,253,186	0	0
Amount attributable to investing activities		<u>(2,830,247)</u>	<u>(4,951,869)</u>	<u>(2,302,950)</u>
FINANCING ACTIVITIES				
Inflows from financing activities				
Proceeds from borrowings	27(a)	250,000	550,000	0
Transfers from reserve accounts	28	907,624	1,818,497	85,482
		<u>1,157,624</u>	<u>2,368,497</u>	<u>85,482</u>
Outflows from financing activities				
Repayment of borrowings	27(a)	(250,521)	(250,520)	(259,387)
Payments for principal portion of lease liabilities	27(c)	(34,087)	(32,001)	(31,606)
Transfers to reserve accounts	28	(1,254,940)	(539,595)	(1,378,270)
		<u>(1,539,548)</u>	<u>(822,116)</u>	<u>(1,669,263)</u>
Amount attributable to financing activities		<u>(381,924)</u>	<u>1,546,381</u>	<u>(1,583,781)</u>
MOVEMENT IN SURPLUS OR DEFICIT				
Surplus or deficit at the start of the financial year	26(c)	2,148,491	2,640,221	1,944,534
Amount attributable to operating activities		3,372,439	765,267	4,090,688
Amount attributable to investing activities		(2,830,247)	(4,951,869)	(2,302,950)
Amount attributable to financing activities		(381,924)	1,546,381	(1,583,781)
Surplus or deficit after imposition of general rates	26(c)	<u>2,308,759</u>	<u>0</u>	<u>2,148,491</u>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF GINGIN
FOR THE YEAR ENDED 30 JUNE 2023
INDEX OF NOTES TO THE FINANCIAL REPORT**

Note 1	Basis of Preparation	9
Note 2	Revenue and Expenses	10
Note 3	Cash and Cash Equivalents	12
Note 4	Other Financial Assets	12
Note 5	Trade and Other Receivables	13
Note 6	Inventories	14
Note 7	Other Assets	15
Note 8	Property, Plant and Equipment	16
Note 9	Infrastructure	18
Note 10	Fixed Assets	20
Note 11	Leases	22
Note 12	Trade and Other Payables	23
Note 13	Other Liabilities	24
Note 14	Borrowings	25
Note 15	Employee Related Provisions	26
Note 16	Other Provisions	27
Note 17	Revaluation Surplus	28
Note 18	Restrictions Over Financial Assets	29
Note 19	Undrawn Borrowing Facilities and Credit Standby Arrangements	29
Note 20	Contingent Liabilities	30
Note 21	Capital Commitments	30
Note 22	Related Party Transactions	31
Note 23	Joint Arrangements	33
Note 24	Other Significant Accounting Policies	34
Information required by legislation		
Note 25	Rating Information	35
Note 26	Determination of Surplus or Deficit	36
Note 27	Borrowing and Lease Liabilities	37
Note 28	Reserve accounts	40
Note 29	Trust Funds	42

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

1. BASIS OF PREPARATION

The financial report of the Shire of Gingin, which is a band 3 local government, comprises general purpose financial statements which have been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996* prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied except for disclosure requirements of:

- AASB 7 Financial Instruments Disclosures
- AASB 16 Leases paragraph 58
- AASB 101 Presentation of Financial Statements paragraph 61
- AASB 107 Statement of Cash Flows paragraphs 43 and 45
- AASB 116 Property, Plant and Equipment paragraph 79
- AASB 137 Provisions, Contingent Liabilities and Contingent Assets paragraph 85
- AASB 140 Investment Property paragraph 75(f)
- AASB 1052 Disaggregated Disclosures paragraph 11
- AASB 1054 Australian Additional Disclosures paragraph 16

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

The local government reporting entity

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 29 of the financial report.

Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, and infrastructure.
- estimation uncertainties made in relation to lease accounting

Initial application of accounting standards

During the current year, the following new or revised Australian Accounting Standards and Interpretations were applied for the first time.

- AASB 2020-3 Amendments to Australian Accounting Standards - Annual Improvements 2018-2020 and Other Amendments
- AASB 2020-6 Amendments to Australian Accounting Standards - Classification of Liabilities as Current or Non-current - Deferral of Effective Date
- AASB 2021-7a Amendments to Australian Accounting Standards - Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections [general editorials]
- AASB 2022-3 Amendments to Australian Accounting Standards - Illustrative Examples for Not-for-Profit Entities accompanying AASB 15

These amendments have no material impact on the current annual financial report

New accounting standards for application in future years

The following new accounting standards will have application to local government in future years:

- AASB 2014-10 Amendments to Australian Accounting Standards - Sale or Contribution of Assets between an Investor and its Associate or Joint Venture
- AASB 2020-1 Amendments to Australian Accounting Standards - Classification of Liabilities as Current or Non-current
- AASB 2021-2 Amendments to Australian Accounting Standards - Disclosure of Accounting Policies or Definition of Accounting Estimates
This standard will result in a terminology change for significant accounting policies
- AASB 2021-7c Amendments to Australian Accounting Standards - Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections [deferred AASB 10 and AASB 128 amendments in AASB 2014-10 apply]
- AASB 2022-5 Amendments to Australian Accounting Standards - Lease Liability in a Sale and Leaseback
- AASB 2022-6 Amendments to Australian Accounting Standards - Non-current Liabilities with Covenants
- AASB 2022-7 Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards
- AASB 2022-10 Amendments to Australian Accounting Standards - Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities

The amendment may result in changes to the fair value of non-financial assets. The impact is yet to be quantified. Except as described above these amendments are not expected to have any material impact on the financial report on initial application.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

2. REVENUE AND EXPENSES

(a) Revenue

Contracts with customers

Recognition of revenue is dependant on the source of revenue and the associated terms and conditions associated with each source of revenue and recognised as follows:

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns/Refunds/Warranties	Timing of revenue recognition
Grants, subsidies and contributions	Community events, minor facilities, research, design, planning evaluation and services	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Output method based on project milestones and/or completion date matched to performance obligations
Fees and charges - licences, registrations, approvals	Building, planning, development and animal management.	Single point in time	Full payment prior to issue	None	On payment of the licence, registration or approval
Fees and charges - waste management entry fees	Waste treatment, recycling and disposal service at disposal sites	Single point in time	Payment in advance at gate or on normal trading terms if credit provided	None	On entry to facility
Fees and charges - sale of stock	Aviation fuel, kiosk and visitor centre stock	Single point in time	In full in advance, on 15 day credit	Refund for faulty goods	At point of sale
Other revenue - private works	Contracted private works	Single point in time	Monthly in arrears	None	At point of service

Consideration from contracts with customers is included in the transaction price.

Revenue Recognition

Revenue recognised during the year under each basis of recognition by nature of goods or services is provided in the table below:

For the year ended 30 June 2023

Nature	Contracts with customers	Capital grant/contributions	Statutory Requirements	Other	Total
	\$	\$	\$	\$	\$
Rates	0	0	9,437,442	0	9,437,442
Grants, subsidies and contributions	3,973,105	0	0	0	3,973,105
Fees and charges	4,165,761	0	0	0	4,165,761
Interest revenue	0	0	351,498	0	351,498
Other revenue	133,233	0	0	283,185	416,418
Capital grants, subsidies and contributions	0	5,317,689	0	0	5,317,689
Total	8,272,099	5,317,689	9,788,940	283,185	23,661,913

For the year ended 30 June 2022

Nature	Contracts with customers	Capital grant/contributions	Statutory Requirements	Other	Total
	\$	\$	\$	\$	\$
Rates	0	0	8,889,160	0	8,889,160
Grants, subsidies and contributions	4,032,448	0	0	0	4,032,448
Fees and charges	3,925,738	0	0	0	3,925,738
Interest revenue	0	0	69,274	0	69,274
Other revenue	198,505	0	0	363,657	562,162
Capital grants, subsidies and contributions	0	4,482,933	0	0	4,482,933
Total	8,156,691	4,482,933	8,958,434	363,657	21,961,715

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

2. REVENUE AND EXPENSES (Continued)

(a) Revenue (Continued)

Note	2023 Actual \$	2022 Actual \$
Interest revenue		
Financial assets at amortised cost - self supporting loans	355	404
Interest on reserve account funds	187,525	0
Trade and other receivables overdue interest	68,943	68,692
Other interest revenue	94,675	178
	351,498	69,274
The 2023 original budget estimate in relation to: Trade and other receivables overdue interest was \$77,050		
Fees and charges relating to rates receivable		
Charges on instalment plan	3,165	15,965
The 2023 original budget estimate in relation to: Charges on instalment plan was \$16,000		

(b) Expenses

Auditors remuneration		
- Audit of the Annual Financial Report	30,808	37,000
- Other services – grant acquittals	1,500	1,800
	32,308	38,800
Employee Costs		
Employee benefit costs	5,781,153	5,572,828
Other employee costs	304,378	300,268
	6,085,531	5,873,096
Finance costs		
Interest and financial charges paid/payable for lease liabilities and financial liabilities not at fair value through profit or loss	89,111	101,273
Lease liabilities	842	1,194
	89,953	102,467
Other expenditure		
Impairment losses on trade receivables	8,871	9,930
Write down of inventories to net realisable value	6,825	0
Sundry expenses	693,587	427,408
	709,283	437,338

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

3. CASH AND CASH EQUIVALENTS

Note	2023	2022
	\$	\$
Cash at bank and on hand	13,161,376	13,598,004
Total cash and cash equivalents	13,161,376	13,598,004
Held as		
- Unrestricted cash and cash equivalents	4,146,744	4,442,036
- Restricted cash and cash equivalents	18 9,014,632	9,155,968
	13,161,376	13,598,004

SIGNIFICANT ACCOUNTING POLICIES

Cash and cash equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

Restricted financial assets

Restricted financial asset balances are not available for general use by the local government due to externally imposed restrictions. Restrictions are specified in an agreement, contract or legislation. This applies to reserve accounts, unspent grants, subsidies and contributions and unspent loans that have not been fully expended in the manner specified by the contributor, legislation or loan agreement and for which no liability has been recognised.

4. OTHER FINANCIAL ASSETS

	2023	2022
	\$	\$
(a) Current assets		
Financial assets at amortised cost	4,291	4,207
	4,291	4,207
Other financial assets at amortised cost		
Self supporting loans receivable	4,291	4,207
	4,291	4,207
Held as		
- Unrestricted other financial assets at amortised cost	4,291	4,207
	4,291	4,207
(b) Non-current assets		
Financial assets at amortised cost	18,525	22,816
Financial assets at fair value through profit or loss	81,490	77,804
	100,015	100,620
Financial assets at amortised cost		
Financial assets at amortised cost - self supporting loans	10,454	12,816
Financial assets at amortised cost - loan advances	8,071	10,000
	18,525	22,816
Financial assets at fair value through profit or loss		
Units in Local Government House Trust - opening balance	77,804	73,807
Movement attributable to fair value increment	3,686	3,997
Units in Local Government House Trust - closing balance	81,490	77,804

Loans receivable from clubs/institutions have the same terms and conditions as the related borrowing disclosed in Note 27(a) as self supporting loans. Fair value of financial assets at fair value through profit or loss is determined from the net asset value of the units held in the Trust at balance date as compiled by WALGA.

SIGNIFICANT ACCOUNTING POLICIES

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Fair values of financial assets at amortised cost are not materially different to their carrying amounts, since the interest receivable on those assets is either close to current market rates or the assets are of a short term nature. Non-current financial assets at amortised cost fair values are based on discounted cash flows using a current market rates. They are classified as level 2 fair values in the fair value hierarchy (see Note 24 (i)) due to the observable market rates).

Interest received is presented under cashflows from operating activities in the Statement of Cash Flows where it is earned from financial assets that are held for cash management purposes.

Financial assets at fair value through profit or loss

The Shire has elected to classify the following financial assets at fair value through profit or loss:

- debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- equity investments which the Shire has elected to recognise as fair value gains and losses through profit or loss.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

5. TRADE AND OTHER RECEIVABLES

Note	2023 \$	2022 \$
Current		
Rates and statutory receivables	393,515	399,663
Trade receivables	382,730	1,351,120
GST receivable	66,464	61,491
Allowance for credit losses of trade receivables	(8,871)	(9,930)
Other receivables - Legal costs - recovery of rates	78,010	133,099
Other receivables - Rubbish fees	46,855	40,326
	958,703	1,975,769
Non-current		
Rates and statutory receivables	169,380	153,311
	169,380	153,311

Disclosure of opening and closing balances related to contracts with customers

Information about receivables from contracts with customers along with financial assets and associated liabilities arising from transfers to enable the acquisition or construction of recognisable non financial assets is:

Note	30 June 2023 Actual \$	30 June 2022 Actual \$	1 July 2021 Actual \$
Trade and other receivables from contracts with customers	382,730	1,351,120	1,727,666
Contract assets	383,908	0	0
Allowance for credit losses of trade receivables	(8,871)	(9,930)	(10,954)
Total trade and other receivables from contracts with customers	757,767	1,341,190	1,716,712

SIGNIFICANT ACCOUNTING POLICIES

Rates and statutory receivables

Rates and statutory receivables are non-contractual receivables arising from statutory requirements and include amounts due from ratepayers for unpaid rates and service charges and other statutory charges or fines.

Rates and statutory receivables are recognised when the taxable event has occurred and can be measured reliably.

Trade receivables

Trade receivables are amounts receivable from contractual arrangements with customers for goods sold, services performed or grants or contributions with sufficiently specific performance obligations as part of the ordinary course of business.

Other receivables

Other receivables are amounts receivable from contractual arrangements with third parties other than contracts with customers including grants for the construction of recognisable non financial assets.

Measurement

Trade and other receivables are recognised initially at the amount of the transaction price, unless they contain a significant financing component, and are to be recognised at fair value.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

6. INVENTORIES

	Note	2023	2022
Current		\$	\$
Fuel and materials		8,222	34,026
History books held for sale		14,691	14,865
		22,913	48,891
The following movements in inventories occurred during the year:			
Balance at beginning of year		48,891	31,092
Inventories expensed during the year		(362,339)	(325,897)
Write down of inventories to net realisable value	2(b)	(6,825)	0
Additions to inventory		343,186	343,696
Balance at end of year		22,913	48,891

SIGNIFICANT ACCOUNTING POLICIES

General

Inventories are measured 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.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

7. OTHER ASSETS

Other assets - current

Prepayments
Contract assets

	2023	2022
	\$	\$
	39,059	19,325
	383,908	0
	422,967	19,325

SIGNIFICANT ACCOUNTING POLICIES

Other current assets

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

Contract assets

Contract assets primarily relate to the Shire's right to . consideration for work completed but not billed at the end of the period.

Impairment of assets associated with contracts with customers are detailed at Note 2(b)

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

8. PROPERTY, PLANT AND EQUIPMENT

(a) Movements in Balances

Movement in the balances of each class of property, plant and equipment between the beginning and the end of the current financial year.

	Land	Buildings - non-specialised	Buildings - specialised	Total land and buildings	Furniture and equipment	Plant and equipment	Vehicles	Buildings - work in progress	Tools	Total property, plant and equipment
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Balance at 1 July 2021	12,809,102	1,713,700	30,342,620	44,865,422	157,518	4,920,912	0	418,921	3,640	50,366,413
Additions	0	0	228,813	228,813	0	0	0	2,152,653	0	2,381,466
Depreciation	0	(33,646)	(738,673)	(772,319)	(42,539)	(469,060)	(253,024)	0	(901)	(1,537,843)
Transfers	0	0	0	0	0	(1,046,050)	1,046,050	0	0	0
Balance at 30 June 2022	12,809,102	1,680,054	29,832,760	44,321,916	114,979	3,405,802	793,026	2,571,574	2,739	51,210,036
Comprises:										
Gross balance amount at 30 June 2022	12,809,102	1,713,700	30,571,433	45,094,235	343,462	6,048,745	2,024,995	2,571,574	12,900	56,095,911
Accumulated depreciation at 30 June 2022	0	(33,646)	(738,673)	(772,319)	(228,483)	(2,642,943)	(1,231,969)	0	(10,161)	(4,885,875)
Balance at 30 June 2022	12,809,102	1,680,054	29,832,760	44,321,916	114,979	3,405,802	793,026	2,571,574	2,739	51,210,036
Additions	2,625	0	522,126	524,751	0	366,436	1,324,991	19,457	0	2,235,635
Disposals	0	0	(119,583)	(119,583)	0	(40,249)	(151,492)	0	(375)	(311,699)
Depreciation	0	(33,634)	(794,999)	(828,633)	(17,171)	(333,237)	(155,599)	0	(757)	(1,335,397)
Transfers	0	0	2,548,828	2,548,828	0	0	0	(2,591,031)	0	(42,203)
Balance at 30 June 2023	12,811,727	1,646,420	31,989,132	46,447,279	97,808	3,398,752	1,810,926	0	1,607	51,756,372
Comprises:										
Gross balance amount at 30 June 2023	12,811,727	1,713,700	33,514,190	48,039,617	343,462	6,330,181	2,841,485	0	9,150	57,563,895
Accumulated depreciation at 30 June 2023	0	(67,280)	(1,525,058)	(1,592,338)	(245,654)	(2,931,429)	(1,030,559)	0	(7,543)	(5,807,523)
Balance at 30 June 2023	12,811,727	1,646,420	31,989,132	46,447,279	97,808	3,398,752	1,810,926	0	1,607	51,756,372

The 2023 additions included \$947,645 of non-cash additions for vehicles received from the Department of Fire and Emergency Services

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

8. PROPERTY, PLANT AND EQUIPMENT (Continued)

(b) Carrying Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
(i) Fair Value					
Land and buildings					
Land	2	Market approach using recent observable market data for similar properties	Independent registered valuers	June 2021	Price per hectare
Buildings - non-specialised	2	Market approach using recent observable market data for similar properties / income approach using discounted cashflow methodology	Independent valuer and Management valuation	June 2021	Price per square meter / market borrowing rate
Buildings - specialised	3	Cost approach using current replacement cost	Independent registered valuers	June 2021	Construction costs and current condition, residual values and remaining useful life assessments inputs
<p>Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the basis of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.</p> <p>During the period there were no changes in the valuation techniques used by the local government to determine the fair value of property, plant and equipment using either level 2 or level 3 inputs.</p>					
(ii) Cost					
Furniture and equipment	N/A	Cost model	N/A	N/A	N/A
Plant and equipment	N/A	Cost model	N/A	N/A	N/A

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

9. INFRASTRUCTURE

(a) Movements in Balances

Movement in the balances of each class of infrastructure between the beginning and the end of the current financial year.

	Infrastructure - roads \$	Infrastructure - footpaths \$	Infrastructure - parks and ovals \$	Infrastructure - other \$	Infrastructure - bridges \$	Infrastructure - work in progress \$	Infrastructure - Landfill assets \$	Total Infrastructure \$
Balance at 1 July 2021	128,999,812	262,180	10,491,322	9,618,400	2,218,304	0	0	151,590,018
Additions	3,534,697	379,459	14,000	140,356	309,325	24,559	0	4,402,396
(Disposals)	0	0	(4,040)	0	0	0	0	(4,040)
Depreciation	(3,259,262)	(25,666)	(832,352)	(481,454)	(142,156)	0	0	(4,740,890)
Transfers	0	0	(318,789)	13,850	0	304,939	0	0
Balance at 30 June 2022	129,275,247	615,973	9,350,141	9,291,152	2,385,473	329,498	0	151,247,484
Comprises:								
Gross balance at 30 June 2022	141,469,102	674,710	12,099,840	9,772,606	2,894,594	329,498	0	167,240,350
Accumulated depreciation at 30 June 2022	(12,193,855)	(58,737)	(2,749,699)	(481,454)	(509,121)	0	0	(15,992,866)
Balance at 30 June 2022	129,275,247	615,973	9,350,141	9,291,152	2,385,473	329,498	0	151,247,484
Additions	4,950,819	25,894	477,704	126,200	114,119	626,045	5,253,186	11,573,967
(Disposals)	0	0	(80,738)	(2,916)	0	0	0	(83,654)
Revaluation increments / (decrements) transferred to revaluation surplus	53,543,518	3,711,720	(488,085)	0	3,310,415	0	493,958	60,571,526
Depreciation	(3,291,738)	(25,675)	(770,479)	(484,613)	(143,007)	0	0	(4,715,512)
Transfers	0	0	690,763	(45,859)	0	(690,763)	88,062	42,203
Balance at 30 June 2023	184,477,846	4,327,912	9,179,306	8,883,964	5,667,000	264,780	5,835,206	218,636,014
Comprises:								
Gross balance at 30 June 2023	184,477,846	4,327,912	9,179,306	9,843,206	5,667,000	264,780	5,842,044	219,602,094
Accumulated depreciation at 30 June 2023	0	0	0	(959,242)	0	0	(6,838)	(966,080)
Balance at 30 June 2023	184,477,846	4,327,912	9,179,306	8,883,964	5,667,000	264,780	5,835,206	218,636,014

(a) The 'Infrastructure - Landfill assets' class was disclosed for the first time this year and included landfill cells and post-closure assets.

(b) The Additions for 2022-23 included \$5,253,186 of non-cash additions for the post-closure assets.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

9. INFRASTRUCTURE (Continued)

(b) Carrying Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
(i) Fair Value					
Infrastructure - roads	3	Cost approach using current replacement cost	Independent registered valuers	June 2023	Construction costs and current condition, residual values and remaining useful life assessments
Infrastructure - footpaths	3	Cost approach using current replacement cost	Independent registered valuers	June 2023	Construction costs and current condition, residual values and remaining useful life assessments
Infrastructure - parks and ovals	3	Cost approach using current replacement cost	Independent registered valuers	June 2023	Construction costs and current condition, residual values and remaining useful life assessments
Infrastructure - other	3	Cost approach using current replacement cost	Independent registered valuers	June 2021	Construction costs and current condition, residual values and remaining useful life assessments
Infrastructure - bridges	3	Cost approach using current replacement cost	Independent registered valuers	June 2023	Construction costs and current condition, residual values and remaining useful life assessments

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the basis of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used to determine the fair value of infrastructure using level 3 inputs.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

10. FIXED ASSETS

(a) Depreciation

Depreciation rates

Typical estimated useful lives for the different asset classes for the current and prior years are included in the table below:

Asset Class	Useful life
Buildings - non-specialised	25 to 50 years
Buildings - specialised	25 to 50 years
Furniture and equipment	3 to 50 years
Plant and equipment	5 to 20 years
Vehicles	1 to 5 years
Tools	4 to 10 years
Infrastructure - roads	20 to 50 years
Infrastructure - footpaths	25 years
Infrastructure - parks and ovals	13 years
Infrastructure - other	3 - 25 years
Infrastructure - bridges	25 years
Infrastructure - Landfill assets	6-16 years

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

10. FIXED ASSETS (Continued)

SIGNIFICANT ACCOUNTING POLICIES

Fixed assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value (as indicated), less any accumulated depreciation and impairment losses.

Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost, the asset is initially recognised at fair value. Assets held at cost are depreciated and assessed for indicators of impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluation at the next revaluation consistent with *Financial Management Regulation 17A(4)*.

Revaluation

The fair value of land, buildings and infrastructure is determined at least every five years in accordance with the regulatory framework. This includes buildings and infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land acquired by the Shire.

At the end of each period, the carrying amount for each asset class is reviewed and, where appropriate, the fair value is updated to reflect current market conditions consistent with *Financial Management Regulation 17A(2)* which requires land, buildings, infrastructure and vested improvements to be shown at fair value.

Revaluation (continued)

For property, plant and equipment and infrastructure, increases in the carrying amount arising on revaluation of asset classes are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss. Subsequent increases are then recognised in profit or loss to the extent they reverse a net revaluation decrease previously recognised in profit or loss for the same class of asset.

Depreciation

The depreciable amount of all property, plant and equipment and infrastructure, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

Depreciation on revaluation

When an item of property, plant and equipment and infrastructure is revalued, any accumulated depreciation at the date of the revaluation is treated in the following way:

- (i) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

Amortisation

All intangible assets with a finite useful life, are amortised on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use.

The residual value of intangible assets is considered to be zero and the useful life and amortisation method are reviewed at the end of each financial year.

Amortisation is included within depreciation in the Statement of Comprehensive Income.

Impairment

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains or losses on disposal

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the Statement of Comprehensive Income in the period in which they arise.

MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

APPENDIX 12.3.1

SHIRE OF GINGIN NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2023

11. LEASES

(a) Right-of-Use Assets

Movement in the balance of each class of right-of-use asset between the beginning and the end of the current financial year.	Note	Right-of-use assets - land and buildings \$	Right-of-use assets - plant and equipment \$	Right-of-use assets Total \$
Balance at 1 July 2021		13,916	95,184	109,100
Lease modification		0	(391)	(391)
Depreciation		(6,958)	(25,010)	(31,968)
Balance at 30 June 2022		6,958	69,784	76,741
Lease modification		2,085	0	2,085
Depreciation		(9,043)	(25,010)	(34,053)
Balance at 30 June 2023		0	44,774	44,774

The following amounts were recognised in the statement of comprehensive income during the period in respect of leases where the entity is the lessee:

	2023 Actual \$	2022 Actual \$
Depreciation on right-of-use assets	(34,053)	(31,968)
Finance charge on lease liabilities	(842)	(1,194)
Low-value asset lease payments recognised as expense	(34,087)	(31,608)
Total amount recognised in the statement of comprehensive income	(68,982)	(64,770)
Total cash outflow from leases	(34,929)	(32,800)

(b) Lease Liabilities

Current	20,122	31,608
Non-current	25,274	45,789
	27(c) 45,396	77,397

Secured liabilities and assets pledged as security

Lease liabilities are effectively secured, as the rights to the leased assets recognised in the financial statements revert to the lessor in the event of default.

SIGNIFICANT ACCOUNTING POLICIES

Leases

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

At the commencement date, a right-of-use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts that are classified as short-term leases (i.e. a lease with a term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

Details of individual lease liabilities required by regulations are provided at Note 27(c).

Right-of-use assets - measurement

Right-of-use assets are measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost (i.e. not recognised in the Statement of Financial Position). The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which are reported at fair value.

Refer to Note 10 under revaluation for details on the significant accounting policies applying to vested improvements.

Right-of-use assets - depreciation

Right-of-use assets are depreciated over the lease term or useful life of the underlying asset, whichever is the shorter. Where a lease transfers ownership of the underlying asset, or the cost of the right-of-use asset reflects that the Shire anticipates to exercise a purchase option, the specific asset is depreciated over the useful life of the underlying asset.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

12. TRADE AND OTHER PAYABLES

Current

	2023	2022
	\$	\$
Sundry creditors	916,094	2,326,986
Prepaid rates	197,201	195,270
Accrued payroll liabilities	176,013	138,647
ATO liabilities	0	20,766
Bonds and deposits held	678,934	664,309
Other payables -accrued interest on long term borrowings	16,904	19,425
Other payables - income received in advance	0	5,070
Other payables - accrued expenses	0	37,000
	1,985,146	3,407,473

SIGNIFICANT ACCOUNTING POLICIES

Financial liabilities

Financial liabilities are initially recognised at fair value when the Shire becomes a party to the contractual provisions of the instrument.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost.

Financial liabilities are derecognised where the related profit or loss.

Trade and other payables

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are usually paid within 30 days of recognition. The carrying amounts of trade and other payables are occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire recognises income for the prepaid rates that have not been refunded.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

13. OTHER LIABILITIES

	2023	2022
	\$	\$
Current		
Contract liabilities	454,424	367,201
Capital grant/contributions liabilities	467,678	1,043,553
	<u>922,102</u>	<u>1,410,754</u>
Reconciliation of changes in contract liabilities		
Opening balance	367,201	283,892
Additions	160,957	160,760
Revenue from contracts with customers included as a contract liability at the start of the period	(73,734)	(77,451)
	<u>454,424</u>	<u>367,201</u>
<p>The aggregate amount of the performance obligations unsatisfied (or partially unsatisfied) in relation to these contract liabilities was \$922,102 (2022: \$1,410,754)</p> <p>The Shire expects to satisfy the performance obligations, from contracts with customers unsatisfied at the end of the reporting period, within the next 12 months.</p>		
Reconciliation of changes in capital grant/contribution liabilities		
Opening balance	1,043,553	437,465
Additions	390,658	856,184
Revenue from capital grant/contributions held as a liability at the start of the period	(966,533)	(250,096)
	<u>467,678</u>	<u>1,043,553</u>

Performance obligations in relation to capital grant/contribution liabilities are satisfied as project milestones are met or completion of construction or acquisition of the asset.

SIGNIFICANT ACCOUNTING POLICIES

Contract liabilities

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

Capital grant/contribution liabilities

Capital grant/contribution liabilities represent the Shire's obligations to construct recognisable non-financial assets to identified specifications to be controlled by the Shire which are yet to be satisfied. Capital grant/contribution liabilities are recognised as income when the obligations in the contract are satisfied.

Fair values for non-current capital grant/contribution liabilities, not expected to be extinguished within 12 months, are based on discounted cash flows of expected cashflows to satisfy the obligations using a current borrowing rate. They are classified as level 3 fair values in the fair value hierarchy (see Note 24(i)) due to the unobservable inputs, including own credit risk.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

14. BORROWINGS

	Note	2023			2022		
		Current	Non-current	Total	Current	Non-current	Total
Secured		\$	\$	\$	\$	\$	\$
Debentures		261,817	1,580,847	1,842,664	250,521	1,592,664	1,843,185
Total secured borrowings	27(a)	261,817	1,580,847	1,842,664	250,521	1,592,664	1,843,185

Secured liabilities and assets pledged as security

Debentures, bank overdrafts and bank loans are secured by a floating charge over the assets of the Shire of Gingin.

The Shire of Gingin has complied with the financial covenants of its borrowing facilities during the 2023 and 2022 years.

SIGNIFICANT ACCOUNTING POLICIES

Borrowing costs

The Shire has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

Borrowings fair values are based on discounted cash flows using a current borrowing rate. They are classified as level 3 fair values in the fair value hierarchy (see Note 24(i)) due to the unobservable inputs, including own credit risk.

Risk

Details of individual borrowings required by regulations are provided at Note 27(a).

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

15. EMPLOYEE RELATED PROVISIONS

Employee Related Provisions

Current provisions

Employee benefit provisions

Annual leave

Long service leave

Total current employee related provisions

Non-current provisions

Employee benefit provisions

Long service leave

Total non-current employee related provisions

Total employee related provisions

	2023	2022
	\$	\$
	721,704	660,483
	535,718	269,574
	1,257,422	930,057
	1,257,422	930,057
	65,612	254,868
	65,612	254,868
	65,612	254,868
	1,323,034	1,184,925

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave and associated on costs for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

Annual leave liabilities are classified as current, as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

SIGNIFICANT ACCOUNTING POLICIES

Employee benefits

The Shire's obligations for employees' annual leave, long service leave and other employee leave entitlements are recognised as employee related provisions in the Statement of Financial Position.

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

Other long-term employee benefits

Long-term employee benefits provisions are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

16. OTHER PROVISIONS

	Provision for Landfill Rehabilitation	Total
	\$	\$
Opening balance at 1 July 2022	0	0
Additional provision	5,253,186	5,253,186
Balance at 30 June 2023	5,253,186	5,253,186
Comprises		
Non-current	5,253,186	5,253,186
	5,253,186	5,253,186

Other provisions

Amounts which are expected to be paid out within 12 months of the reporting date are classified as current. Exact timing of payment of non-current obligations is unable to be reliably estimated as it is dependent on factors beyond the control of the local government.

Provision for Landfill Rehabilitation

The estimated future obligations include the costs of restoring the affected sites and continued monitoring of the sites. The provision for future remediation costs is the best estimate of the present value of the expenditure required to settle the remediation obligation at the reporting date. Future remediation costs are reviewed annually and any changes in the estimates are reflected in the remediation provision at each reporting date.

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

17. REVALUATION SURPLUS

	2023 Opening Balance	Total Movement on Revaluation	2023 Closing Balance	2022 Opening Balance	2022 Closing Balance
	\$	\$	\$	\$	\$
Revaluation surplus - Land	5,726,807	0	5,726,807	5,726,807	5,726,807
Revaluation surplus - Buildings - non-specialised	17,292,645	0	17,292,645	17,292,645	17,292,645
Revaluation surplus - Buildings - specialised	8,146,954	0	8,146,954	8,146,954	8,146,954
Revaluation surplus - Plant and equipment	2,491,906	0	2,491,906	2,491,906	2,491,906
Revaluation surplus - Infrastructure - roads	107,822,769	53,543,518	161,366,287	107,822,769	107,822,769
Revaluation surplus - Infrastructure - footpaths	385,798	3,711,720	4,097,518	385,798	385,798
Revaluation surplus - Infrastructure - parks and ovals	5,649,812	(488,085)	5,161,727	5,649,812	5,649,812
Revaluation surplus - Infrastructure - other	5,153,054	0	5,153,054	5,153,054	5,153,054
Revaluation surplus - Infrastructure - bridges	2,744,000	3,310,415	6,054,415	2,744,000	2,744,000
Revaluation surplus - Infrastructure - Landfill assets	0	493,958	493,958	0	0
	155,413,745	60,571,526	215,985,271	155,413,745	155,413,745

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

18. RESTRICTIONS OVER FINANCIAL ASSETS

	Note	2023 Actual \$	2022 Actual \$
The following classes of financial assets have restrictions imposed by regulations or other externally imposed requirements which limit or direct the purpose for which the resources may be used:			
- Cash and cash equivalents	3	9,014,632	9,155,968
		9,014,632	9,155,968
The restricted financial assets are a result of the following specific purposes to which the assets may be used:			
Restricted reserve accounts	28	8,092,530	7,745,214
Contract liabilities	13	454,424	367,201
Capital grant liabilities	13	467,678	1,043,553
Total restricted financial assets		9,014,632	9,155,968

**19. UNDRAWN BORROWING FACILITIES AND CREDIT
STANDBY ARRANGEMENTS**

Bank overdraft limit		500,000	500,000
Bank overdraft at balance date		0	0
Credit card limit		27,000	27,000
Credit card balance at balance date		(10,104)	(1,127)
Total amount of credit unused		516,896	525,873
Loan facilities			
Loan facilities - current		261,817	250,521
Loan facilities - non-current		1,580,847	1,592,664
Total facilities in use at balance date		1,842,664	1,843,185
Unused loan facilities at balance date		0	0

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

20. CONTINGENT LIABILITIES

Contingent liabilities are not recognised in the statement of financial position but are disclosed and, if quantifiable, are measured at best estimate.

There are no contingent liabilities to disclose at the end of the reporting period.

21. CAPITAL COMMITMENTS

	2023	2022
	\$	\$
Contracted for:		
- capital expenditure projects	80,046	221,571
- plant & equipment purchases	412,152	0
	492,198	221,571
Payable:		
- not later than one year	492,198	221,571

The 2023 capital commitments relate to the following projects:

- Guilderton foreshore road reserve purchase \$70,000
- Old Ledge Point Road design survey \$10,046
- Purchase of side tipping semi trailer \$152,908
- Purchase of 2 x mowers \$67,186
- Purchase of CESM utility \$66,873
- Purchase of track loader \$125,185

The 2022 capital commitments relate to the following projects:

- The Gingin Weir Project \$10,472
- Level 3 Incident Control Centre - Gingin \$211,099

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

22. RELATED PARTY TRANSACTIONS

(a) Elected Member Remuneration

Fees, expenses and allowances to be paid or reimbursed to elected council members.

Note	2023 Actual	2023 Budget	2022 Actual
	\$	\$	\$
President's annual allowance	16,000	16,000	16,000
President's meeting attendance fees	15,600	15,600	15,000
President's annual allowance for ICT expenses	2,500	2,500	2,000
President's travel and accommodation expenses	1,631	3,438	763
	35,731	37,538	33,763
Deputy President's annual allowance	4,000	4,000	4,000
Deputy President's meeting attendance fees	8,320	8,320	8,000
Deputy President's annual allowance for ICT expenses	2,500	2,500	2,000
Deputy President's travel and accommodation expenses	0	3,438	0
	14,820	18,258	14,000
All other council member's meeting attendance fees	41,600	49,920	49,859
All other council member's annual allowance for ICT expenses	12,500	15,000	11,840
All other council member's travel and accommodation expenses	6,107	20,624	12,960
	60,207	85,544	74,659
22(b)	110,758	141,340	122,422

(b) Key Management Personnel (KMP) Compensation

The total of compensation paid to KMP of the Shire during the year are as follows:

Note	2023 Actual	2022 Actual
	\$	\$
Short-term employee benefits	677,421	622,767
Post-employment benefits	84,559	76,225
Employee - other long-term benefits	69,576	62,127
Employee - termination benefits	0	5,895
Council member costs	110,758	122,422
22(a)	942,314	889,436

Short-term employee benefits

These amounts include all salary and fringe benefits awarded to KMP except for details in respect to fees and benefits paid to council members which may be separately found in the table above.

Post-employment benefits

These amounts are the current-year's cost of the Shire's superannuation contributions made during the year.

Other long-term benefits

These amounts represent annual leave and long service leave entitlements accruing during the year.

Termination benefits

These amounts represent termination benefits paid to KMP (Note: may or may not be applicable in any given year).

Council member costs

These amounts represent payments of member fees, expenses, allowances and reimbursements during the year.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

22. RELATED PARTY TRANSACTIONS

Transactions with related parties

Transactions between related parties and the Shire are on normal commercial terms and conditions, no more favourable than those available to other parties, unless otherwise stated.

No outstanding balances or provisions for doubtful debts or guarantees exist in relation to related parties at year end.

In addition to KMP compensation above the following transactions occurred with related parties:

	2023 Actual	2022 Actual
	\$	\$
Sale of goods and services	3,520	3,173
Purchase of goods and services - contract services general maintenance	155,756	35,874

Related Parties

The Shire's main related parties are as follows:

i. Key management personnel

Any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any council member, are considered key management personnel and are detailed in Notes 22(a) and 22(b)

ii. Other Related Parties

An entity that is controlled by or over which KMP, or close family members of KMP, have authority and responsibility for planning, directing and controlling the activity of the entity, directly or indirectly, are considered to be related parties.

During the current year, companies controlled by related parties of council members, were engaged for general maintenance services in the areas of mechanical, roadworks and fire mitigation to the value of \$155,756 (\$34,874 in the prior year).

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

23. JOINT ARRANGEMENTS

Share of joint operations

The Shire has two separate joint agreements with the Department of Communities for the provision of housing at 2 Atkinson Way Lancelin.

For accounting purposes, these joint arrangements constitute joint operations. The assets are land and 11 x 2 bedroom units. The ownership of the assets is determined by agreements which includes the percentage of each parties equitable interest. The assets are included in the Land and Buildings as follows;

Statement of Financial Position	2023 Actual	2022 Actual
	\$	\$
Land Lot 84 Atkinson Way Lancelin	20,002	20,002
Atkinson Way Lancelin (5 x 2 bedroom units) Units 1-5 @36.10%	330,479	336,712
Atkinson Way Lancelin (5 x 2 bedroom units) Units 6-11 @39.37%	450,072	425,730
Total assets	800,553	782,444
Statement of Comprehensive Income		
Other revenue	100,807	85,007
Other expense	(39,578)	(37,351)
Profit/(loss) for the period	61,229	47,656
Total comprehensive income for the period	61,229	47,656

SIGNIFICANT ACCOUNTING POLICIES

Joint operations

A joint operation is a joint arrangement where the Shire has joint control with two or more parties to the joint arrangement. All parties to joint arrangement have rights to the assets, and obligations for the liabilities relating to the arrangement.

Assets, liabilities, revenues and expenses relating to the Shire's interest in the joint operation are accounted for in accordance with the relevant Australian Accounting Standard.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

24. OTHER SIGNIFICANT ACCOUNTING POLICIES

a) Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

b) Current and non-current classification

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire 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 or non-current based on the Shire's intentions to release for sale.

c) Rounding off figures

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar. Amounts are presented in Australian Dollars.

d) Comparative figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statements that has a material effect on the statement of financial position, an additional (third) Statement of Financial Position as at the beginning of the preceding period in addition to the minimum comparative financial report is presented.

e) Budget comparative figures

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

f) Superannuation

The Shire contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

g) Fair value of assets and liabilities

Fair value is the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

h) Interest revenue

Interest revenue is calculated by applying the effective interest rate to the gross carrying amount of a financial asset measured at amortised cost except for financial assets that subsequently become credit-impaired. For credit-impaired financial assets the effective interest rate is applied to the net carrying amount of the financial asset (after deduction of the loss allowance).

i) Fair value hierarchy

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

Valuation techniques

The Shire selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

Market approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

Income approach

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost approach

Valuation techniques that reflect the current replacement cost of the service capacity of an asset.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

j) Impairment of assets

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 impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

25. RATING INFORMATION

(a) General Rates

RATE TYPE	Basis of valuation	Rate in \$	Number of Properties	2022/23 Actual Rateable Value*	2022/23 Actual Revenue	2022/23 Actual Interim Rates	2022/23 Actual Total Revenue	2022/23 Budget Revenue	2022/23 Budget Interim Rate	2022/23 Budget Total Revenue	2021/22 Actual Total Revenue
Rate Description											
GRV Townsites	Gross rental valuation	0.086993	1,582	30,278,696	2,631,635	7,589	2,639,224	2,634,035	1,300	2,635,335	2,419,486
GRV Other	Gross rental valuation	0.086993	959	17,774,825	1,546,286	8,147	1,554,433	1,546,286	0	1,546,286	1,370,020
UV Rural	Unimproved valuation	0.005380	511	319,283,000	1,717,743	9,051	1,726,794	1,720,594	0	1,720,594	1,321,678
UV Other	Unimproved valuation	0.005380	3	2,191,000	11,788	0	11,788	11,788	0	11,788	10,202
UV Intensive/Mining	Unimproved valuation	0.008157	147	86,524,000	704,305	(3,041)	701,264	701,452	0	701,452	491,792
UV Exploration Mining	Unimproved valuation	0.005380	(3)	0	0	(2,920)	(2,920)	0	0	0	6,613
Total general rates			3,199	456,051,521	6,611,757	18,826	6,630,583	6,614,155	1,300	6,615,455	5,619,791
Minimum Payment \$											
Minimum payment											
GRV Townsites	Gross rental valuation	1,166	1,046	10,054,365	1,219,636	0	1,219,636	1,218,470	0	1,218,470	1,245,288
GRV Other	Gross rental valuation	1,166	764	4,626,920	890,824	0	890,824	891,990	0	891,990	952,614
UV Rural	Unimproved valuation	1,350	301	57,442,700	408,250	0	408,250	402,300	0	402,300	623,015
UV Other	Unimproved valuation	1,350	1	160,000	1,350	0	1,350	1,350	0	1,350	1,470
UV Intensive/Mining	Unimproved valuation	2,300	102	16,551,139	234,600	0	234,600	241,500	0	241,500	398,575
UV Exploration Mining	Unimproved valuation	1,350	34	97,233	45,900	0	45,900	45,900	0	45,900	42,630
Total minimum payments			2,248	88,932,357	2,800,560	0	2,800,560	2,801,510	0	2,801,510	3,263,592
Total general rates and minimum payments			5,447	544,983,878	9,412,317	18,826	9,431,143	9,415,665	1,300	9,416,965	8,883,383
Ex-gratia Rates											
Total amount raised from rates (excluding general rates)					6,299	0	6,299	5,800	0	5,800	5,777
					6,299	0	6,299	5,800	0	5,800	5,777
Total Rates							9,437,442			9,422,765	8,889,160
Rate instalment interest							26,244			26,000	25,102
Rate overdue interest							42,699			50,000	43,590

The rate revenue was recognised from the rate record as soon as practicable after the Shire resolved to impose rates in the financial year as well as when the rate record was amended to ensure the information in the record was current and correct.

*Rateable Value at time of raising of rate.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

26. DETERMINATION OF SURPLUS OR DEFICIT

Note	2022/23	2022/23	2021/22
	(30 June 2023 Carried Forward)	Budget (30 June 2023 Carried Forward)	(30 June 2022 Carried Forward)
	\$	\$	\$
(a) Non-cash amounts excluded from operating activities			
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with <i>Financial Management Regulation 32</i> .			
Adjustments to operating activities			
Less: Profit on asset disposals	(226,582)	0	0
Less: Fair value adjustments to financial assets at fair value through profit or loss	(3,686)	0	(3,997)
Add: Loss on disposal of assets	217,662	0	4,040
Add: Depreciation	6,084,962	4,922,951	6,310,701
Non-cash movements in non-current assets and liabilities:			
Pensioner deferred rates	(16,069)	0	(10,511)
Employee benefit provisions	(189,256)	0	188,645
Non-cash amounts excluded from operating activities	5,867,031	4,922,951	6,488,878
(b) Non-cash amounts excluded from investing activities			
The following non-cash revenue or expenditure has been excluded from amounts attributable to investing activities within the Statement of Financial Activity in accordance with <i>Financial Management Regulation 32</i> .			
Adjustments to investing activities			
Movement in non-current capital expenditure provisions	5,253,186	0	0
Non-cash amounts excluded from investing activities	5,253,186	0	0
(c) Surplus or deficit after imposition of general rates			
The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with <i>Financial Management Regulation 32</i> to agree to the surplus/(deficit) after imposition of general rates.			
Adjustments to net current assets			
Less: Reserve accounts	28 (8,092,530)	(6,532,846)	(7,745,214)
Less: Financial assets at amortised cost - self supporting loans	4(a) (4,291)	0	(4,207)
Add: Current liabilities not expected to be cleared at end of year			
- Current portion of borrowings	14 261,817	550,001	250,521
- Current portion of lease liabilities	11(b) 20,122	0	31,608
Total adjustments to net current assets	(7,814,882)	(5,982,845)	(7,467,292)
Net current assets used in the Statement of Financial Activity			
Total current assets	14,570,250	10,929,523	15,646,196
Less: Total current liabilities	(4,446,609)	(4,946,678)	(6,030,413)
Less: Total adjustments to net current assets	(7,814,882)	(5,982,845)	(7,467,292)
Surplus or deficit after imposition of general rates	2,308,759	0	2,148,491

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

27. BORROWING AND LEASE LIABILITIES

(a) Borrowings

Purpose	Note	Actual						Budget				
		Principal at	New Loans During	Principal	Principal at 30	New Loans	Principal	Principal at	New Loans	Principal	Principal at	
		1 July 2021	2021-22	Repayments During 2021-22	June 2022	During 2022-23	Repayments During 2022-23	30 June 2023	During 2022-23	Repayments During 2022-23	30 June 2023	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Gingin Medical Centre		101,572	0	(31,681)	69,891	0	(33,809)	36,082	69,891	0	(33,809)	36,082
Wannamal West Road - Tip Rationalisation		416,289	0	(20,063)	396,226	0	(21,387)	374,839	396,226	0	(21,386)	374,840
Guilderton Country Club		334,441	0	(38,331)	296,110	0	(41,117)	254,993	296,110	0	(41,117)	254,993
Regional Hardcourt Facility		242,071	0	(23,772)	218,299	0	(25,386)	192,913	218,299	0	(25,386)	192,913
Lot 44 Weld Street Gingin		153,143	0	(17,652)	135,491	0	(18,902)	116,589	135,491	0	(18,902)	116,589
Regional Hardcourt Facility		233,441	0	(21,903)	211,538	0	(22,817)	188,721	211,538	0	(22,817)	188,721
Swimming Pool Tiling		80,757	0	(15,173)	65,584	0	(15,647)	49,937	65,584	0	(15,647)	49,937
Seabird Sea Wall		124,211	0	(21,335)	102,876	0	(21,874)	81,002	102,876	0	(21,874)	81,002
Lancelin Caravan Park Assets		62,651	0	(41,505)	21,146	0	(21,146)	0	21,146	0	(21,146)	0
Altus Financials Suite Software Upgrade		157,743	0	(9,156)	148,587	0	(9,334)	139,253	148,587	0	(9,334)	139,253
Gingin Outdoor Activity Space		177,000	0	(16,586)	160,414	0	(16,824)	143,590	160,415	0	(16,824)	143,591
Cunliffe Street Redevelopment		0	0	0	0	250,000	0	250,000	0	250,000	0	250,000
Guilderton Caravan Park Waste Water		0	0	0	0	0	0	0	0	300,000	0	300,000
Total		2,083,319	0	(257,157)	1,826,162	250,000	(248,243)	1,827,919	1,826,163	550,000	(248,242)	2,127,921
Self Supporting Loans												
Ledge Point Country Club Cool Room		19,253	0	(2,230)	17,023	0	(2,278)	14,745	17,023	0	(2,278)	14,745
Total Self Supporting Loans		19,253	0	(2,230)	17,023	0	(2,278)	14,745	17,023	0	(2,278)	14,745
Total Borrowings	14	2,102,572	0	(259,387)	1,843,185	250,000	(250,521)	1,842,664	1,843,186	550,000	(250,520)	2,142,666

Self supporting loans are financed by payments from third parties. These are shown in Note 4 as other financial assets at amortised cost. All other loan repayments were financed by general purpose revenue.

Borrowing Finance Cost Payments

Purpose	Note	Loan Number	Institution	Interest Rate	Date final payment is due	Actual for year ending 30 June 2023	Budget for year ending 30 June 2023	Actual for year ending 30 June 2022
						\$	\$	\$
Gingin Medical Centre		100	WATC*	6.51%	30/01/2024	(3,084)	(4,009)	(5,239)
Wannamal West Road - Tip Rationalisation		111	WATC*	6.49%	15/08/2026	(24,852)	(25,374)	(26,208)
Guilderton Country Club		114	WATC*	7.14%	20/05/2028	(20,086)	(20,421)	(22,895)
Regional Hardcourt Facility		120	WATC*	6.68%	21/06/2029	(14,110)	(14,165)	(15,728)
Lot 44 Weld Street Gingin		123	WATC*	6.96%	16/04/2028	(8,834)	(9,107)	(10,102)
Regional Hardcourt Facility		124A	WATC*	4.13%	04/06/2030	(8,434)	(8,503)	(9,350)
Swimming Pool Tiling		126	WATC*	3.10%	03/02/2026	(1,714)	(1,913)	(2,194)
Seabird Sea Wall		127	WATC*	2.51%	27/07/2026	(2,211)	(2,446)	(2,755)
Lancelin Caravan Park Assets		128	WATC*	2.52%	16/08/2022	(68)	(266)	(929)
Altus Financials Suite Software Upgrade		131	WATC*	1.94%	20/06/2036	(2,829)	(2,835)	(3,007)
Gingin Outdoor Activity Space		132	WATC*	1.43%	20/06/2031	(2,228)	(2,237)	(2,467)
Cunliffe Street Redevelopment		133	WATC*	4.56%	21/06/2033	(311)	0	0
Total						(88,761)	(91,276)	(100,874)

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

Self Supporting Loans Finance Cost Payments						
Ledge Point Country Club Cool Room	130	WATC*	2.16%	22/05/2029	(350)	(355)
Total Self Supporting Loans Finance Cost Payments					<u>(350)</u>	<u>(355)</u>
Total Finance Cost Payments					<u>(89,111)</u>	<u>(91,631)</u>
						<u>(101,273)</u>

* WA Treasury Corporation

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

27. BORROWING AND LEASE LIABILITIES (Continued)

(b) New Borrowings - 2022/23

Particulars/Purpose	Institution	Loan Type	Term Years	Interest Rate	Amount Borrowed		Amount (Used)		Total Interest & Charges	Actual Balance Unspent
					2023 Actual	2023 Budget	2023 Actual	2023 Budget		
				%	\$	\$	\$	\$	\$	\$
Cunliffe Street Redevelopment	WATC*	Council	10	4.55%	250,000	250,000	(250,000)	(250,000)	0	0
Guilderton Caravan Park Waste Water	WATC*	N/A	N/A	N/A	0	300,000	0	(300,000)	0	0
					250,000	550,000	(250,000)	(550,000)	0	0

* WA Treasury Corporation

(c) Lease Liabilities

Purpose	Note	Actual							Budget			
		Principal at 1 July 2021	New Leases During 2021-22	Principal Repayments During 2021-22	Principal at 30 June 2022	New Leases During 2022-23	Principal Repayments During 2022-23	Principal at 30 June 2023	Principal at 1 July 2022	New Leases During 2022-23	Principal Repayments During 2022-23	Principal at 30 June 2023
Lancelin administration office		13,994	0	(6,951)	7,043	2,085	(9,127)	1	7,041	0	(7,041)	0
Postal franking machine		388	(388)	0	0	0	0	0	0	0	0	0
Photocopier - Ineo 958		17,720	0	(7,539)	10,181	0	(7,622)	2,559	10,181	0	(7,622)	2,559
IT Server		77,290	0	(17,116)	60,174	0	(17,338)	42,836	60,175	0	(17,338)	42,837
Total Lease Liabilities	11(b)	109,392	(388)	(31,606)	77,397	2,085	(34,087)	45,396	77,397	0	(32,001)	45,396

Lease Finance Cost Payments

Purpose	Note	Lease Number	Institution	Interest Rate	Date final payment is due	Actual for year ending 30 June 2023	Budget for year ending 30 June 2023	Actual for year ending 30 June 2022	Lease Term
Lancelin administration office		1	L J Hughes	2.10%		(91)	(50)	(140)	36
Photocopier - Ineo 958		4	QPC Group	1.10%		(75)	(73)	(156)	36
IT Server		5	Dell Financial Services	1.30%		(676)	(676)	(898)	60
Total Finance Cost Payments						(842)	(799)	(1,194)	

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 12.3.1

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

28. RESERVE ACCOUNTS

	2023 Actual Opening Balance	2023 Actual Transfer to	2023 Actual Transfer (from)	2023 Actual Closing Balance	2023 Budget Opening Balance	2023 Budget Transfer to	2023 Budget Transfer (from)	2023 Budget Closing Balance	2022 Actual Opening Balance	2022 Actual Transfer to	2022 Actual Transfer (from)	2022 Actual Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by council												
LSL, Annual, Sick Leave and Staff Contingency	429,670	10,405	0	440,075	429,670	2,912	0	432,582	429,670	0	0	429,670
Office Equipment Reserve	0	0	0	0	0	69	0	69	0	0	0	0
Plant and Equipment Reserve	1,593,153	79,742	(193,008)	1,479,887	1,593,152	8,985	(987,200)	614,937	1,593,153	0	0	1,593,153
Land and Buildings Reserve	916,406	22,191	(45,427)	893,170	916,407	4,976	(590,097)	331,286	916,406	0	0	916,406
Guilderton Caravan Park Reserve	34,018	824	(30,000)	4,842	34,018	246	0	34,264	34,018	0	0	34,018
Shire Recreation Development Reserve	469,779	11,376	(88,145)	393,010	515,566	518	0	516,084	75,135	418,644	(24,000)	469,779
Redfield Park Reserve	31,469	762	0	32,231	31,469	217	0	31,686	31,469	0	0	31,469
Ocean Farm Recreation Reserve	31,161	755	0	31,916	31,160	215	0	31,375	31,161	0	0	31,161
Tip Rationalisation Reserve	1,973,830	358,153	(29,670)	2,302,313	1,973,829	28,060	(55,000)	1,946,889	1,606,186	367,644	0	1,973,830
Lancelin Community Sport and Recreation Reserve	103,512	29,380	(5,352)	127,540	98,640	425	0	99,065	98,639	18,872	(13,999)	103,512
Community Infrastructure Reserve	36,530	859	(1,600)	35,789	36,531	12,000	0	48,531	15,730	20,800	0	36,530
Staff Housing	33,559	813	0	34,372	33,560	0	0	33,560	33,559	0	0	33,559
Future Infrastructure reserve	529,305	12,817	0	542,122	567,840	0	0	567,840	567,840	0	(38,535)	529,305
Guilderton Country Club Reserv	27,237	8,982	(15,000)	21,219	19,157	0	0	19,157	19,157	8,080	0	27,237
Coastal Management Reserve - Coastal Inundation	292,391	107,080	(55,200)	344,271	292,391	0	(40,200)	252,191	192,391	100,000	0	292,391
Guilderton Foreshore Reserve	121,075	111,335	0	232,410	121,076	69,520	0	190,596	0	121,075	0	121,075
Unspent Grants Reserve - Youth Services Website Grant	5,014	121	0	5,135	5,014	0	0	5,014	5,014	0	0	5,014
Seniors Housing Reserve	162,145	28,926	(33,945)	157,126	162,145	80,957	(146,000)	97,102	81,188	80,957	0	162,145
Gingin Railway Station Reserve	5,747	139	0	5,886	5,747	0	0	5,747	5,747	0	0	5,747
Contributions to Roads Reserve - Cullala Road Intersection	45,128	1,093	0	46,221	45,128	0	0	45,128	45,128	0	0	45,128
Contributions to Roads Reserve - Cowalla Road Intersection	16,046	389	0	16,435	16,045	0	0	16,045	16,046	0	0	16,046
Contributions to Roads Reserve - Chitna Road	3,009	73	0	3,082	3,008	0	0	3,008	3,009	0	0	3,009
Contributions to Roads Reserve - Balance of Muni Funds	700,376	379,460	(340,250)	739,586	700,375	300,000	0	1,000,375	492,809	207,567	0	700,376
Community Infrastructure Reserve - Lower Coastal Fire Control	25,266	612	0	25,878	25,266	15	0	25,281	25,266	0	0	25,266
Community Infrastructure Reserve - Gingin Logo Plates	8,030	467	0	8,497	8,030	0	0	8,030	8,030	0	0	8,030
Community Infrastructure Reserve - Gingin Ambulance	48,120	7,165	0	55,285	48,120	6,000	0	54,120	42,120	6,000	0	48,120
Community Infrastructure Reserve - Lancelin Ambulance	30,937	18,749	0	49,686	30,937	18,000	0	48,937	12,937	18,000	0	30,937
Subdivision Reserve - Mallee Lane Subdivision Contribution to DUP	14,672	355	(15,027)	0	14,672	0	0	14,672	14,672	0	0	14,672
Public Open Space Reserve	26,050	631	0	26,681	26,050	0	0	26,050	26,050	0	0	26,050
Guilderton Trailer Parking Reserve	26,745	6,169	0	32,914	26,745	6,480	0	33,225	29,896	5,797	(8,948)	26,745
Gingin Outdoor Activity Space	4,834	117	0	4,951	0	0	0	0	0	4,834	0	4,834
Wheatbelt Development Commission - Tourism Project	0	55,000	(55,000)	0	0	0	0	0	0	0	0	0
	7,745,214	1,254,940	(907,624)	8,092,530	7,811,748	539,595	(1,818,497)	6,532,846	6,452,426	1,378,270	(85,482)	7,745,214

All reserves are supported by cash and cash equivalents and financial assets at amortised cost and are restricted within equity as Reserve accounts.

In accordance with council resolutions or adopted budget in relation to each reserve account, the purpose for which the reserves are set aside and their anticipated date of use are as follows:

MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

APPENDIX 12.3.1

Name of reserve account	Purpose of the reserve account
Restricted by council	
LSL, Annual, Sick Leave and Staff Contingency	Used to fund annual leave, long service leave, sick leave, redundancy/retirement and staff contingency.
Office Equipment Reserve	Used for the acquisition and/ or replacement of major items of office equipment (including computer systems).
Plant and Equipment Reserve	Used for the purchase of major plant and equipment.
Land and Buildings Reserve	Used for the replacement and/or acquisition of land and buildings.
Guilderton Caravan Park Reserve	Used for the development of Guilderton Caravan Park facilities.
Shire Recreation Development Reserve	Used for the development of Shire Recreation facilities.
Redfield Park Reserve	Used for the development of Public Open Space within the Redfield Park subdivision.
Ocean Farm Recreation Reserve	Used for the development of recreation and community facilities within the Ocean Farm subdivision.
Tip Rationalisation Reserve	Used for rationalisation of rubbish tip facilities within the Shire.
Lancelin Community Sport and Recreation Reserve	Used in developing building and other associated infrastructure at the Lancelin Community Sporting Club and are to be spent upon request from the Club, and approval from Council.
Community Infrastructure Reserve	Used to assist in the financing of community facilities.
Staff Housing	To be used to fund Staff housing infrastructure additions and/or replacement.
Future Infrastructure reserve	To be used to fund future infrastructure construction, purchase, additions and/or renewals.
Guilderton Country Club Reserv	To be used to fund the development of the Guilderton Country Club and are to be spent upon request from the Club, and approval from Council.
Coastal Management Reserve - Coastal Inundation	For the purpose of funding coastal erosion mitigation and inundation works.
Guilderton Foreshore Reserve	For the purpose to upgrade facilities and amenity within the Guilderton foreshore area.
Unspent Grants Reserve - Youth Services Website Grant	For the purpose of isolating grant funds received and not used during a financial period.
Seniors Housing Reserve	For the purpose of repairs, improvements, extensions or construction of seniors housing.
Gingin Railway Station Reserve	For the purpose of improving and maintaining the Gingin Railway Station.
Contributions to Roads Reserve - Cullala Road Intersection	For the purpose of funding future road works
Contributions to Roads Reserve - Cowalla Road Intersection	For the purpose of funding future road works.
Contributions to Roads Reserve - Chitna Road	For the purpose of funding future road works.
Contributions to Roads Reserve - Balance of Muni Funds	For the purpose of funding future road works.
Community Infrastructure Reserve - Lower Coastal Fire Control	Used to assist in the financing of community facilities.
Community Infrastructure Reserve - Gingin Logo Plates	Used to assist in the financing of community facilities.
Community Infrastructure Reserve - Gingin Ambulance	Used to assist in the financing of community facilities.
Community Infrastructure Reserve - Lancelin Ambulance	Used to assist in the financing of community facilities.
Subdivision Reserve - Mallee Lane Subdivision Contribution to DUP	For the purpose of isolating subdivision monies intended for future works.
Public Open Space Reserve	For the purpose of funding development of public open space.
Guilderton Trailer Parking Reserve	For the purpose of future trailer park bay maintenance at Guilderton Foreshore.
Gingin Outdoor Activity Space	For the purpose of maintenance at the Gingin Outdoor Activity Space
Wheatbelt Development Commission - Tourism Project	To be used to fund future infrastructure construction, purchase, additions and/or renewals.

**SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2023**

29. TRUST FUNDS

Funds held at balance date which are required to be held in trust and which are not included in the financial statements are as follows:

	1 July 2022	Amounts Received	Amounts Paid	30 June 2023
	\$	\$	\$	\$
Public Open Space	11,326	0	(11,326)	0
	11,326	0	(11,326)	0



Auditor General

INDEPENDENT AUDITOR'S REPORT 2023 Shire of Gingin

To the Council of the Shire of Gingin

Opinion

I have audited the financial report of the Shire of Gingin (Shire) which comprises:

- the Statement of Financial Position as at 30 June 2023, and the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows and Statement of Financial Activity for the year then ended
- Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial report is:

- based on proper accounts and records
- presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2023 and its financial position at the end of that period
- in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.

Basis for opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial report section below.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other information

The Chief Executive Officer (CEO) is responsible for the preparation and the Council for overseeing the other information. The other information is the information in the entity's annual report for the year ended 30 June 2023, but not the financial report and my auditor's report.

My opinion on the financial report does not cover the other information and accordingly, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report, or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to the CEO and Council and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Responsibilities of the Chief Executive Officer and Council for the financial report

The Chief Executive Officer (CEO) of the Shire is responsible for:

- keeping proper accounts and records
- preparation and fair presentation of the financial report in accordance with the requirements of the Act and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards
- managing internal control as required by the CEO to ensure the financial report is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the CEO is responsible for:

- assessing the Shire's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the State Government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

Auditor's responsibilities for the audit of the financial report

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial report. The objectives of my audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial report is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

My independence and quality management relating to the report on the financial report

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQM 1 *Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or Related Services Engagements*, the Office of the Auditor General maintains a comprehensive system of quality management including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Matters relating to the electronic publication of the audited financial report

This auditor's report relates to the financial report of the Shire of Gingin for the year ended 30 June 2023 included in the annual report on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the financial report. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial report are concerned with the inherent risks arising from publication on a website, they are advised to contact the Shire to confirm the information contained in the website version.



Jordan Langford-Smith
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
5 December 2023

13 REPORTS - REGULATORY AND DEVELOPMENT SERVICES

13.1 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED SITeworks (FILL) AND EXTERNAL FIXTURES ON LOTS 4 AND 5 (60 AND 62) GINGIN ROAD AND LOTS 6 AND 191 (3 AND 1) MIRAGLIOTTA STREET, LANCELIN

This matter was brought forward for discussion. See page 11.

File	BLD/5714
Applicant	Element
Location	Lot 4 (60) Gingin Road, Lancelin Lot 5 (62) Gingin Road, Lancelin Lot 6 (3) Miragliotta Street, Lancelin Lot 191 (1) Miragliotta Street, Lancelin
Owner	Goodoil Investments Pty Ltd
Zoning	Tourism Residential 40 Additional Use 20
WAPC No	NA
Author	James Bayliss – Manager Planning and Building
Reporting Officer	James Bayliss – Manager Planning and Building
Refer	Nil.
Appendices	<ol style="list-style-type: none"> 1. Aerial Plan - Lot 4 & 5 (60 & 62) Gingin Road and Lot 6 & 191 (3 & 1) Miragliotta Street, Lancelin [13.1.1 - 1 page] 2. Location Plan - Lot 4 & 5 (60 & 62) Gingin Road and Lot 6 & 191 (3 & 1) Miragliotta Street, Lancelin [13.1.2 - 1 page] 3. Applicant's Proposal [13.1.3 - 11 pages] 4. Relevant email exchanges [13.1.4 - 9 pages] 5. Finalised Schedule of Submissions [13.1.5 - 15 pages] 6. Applicant's Response to Submissions [13.1.6 - 15 pages] 7. Zone Objectives [13.1.7 - 1 page] 8. Outline Development Plan [13.1.8 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for siteworks (fill) and external fixtures (water tanks) on Lots 4 (60) and 5 (62) Gingin Road, Lancelin and Lots 6 (3) and 191 Miragliotta Street, Lancelin.

BACKGROUND

The subject land comprises of four (4) titles, which collectively equates to an area of 13,386m². The site is located on the corner of Miragliotta Street and Gingin Road, with the coastal foreshore reserve abutting the land to the west. The land is under singular ownerships and the development is intended to be considered as though the site was one land parcel.

Lot 4 contains an existing single house, and the remaining land is otherwise vacant.

It is noted that the land has undergone remediation works to remove remnant asbestos materials, which included removing the top 300mm of soil/sand across the site with the total removed being in the order of 4500m³.

The property is identified within the Shire's Coastal Hazard Risk Management and Adaptation Plan 2019 (CHRMAP) as being impacted by coastal processes between the 2070 and 2110 hazard lines.

The proposal comprises of the following:

- Site works (fill) over the western portion of the land to a finished height of 4.6 relative level (RL). Based on the natural ground level (NGL) as is, this represents an increased height of ~2.3 metres.
- Site works (fill) over the central portion of the land to a finished height of 3.0 RL, which represents a height increase of ~1.5 metres.
- Site works (fill) over the eastern portion of the land to a finished height of 2.5 RL, which represents a height increase of ~0.7 metres.
- The installation of two 248,000 litre water tanks (external fixtures) with an overall height of 2.2 metres. The setback of the water tanks from the lot boundaries is unknown.
- The proposal includes retaining walls around the existing dwelling located on Lot 4, however the elevation drawings and the type of retaining have not been provided.
- The proposal also includes a 1.8m high 'chain blank fence' around the perimeter of the site. No details in relation to the fence have been provided to assess the consistency of the design with the planning framework relating to residential fencing. The plans also suggest the installation of three new crossovers and an internal road (driveway).

The site plans delineate the footprint of a ‘future building’ on the southern and northern lots. The elevation drawings contain footing details that relate to what is assumed to be the ‘future building’, however the officer understands that this does not form part of the proposal.

The applicant has advised that the future development of the site is unknown, however advises that future development of the site will be exempt from the need to obtain planning approval. The submitted plans foreshadow future buildings, however future development of the site is not yet known, and the unknown development will be exempt from needing to obtain planning approval.

This is a challenging proposal to assess given the competing objectives and interests of the applicable planning framework, the additional use provisions under Local Planning Scheme No. 9 (LPS 9), coastal erosion and inundation considerations and addressing the submissions received during the stakeholder consultation process.

The officer has raised concerns with the applicant that the proposal is being applied for in a piecemeal fashion which is impeding a proper planning consideration of the site. Severing development proposals in the manner proposed is, in the officer’s view, contrary to orderly and proper planning principles.

In an attempt to simplify the assessment, the report has been divided into the following sections:

- Additional Use considerations;
- Coastal Erosion and Inundation considerations;
- Residential Design Code considerations; and
- Orderly and proper planning.

As indicated above, the relevant planning considerations under each section have competing interests and objectives (to some extent), which results in a situation where the development may have sound justification under one section, yet conflict with another.

As an example, it may be a sound proposition to import fill to raise heights to accommodate coastal inundation, however, to do so may be inconsistent with the R-codes which seek to ensure development respects the existing land topography and ensures topography changes are kept to a minimum.

A location plan and aerial photograph are provided (**see appendices**).

A copy of the Applicant’s Proposal is provided (**see appendices**).

It should be noted that commentary and clarification on various items has been provided via email as opposed to a consolidated document. On that basis, the officer has provided various email exchanges for Council’s information (**see appendices**).

COMMENT

Stakeholder Consultation

The application was advertised to surrounding landowners, published on the Shire's website and a development sign placed on the verge of the property for a period of 21 days in accordance with clause 64 of the *Planning and Development (Local Planning Scheme) Regulations 2015*. Four comments were received opposed to the development and one comment was received in support.

The application was advertised to the following State agencies for a period of 42 days in accordance with clause 66 of the *Planning and Development (Local Planning Scheme) Regulations 2015*:

- Department of Water and Environmental Regulation (DWER);
- Department of Health (DoH);
- Department of Planning, Lands and Heritage (DPLH);
- Department of Transport (DoT); and
- Western Australian Local Government Association – Coast WA (WALGA).

The Shire received two comments from community members, both of which are interpreted as objecting the development. The DoT and the DPLH both raised concerns, while the DWER and DoH provided more generalised comments. No response was received from WALGA.

A copy of the schedule of submissions and recommended responses is provided (**see appendices**).

A copy of the Applicant's response to the schedule of submissions is provided (**see appendices**).

PLANNING FRAMEWORK

Objectives of the Tourism zone under LPS 9 are:

- Promote and provide for tourism opportunities;*
- Provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where such facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area;*
- Allow limited residential uses where appropriate;*

- (d) *Encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities;*
- (e) *Ensure that short stay tourist and holiday accommodation are the predominant land uses in the zone; and*
- (f) *Encourage tourism development that is generally sympathetic to the natural and built features of the surrounding area.*

Objectives of the Residential zone under LPS 9 are:

- a) *Provide for a range of housing types and encourage a high standard of residential development;*
- b) *Maintain and enhance the residential character and amenity of the zone;*
- c) *Limit non-residential activities to those of which the predominant function is to service the local residential neighbourhood and for self-employment or creative activities, provided such activities have no detrimental effect on the residential amenity; and*
- d) *Ensure that the density of development takes cognisance of the availability of reticulated sewerage, the effluent disposal characteristics of the land and other environmental factors.*

Planning and Development (Local Planning Scheme) Regulations 2015 (Deemed Provisions)

In accordance with Schedule 2, Part 9, Clause 67 of the Deemed Provisions, the local government is to have due regard to a range of matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. In this instance, the following matters are considered to be relevant:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*

- (c) Any approved State planning policy;*
- (e) Any policy of the Commission;*
- (f) Any policy of the State;*
- (h) any structure plan or local development plan that relates to the development;*
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*
- (m) The compatibility of the development with its setting, including –*
 - (i) The compatibility of the development with the desired future character of its setting; and*
 - (ii) 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;*
- (p) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*
- (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;*
- (w) the history of the site where the development is to be located;*
- (y) Any submissions received on the application;*
- (za) The comments or submissions received from any authority consulted under clause 66;*

The following report addresses the suite of considerations listed above.

Lot 4 is zoned 'Tourism' under Local Planning Scheme No. 9.

Lots 5, 6, and 191 are zoned Residential (R40) under LPS 9.

The objectives of the Tourism and Residential zones are provided as an **appendix** to reduce the report size.

Additional Use Considerations

All lots are subject to Additional Use 20 (AU 20) provisions under Schedule 2 – Additional Uses of LPS 9 as outlined in the table below:

No.	Description of Land	Additional Use	Conditions
20	Lots 4, 5 and 6 Gingin Road and Lot 191 Miragliotta Street, Lancelin	Holiday Accommodation Shop Restaurant and Office	i) Holiday Accommodation, Shop and Restaurant uses are permitted as a 'D' use. ii) Office use is permitted if incidental to other uses on the site. iii) All development on the site shall be in accordance with an approved structure plan.

Background

- On 21 March 2006, Council gave consideration to the initiation of a Scheme Amendment to rezone the above lots from "Fishing Industry" to "Special Use" Zone to facilitate two-storey Residential Units, Grouped Dwellings, Holiday Accommodation, Restaurant and Shop.
- On 6 February 2007, Council reconsidered the initiative due to significant design alterations on the subject lots.
- On 19 June 2007, Council gave consideration to the final approval of Scheme Amendment 89 to include Lots 4, 5 and 6 Gingin Road and Lot 191 Miragliotta Street, Lancelin within Appendix 10 of Town Planning Scheme No. 8 as a "Special Use" zone.
- Scheme Amendment 89 – "Residential" zone with a density code of R40 was approved by the Minister for Planning on 18 November 2008 and was published in the Government Gazette on 9 December 2008.

- On 20 January 2009, Council considered an Outline Development Plan (ODP) from TPG Town Planning and Urban Design for the future residential development and resolved to amend the ODP, and once undertake stakeholder advertising. Council required 11 alterations to the ODP, one of which was to *'include sufficient detail to clearly enunciate the extent of fill intended across the whole of the development site'*.
- The ODP was returned to Council on 20 April 2010, with Council requiring further amendments to the ODP and further advertising to take place. One of the requested amendments was to *'show the finished floor levels and development levels'*.
- The ODP was returned to Council on 6 July 2010 and included the existing contours of the site and outlined the proposed split-level design (fill on western portion of the dwelling designs). The ODP was supported, however the resolution outlined that support was contingent on the proposed split-level design being omitted from the ODP as Council did not support dune re-contouring. Part 3. V) of the resolution states:

The Outline Development Plan shall omit reference to cross-section location referred to as Appendix G as Council does not support dune re-contouring.

The approved ODP is provided (**see appendices**).

A Structure Plan (an Outline Development Plan is taken to be a Structure Plan under Regulation 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the subject land was approved by the WAPC on 20 July 2010. Clause 28(2) of the Deemed Provisions outlines that the approved ODP has effect until 19 October 2025.

The officer notes that condition iii) of AU 20 requires that development on the land *shall be in accordance with an approved structure plan*, which in this instance is the approved ODP reference above.

In the context of the ODP history, the proposed site levels are more than what was applied for in 2010, which Council ultimately didn't accept. The fill extent appears to encroach into the internal road network outlined under the approved ODP.

The proposed development is therefore not consistent with the AU 20 provisions or the approved ODP.

Coastal Erosion and Inundation Considerations

'Clause 4.7.4 – Coastal Development' under LPS 9 is applicable and states:

4.7.4.1 - All coastal development is to comply with the provisions of State Planning Policy 2.6 – Coastal Planning Policy

4.7.4.2 - *In accordance with section 77(1)(b) of the Planning and Development Act 2005, the provisions of State Planning Policy 2.6 – State Coastal Planning shall apply as if they were part of this scheme.*

State Planning Policy No. 2.6 – State Coastal Planning Policy

A key objective of SPP 2.6 is to ensure that development takes into account coastal processes and coastal hazards.

Clause 5.5 – Coastal Hazard Risk Management and Adaptation Planning requires that:

adequate coastal hazard risk management and adaptation planning should be undertaken by the responsible management authority and/or proponent where existing or proposed development or landholders are in an area at risk of being affected by coastal hazards over the planning timeframe.

The Shire has undertaken various risk management and adaptation planning which includes the Coastal Hazard Risk Management Adaptation Plan (CHRMAP) and Coastal Inundation Study (CIS), however those documents did not contemplate the works proposed as part of this application. It is noted that the DPLH comments included the following:

*The substantial amount of fill proposed across the site appears intended to facilitate future development of the site within areas highly vulnerable to coastal erosion and inundation in the planning timeframe. However, **the proposal does not consider offsite impacts of this fill, where inundation events may cause floodwaters to divert onto adjoining properties and roads. This development scenario has not been contemplated in the inundation modelling completed and therefore should be addressed by the proponent as part of the application.***

On that basis, the burden is on the proponent to undertake **adequate** site specific coastal hazard risk management and adaptation planning to satisfy SPP 2.6.

What constitutes adequate coastal hazard risk management is a matter of judgement. The applicant is of the view that an adequate response has been provided, somewhat informally through quoting MP Rogers and Associates (a coastal and port engineering firm). In essence, MP Rogers and Associates says that the development will have no off-site impacts. Whether (or not) MP Rogers and Associates has adequately addressed the issue may be a question for a consultant with the relevant expertise.

The subject property constitutes infill development under section 5.6 of SPP 2.6 and recommends two measures which are outlined below:

‘Clause 5.6 - Infill Development’

- (i) *New development should be located on the least vulnerable portion of the development site.*

Officer Comment:

The proposed development covers a large extent of the subject land and is located on the most vulnerable (western) portion of the site, with the exception of the water tanks being located on the eastern portion of the site. It is assumed that fill has been deliberately placed on the western portion of the site, the most vulnerable from erosion, in an attempt to mitigate future impacts.

The proposed fill is not proposed to be stabilised by retaining walls (at least not as part of this proposal) and will batter down to the adjoining site levels. It is therefore assumed the fill will not provide a solution to combat predicted erosion or storm inundation events, as the fill may disperse by erosion.

- (ii) *Where development is likely to be subject to coastal hazards over the planning timeframe, coastal hazard risk management and adaptation planning measures (Section 5.5) should be implemented to reduce the risk from coastal hazards over the full planning time frame to an acceptable level.*

Officer Comment:

Given the site is anticipated to experience coastal processes within the planning timeframe, the proposal represents an 'accommodation measure' by importing fill to +2.9m AHD, above the inundation levels identified for the year 2120 during a 500 year ARI storm as predicted under the CIS.

Shire of Gingin Coastal Hazard Risk Management and Adaption Plan - 2019 (CHRMAP)

Council adopted the CHRMAP at the Ordinary Meeting held on 16 April 2019. The CHRMAP identifies the site as being located within 'LA3 - Lancelin Township North' with a key outcome concluding:

- *Residential properties have high vulnerability ratings by 2030 and very high vulnerability ratings by 2070.*
- *The beach and coastal dunes/vegetation have high vulnerability ratings by 2070 and very high vulnerability ratings by 2120.*
- *The Caravan Park, Lancelin Beach Hotel, park and Endeavor Tavern have high vulnerability ratings by 2070.*

Notwithstanding the above, the associated mapping delineates the 2070 hazard line on the western boundary of the subject land.

The long term pathway identified within the CHRMAP for 'LA 3' is to avoid the risk, accommodate the risk until the risk is no longer viable, then move to a managed retreat.

The CHRMAP outlines various management responses and planning controls that may be applied to development on land identified as being affected by coastal processes in the planning timeframe. The controls that may be applied in this instance are outlined below with officer comments:

Avoid: Means prohibiting development from taking place in locations identified as being at potential risk from coastal hazards.

Officer comments:

The subject site is identified as being at risk from coastal hazards within the planning timeframe. Avoiding development is an option for Council to consider. The challenge for this proposal is that the substantive proposal is unknown.

The risk of fill being impacted by erosion and inundation is likely to be a tolerable loss if considered in isolation. However, the intent of the fill is to accommodate future structures with a habitable floor area above the projected inundation level.

The proposal therefore represents an ancillary component of a broader development. While the ancillary component may be acceptable in isolation, the broader development should potentially be avoided, and the future development may or may not be approved. Severing and compartmentalising the proposal by attempting to obtain development approval for fill to secure future development potential, notwithstanding that the future development potential may not be supported, inhibits the planning assessment from ultimately making an orderly and proper decision.

Accommodate: Accommodation options recognise that there is a hazard, but do not prohibit development. Instead, depending on the nature of the hazard and the timeframe within which it is expected to occur, development may be permitted within defined parameters.

This section of the CHRMAP goes on to state:

A scenario could be to acknowledge that the land might be subject to erosion in the future, but that the planning horizon is sufficiently far off that temporary development could be acceptable until such time as the threat of erosion becomes imminent. In such a situation, certain types of construction might be acceptable (e.g.: transportable or easily dismantable).

Officer comments:

As previously outlined, the development itself is an ancillary component of a future development. The proposal does represent an accommodation measure, however it does not disclose what the design is actually accommodating.

Sitework (fill) in isolation may be appropriate, and water tanks may be an acceptable development in a risk area.

Managed Retreat - Existing development would be permitted to remain for as long as it remains unaffected by coastal hazards, but new development or expansion of existing development would not be permitted as intensification of development would mean more assets at risk. Approval of any development would be time limited, based on the forecast hazard timeframe.

Officer comments:

The option of time limiting approval goes hand in hand with the 'accommodate' approach to ensure that, upon triggers being reached, the development is of a design capable of relocation. As outlined above, this proposal in isolation would not be relocated as the fill would be dispersed by coastal processes. The exception is the water tanks, which are capable of relocation.

The CHRMAP outlines two possible types of approval conditions that can be imposed on coastal development. These are to place a notification on the title of the land and to place a time limit on the approval so that the approval will expire after a defined period. The CHRMAP states:

Notifications on Title are intended to alert owners and potential purchasers of something that applies to the land but which may not be apparent from inspection of the land. The threat of future coastal hazards is a matter that would not be apparent on land unless it had already been eroded.

Notification on the Certificate of Title will ensure that existing and any future landowners (Successors in Title) are made aware of the risk of possible impacts on the land from coastal processes. Owners and potential purchasers would then be able to make an informed decision about the level of risk they are prepared to take on. The notification would also inform them that some form of adaptation or management is likely to be required.

A time limit can be applied to a development approval. For example, if a development is proposed on land that is forecast to be affected by coastal processes in 30 years, an approval might be limited to within that timeframe. An application for a new approval could be sought at the end of that period and it would be assessed based on the information on risk available at that time. The condition may also identify an 'event trigger' to further limit an approval in case the hazard occurs sooner than predicted.

It is also an express purpose of the *Planning and Development Act 2005 (P & D Act 2005)* to promote sustainable use and development of land. It is consistent with that purpose to permit development to remain only within a sustainable timeframe, thus reinforcing time/event limited conditions.

It could be problematic to impose the Shire's typical time/event limited conditions on the fill component of the proposal, however they may be relevant to the structures (i.e. water tanks).

Section H4.1, Appendix H of the CHRMAP states:

Any new development approved should have a time limit placed upon it, after which time the development should be removed by the landowner unless a subsequent new approval is applied for and granted for a further period. The length of the approval should be related to the forecast hazard lines.

No development should be permitted on any vacant land between 2030 and 2110 hazard lines that is not:

- a) Capable of accommodating short term inundation that may result from storm surges; and*
- b) Capable of being relocated if necessary.*

The former may involve elevated finished floor levels with 'stilt' construction that will allow water to flow under and around the structure with minimal disturbance. The latter may involve 'lightweight' construction that could readily be disassembled and relocated if necessary.

Officer comments:

The officer is of the view that the fill is capable of accommodating short term inundation, and it appears to be the very basis of the proposal. However, the fill may well redirect the impacts of storm surges onto adjoining properties, particularly those in low lying areas around the site. While it is noted that MP Rogers and Associates says that the development will have no off-site impacts, the officer is of the view that the response does not sufficiently resolve this concern.

Notwithstanding the above, the challenge facing the Shire is to be pragmatic in applying discretion to proposed development within coastal areas and not regulate development in such a way that prematurely prevents development on otherwise suitable land from being used in the interim period. At the same time, the local government must not create a future legal or financial liability by permitting development that is likely to become vulnerable to damage from erosion or inundation.

If landowners are prepared to make an informed decision to develop in a risk area and to accept the consequences and conditions that require removal upon certain triggers, then if the projected coastal processes are sufficiently far off it may be appropriate to support development in such instances.

DRAFT - Shire of Gingin Coastal Hazard Risk Management and Adaption Plan 2023

The basis for the 2023 draft CHRMAP is to incorporate all previous coastal reports and studies (i.e., the Coastal Inundation Survey, Gap Assessment Technical Report and current CHRMAP) into one consolidated document. The draft CHRMAP is yet to be endorsed by Council, however it is an instrument that is being seriously considered.

Notwithstanding that the document has not been endorsed, clause 67(b) of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states:

- (b) ***the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving.***

The draft CHRMAP falls into the above category and therefore must be given due regard as part of the planning assessment.

The draft CHRMAP defines inundation as:

The flooding of a portion of previously dry land with ocean water. It may be a temporary occurrence during a storm event or high tide, or permanent for example due to sea level rise.

The DoT notes in its comment:

The Gingin coastal inundation level to 2120, inclusive of sea level rise projections, was reported as +2.8mAHD. We estimate this places up to approximately ½ of the Site (at existing levels) underneath the 500yr ARI inundation level, with further potential for increased inundation due to the potential of dune breaching events

The site is therefore predicted to be impacted by coastal inundation, in addition to erosion as outlined above. However, inundation is not isolated to rising ground water levels, it can occur as a result of storm events and/or high tide.

The draft CHRMAP reaffirms the adaptation pathways outlined under the endorsed CHRMAP, and goes on to provide additional commentary as outlined below:

Avoid

The project lifetime of a new asset should be a key consideration in deciding the suitability of locating new assets in coastal hazard areas.

The construction of new private assets which are likely to be affected by coastal hazards over their projected lifetimes should not be permitted.

Accommodate

Design and management strategies include: minimum finished floor levels and elevated electrical circuitry, to minimise inundation risks; or, relocatable structures which can be moved to a different location on- or off-site, as shorelines recede, or regular inundation events make the provision of critical services unviable. In this way, the 'Accommodate' option allows landholders to continue to use land until hazard risks become intolerable, while minimising the current and future risk of legal and financial liability for Council.

'Section 5.3 – Summary for Decision Makers' states:

It is important to note that there is no law requiring public authorities to provide protection of private property from natural hazards, nor compensation when land is lost due to coastal hazards.

The CHRMAP process aims to minimise coastal hazard risks and maximise beneficial use of the coast. The principles of this are:

- *Adaptation options should minimise coastal process interference and legacy issues.*
- *Coastal development must be sustainable in the long term, balancing community, economic, environmental and cultural needs.*

The officer is of the view that without knowing the substantive proposal and with the ancillary component being the proposed fill, it is unclear if the proposal is sustainable in the long term.

The proposal seems to propose fill for the sake of proposing fill, purportedly without having any known development intentions.

State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes)

The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia. When a development proposal does not comply with the deemed-to-comply provisions, the application is assessed against the associated design principles to determine whether the variation is acceptable.

The R-Codes define 'external fixtures' as follows:

*These are utilities, equipment, plant or other structures which are necessary for a dwelling to achieve efficient, comfortable and environmentally sustainable operating outcomes and may include solar collectors, **rainwater storage tanks**, clothes drying structures, communications and power and water infrastructure, letterboxes, or other fixtures as necessary for the residential use of the buildings on-site.*

The proposed water tanks do not satisfy the 'deemed-to-comply' provisions of clause 5.4.4 – External fixtures, utilities and facilities. The proposed site works do not satisfy the deemed-to-comply' provisions of clause 5.3.7 - Site works.

On that basis, an assessment against the relevant design principles is outlined in the table below:

Design Principle	Officer Comments
<p>5.3.7 Site works</p> <p>P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</p> <p>P7.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.</p> <p>P7.3 Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1.</p>	<p>The fill is viewed as responding to relevant constraints related to the site, being coastal hazards. The fill height correlates with the predicted inundation height and could therefore be viewed as representing the 'minimal' fill height.</p> <p>However, given the fill extends more than ~90 metres in length and 50 metres in width, the officer is at odds with concluding that the siteworks represent minimal fill. There does not appear to be a situation, and it has not been demonstrated, that a habitable structure with a footprint of 4,500sqm would be progressed that would warrant such a large portion of the site being benched at the proposed level. The officer can therefore not conclude that such an extent of site works satisfies this design principle.</p> <p>The fill tapers to the lot boundaries, however it will visually impact the streetscape (from both Gingin Road and Miragliotta Street frontages).</p>
<p>5.4.4 External fixtures, utilities and facilities</p>	<p>One of the external fixtures is not associated with a building. It may be that that water tank does not therefore constitute an external fixture.</p>

<p>P4.1 Solar collectors, aerials, antennas, satellite dishes, pipes and external fixtures integrated into the design of the building to not be visually obtrusive when viewed from the street and to protect the visual amenity of surrounding properties</p>	<p>This is a residential lot within a townsite. The tanks are large, and no other structure of this nature is viewable from any street within Lancelin (that the officer is aware of). In this context, it could be suggested that the water tank (lot 902) is inappropriate in the absence of a residential building onsite.</p>
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In view of the above, the proposal has not demonstrated compliance with the abovementioned design principles, specifically P7.1.

Orderly and Proper Planning

The general principles underlying the phrase ‘orderly and proper planning’ mean that assessments and decisions should be disciplined, methodical, logical and systematic. Any departure from the planning framework should not be supported without sound reasons for doing so, for reasons which themselves have planning merit.

In this instance the proposal is applying for fill to future proof the impacts of predicted coastal hazards for an unknown future development. It is unclear if any future development will in fact be progressed, or if fill will be imported and simply remain onsite.

The officer is of the view that the proposed fill represents an ancillary component of the future development. The proposal seeks to secure fill for a development that does not exist, which in the officer’s view runs counter to a disciplined, methodical, logical and systematic approach to undertaking a planning process, as the future development may or may not require approval and may or may not ultimately be supported.

The entire portion of the land proposed to be filled will presumably not contain a habitable structure, so the extent of fill seems excessive to future proof a habitable structure from predicted coastal hazards, and in the officer’s view, is contrary to the relevant design principle of the R-codes which indicates a position of ‘minimal’ siteworks.

The development includes water tanks, which ordinarily by the definition of an ‘external fixture’ are required to be related to a dwelling. The proposal does not comprise of a dwelling on Lot 902. It may then be premature to approve the water tank as a standalone structure on an otherwise vacant residential property (in reference to Lot 902). It would represent an ancillary component of the future residential development of which is unknown.

The piecemeal approach to development of the land is severing the ability of the planning assessment to be undertaken in a disciplined, methodical, logical and orderly manner. It is inhibiting a detailed planning assessment of the site.

The land as a whole has been planned for in an orderly and proper way over many years through the rezoning and structure planning process. AU 20 provisions require development on the site to be consistent with the ODP. It is unclear how the proposed works are consistent with the ODP, and in fact appears to conflict with the ability of the road network outlined in the ODP being implemented.

While the officer accepts that there is no legal obligation for the owner to progress with the ODP, the planning framework requires that the ODP be given due regard.

In the context of the *Planning and Development Act 2005*, the term 'due regard' is interpreted to mean that a decision-maker must give proper, genuine and realistic consideration.

If there is no intention to progress the ODP it should be cancelled, and until such time as this occurs (if intended), then planning assessment must have *proper, genuine and realistic* regard to the ODP.

Formalising the site levels essentially creates a new NGL, that subsequently affords additional future buildings to be ~2.3 higher than the deemed-to-comply heights that would be considered based on the current site levels. It therefore enables the design of future development in such a way as to negate the need to apply for development approval, that would otherwise require approval based on the existing levels, and thereby avoiding a detailed planning assessment and development conditions.

To sever and compartmentalise a development in the manner proposed, in the officer's view, is inconsistent with the principles of orderly and proper planning.

Summary

The officer is of the view that the Shire should be pragmatic in considering development within areas forecast to be affected by coastal hazards within the planning timeframe. It is important not to prohibit all forms of development in coastal hazard areas, particularly when the projected impacts are not imminent or beyond a proposal's lifespan.

However, the officer is of the view that the proposal in its current form is not capable of approval.

That is not to say that any development of the site is not appropriate, rather that the deficiencies outlined in the above assessment should be adequately addressed prior to a favourable determination.

In view of the above, the officer recommends refusing the development.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Scheme) Regulations 2015

Shire of Gingin Local Planning Scheme No. 9.

POLICY IMPLICATIONS

State Planning Policy 7.3 - Residential Design Codes of Western Australia

State Planning Policy No. 2.6 – State Coastal Planning Policy

Shire of Gingin Coastal Hazard Risk Management and Adaption Plan 2019

BUDGET IMPLICATIONS

It is probable that a refusal will be appealed to the State Administrative Tribunal (SAT) and costs will be incurred as part of this process.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.1 Climate Change & Adaption - Understand the impacts of climate change and identify actions to adapt and mitigate those impacts

VOTING REQUIREMENTS - SIMPLE MAJORITY

MOTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe SECONDED: Councillor Stewart

That Council refuse development approval for siteworks (fill) and external fixtures (water tanks) on Lots 4 (60) and 5 (62) Gingin Road, Lancelin and Lots 6 (3) and 191 Miragliotta Street, Lancelin in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:

1. Having regard to Clauses 67(2)(b) (c) (h) (q) and (r) of the Deemed Provisions, the proposed development is unacceptable given:
 - a. The proposal is inconsistent with the principles of orderly and proper planning, in that it is a piecemeal application to develop land that requires detailed planning.

- b. The proposal does not demonstrate compliance with State Planning Policy 2.6 - State Coastal Planning Policy.
- c. The proposal does not demonstrate compliance with State Planning Policy 7.3 - Residential Design Codes Volume 1.
- d. The proposal is not consistent with the approved Outline Development Plan and does not demonstrate why the inconsistency is acceptable.
- e. The proposal does not demonstrate compliance with the Shire of Gingin Coastal Hazard Risk Management Adaptation Plan.

Advice Note:

Note 1: If you are aggrieved by this decision, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.

PROCEDURAL MOTION

MOVED: Councillor Peczka **SECONDED:** Councillor Weeks



That this item be deferred to allow Administration to seek further clarification with regard to the type of fencing and rain water tanks proposed and potential offsite impacts.

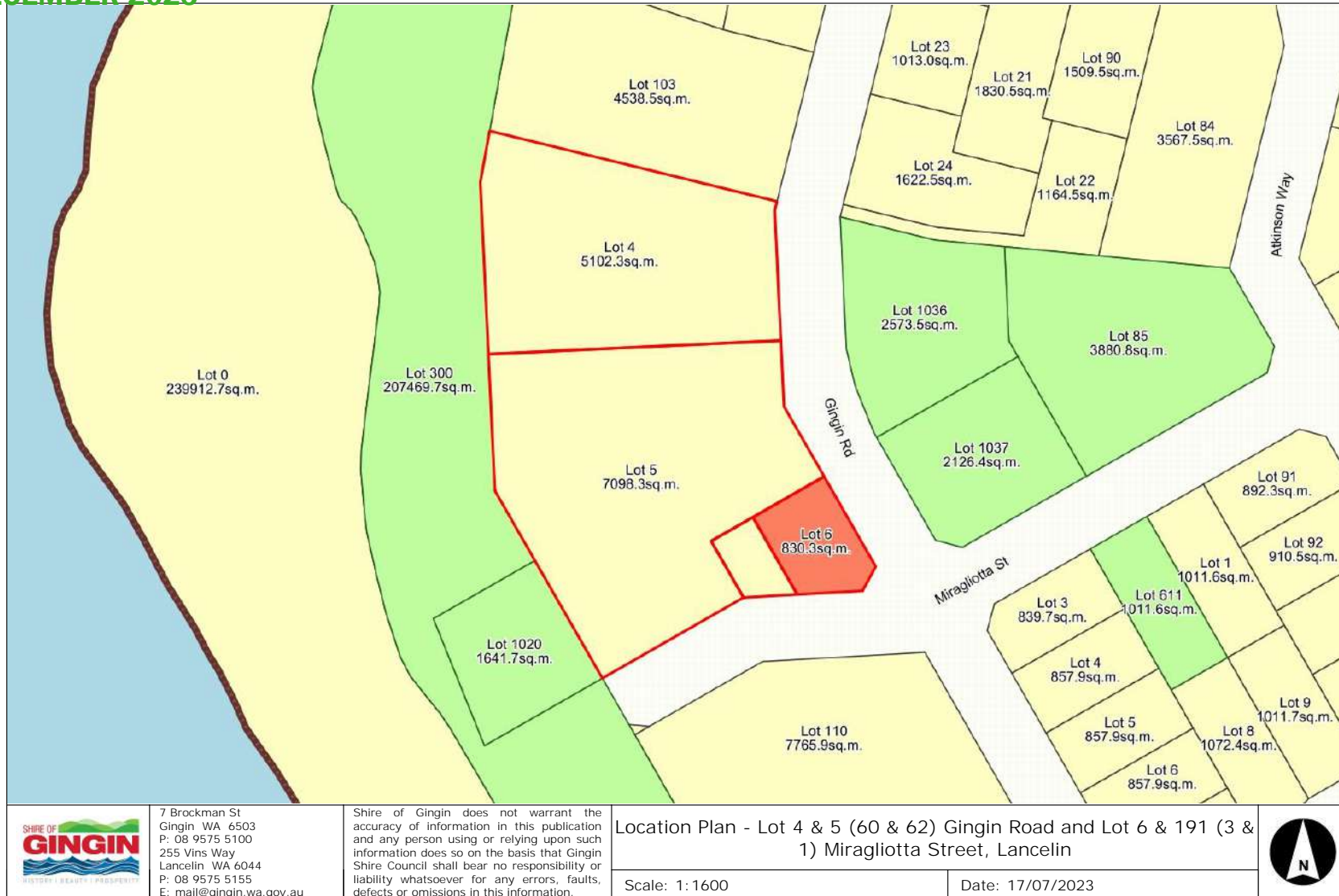
**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*



 <p>SHIRE OF GINGIN HISTORY BEAUTY PROSPERITY</p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Aerial Plan - Lot 4 & 5 (60 & 62) Gingin Road and Lot 6 & 191 (3 & 1) Miragliotta Street, Lancelin</p>	
		<p>Scale: 1: 1280</p>	<p>Date: 17/07/2023</p>	





element.

Our Ref: 23-286

13 July 2023

Chief Executive Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

Attention: James Bayliss – Coordinator Statutory Planning

Dear James,

**APPLICATION FOR DEVELOPMENT APPROVAL FOR EARTHWORKS (FILLING),
RETAINING WALLS AND WATER TANKS AT LOTS 4 (NO. 60) & 5 (NO. 62) GINGIN
ROAD AND LOTS 6 (NO. 3) & 191 (NO. 1) MIRAGLIOTTA STREET, LANCELIN**

element acts on behalf of the landowner of the above landholdings. We are pleased to submit this application for development approval for earthworks (filling), retaining walls and two (2) water tanks at Lots 4 (No. 60) & 5 (No. 62) Gingin Road and Lots 6 (No. 3) & 191 (No. 1) Miragliotta Street, Lancelin (the 'subject land').

To assist in the processing of this application, please find enclosed the following:

- Completed and signed Application for Development Approval form;
- A copy of the current Certificates of Title; and
- Proposed Development Plans.

Further background information and justification in support of this application is provided below for your consideration.

Site Details

The subject land comprises four (4) lots, bound by Gingin Road to the east, Miragliotta Street to the south, the Lancelin Endeavour Tavern to the north and coastal reserved land to the west.

The title particulars of the subject land are outlined in the table below.

Lot	Plan	Vol	Folio	Land Area	Registered Proprietor
4	206300	2034	614	5,102m ²	Goodoil Investments Pty Ltd
5	206300	2034	615	7,098m ²	Goodoil Investments Pty Ltd
6	169679	2034	616	830m ²	Goodoil Investments Pty Ltd

191	169679	2034	616	354m ²	Goodoil Investments Pty Ltd
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Refer Attachment One – Certificates of Title.

Proposed Works

This application seeks approval from the Shire of Gingin (the ‘Shire’) to undertake earthworks (filling) across all lots. The fill will be comprised of virgin material (clean fill) and the proposed levels will be generally in accordance with the proposed development plans.

Retaining walls are proposed around the existing dwelling on Lot 4 and the proposed extension to the dwelling. The retaining walls and footings are likely to be constructed of limestone block or other suitable material, as confirmed in the building licence with engineering certified drawings.

A building application will be lodged with the Shire for the proposed extension to the existing dwelling, which is consistent with the requirements of the Shire’s Local Planning Scheme No. 9 (‘LPS 9’) and therefore exempt for the requirement to obtain planning approval.

Additionally, water tanks are to be placed on Lot 4 and Lot 6. Each water tank will have a capacity of approximately 248,000 litres and dimensions of 12 metres width and 2.2 metres in height.

Refer Attachment Two – Proposed Development Plans.

Planning Considerations

Pursuant to the provisions of the Shire’s LPS 9, the subject land is zoned ‘Residential’ and has an applicable residential density coding of ‘R40’. The objectives of the Residential zone contemplated under LPS 9 are as follows:

- a) *provide for a range of housing types and encourage a high standard of residential development;*
- b) *maintain and enhance the residential character and amenity of the zone.*
- c) *limit non-residential activities to those of which the predominant function is to service the local residential neighbourhood and for self-employment or creative activities, provided such activities have no detrimental effect on the residential amenity; and*
- d) *ensure that the density of development takes cognisance of the availability of reticulated sewerage, the effluent disposal characteristics of the land and other environmental factors.*

The proposed development is considered to be minor in nature and will not have a detrimental impact on local amenity, facilitating development of the land for residential purposes.

Given the location of the existing dwelling and extension area at the back of the Lot 4, the retaining walls and associated fill will not be in view of the street and are consistent with the development on site.

Furthermore, the proposed retaining walls more than adequately meet the deemed-to-comply setback requirements contemplated for the R40 density coding under the Residential Design Codes of WA (the ‘R-Codes’).

Shire of Gingin Coastal Hazard Risk Management and Adaptation Plan

The Shire’s Coastal Hazard Risk Management and Adaptation Plan (‘CHRMAP’) identifies the existing house development site on Lot 4 as falling between the 2070 and 2120 coastal inundation hazard area. The CHRMAP recommends the development habitable floor level be raised to a suitable height.

Construction of the existing dwelling made allowance for the CHRMAP coastal inundation hazard by lifting the house (on stumps) to a finished floor level of 4.68, being approximately 1.38 above the natural ground level.

element.

The proposed retaining walls and filling of the development site will provide for better reinforcement and adaptation to counter the risk from temporary coastal inundation.

Summary

This application seeks approval from the Shire for earthworks (filling), retaining walls and two (2) water tanks at the subject land. The proposed works will facilitate the future development of the land in close proximity to amenities and attractions within Lancelin.

We trust the above and attached is satisfactory for the Shire to issue an approval for the proposed works at the subject land.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact Murray Casselton or the undersigned on 9289 8300.

Yours sincerely

element



Ella Compton

Senior Consultant - Planning

element acknowledges the Whadjuk people of the Noongar nation as Traditional Owners of the land on which we live and work. We acknowledge and respect their enduring culture, their contribution to the life of this city, and Elders, past and present.

element.

ATTACHMENT TWO – PROPOSED DEVELOPMENT PLANS

DA-A

Proposed extension for Goodoil Investments Pty Ltd Lot 4, 60 Gingin Road, Lancelin

AND 191 GINGIN ROAD - LANCELIN

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ISSUED FOR DEVELOPMENT APPROVAL

leonhouse

0430 117 986

leonhouse design pty ltd

PO Box 873 canning bridge applecross wa 6153

leonhouse.net

Drawing Number:
1074-BL_vA_15 12 2022
Issue Date: 15/12/2022

PROPOSED RESIDENCE FOR 191 GINGIN ROAD - LANCELIN

DA-VA

CONTENTS

1074-DA-IN-00	PAGE 00	INDEX DRAWING
1074-DA-SU-01	PAGE 01	SITE SURVEY PLAN
1074-DA-MA-01	PAGE 02	MASTERPLAN
1074-DA-SS-01	PAGE 03	SITE SECTION
1074-DA-SS-02	PAGE 04	SITE SECTION

DEVELOPMENT APPROVAL

leonhouse

0430 117 986

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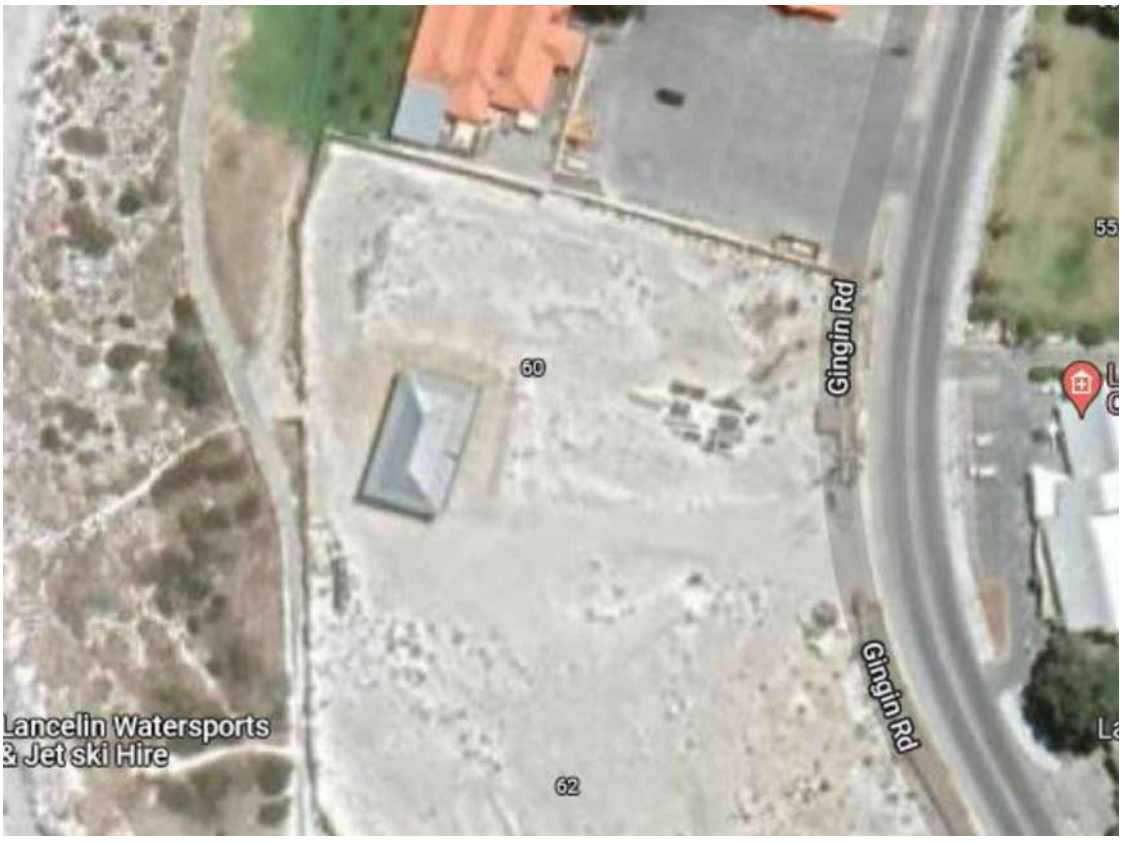
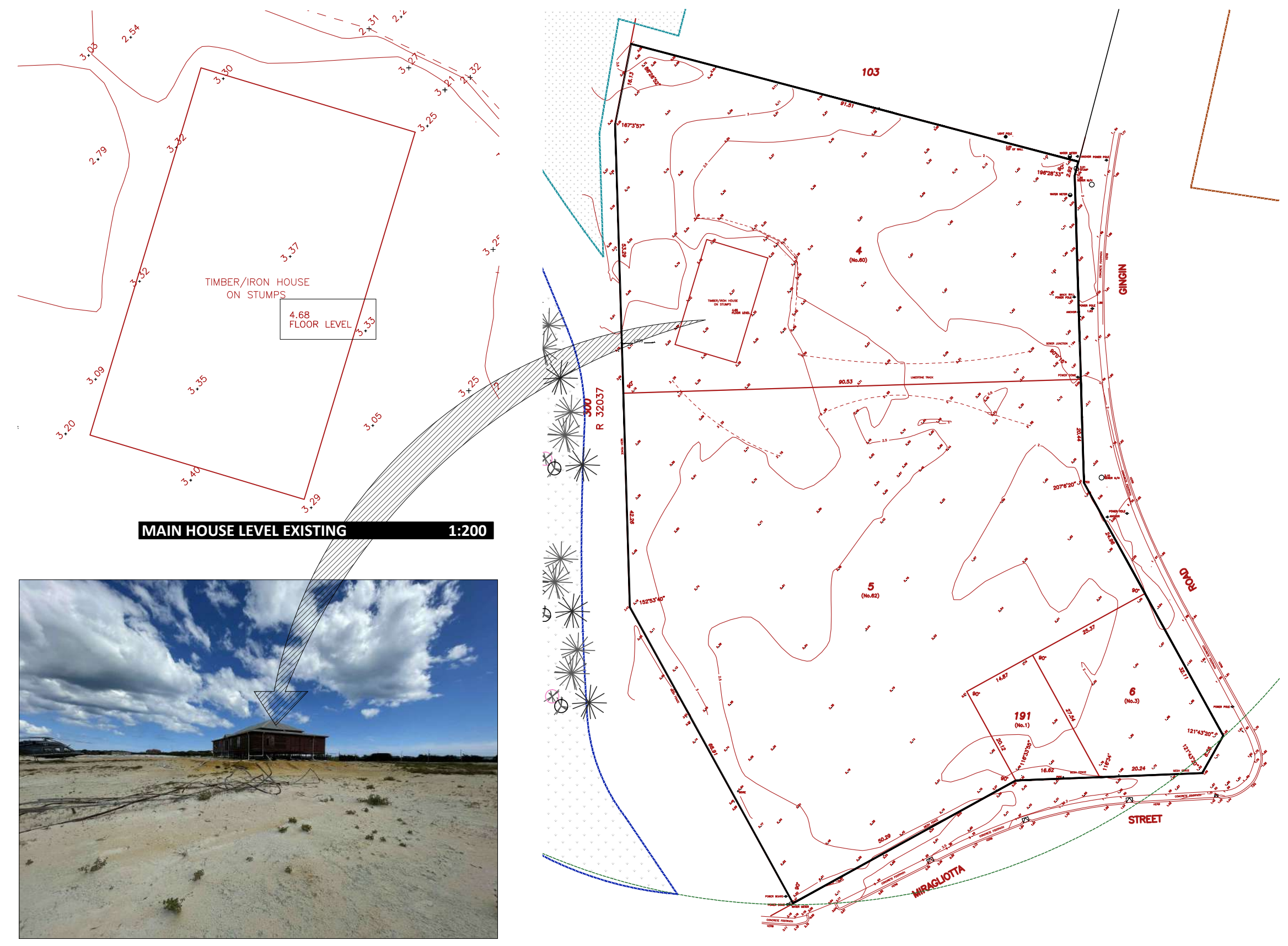
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Drawing Number:

1074-BL_VA_15 12 2022- Rev A

Issue Date: 15/12/2022



SITE SURVEY 1:700

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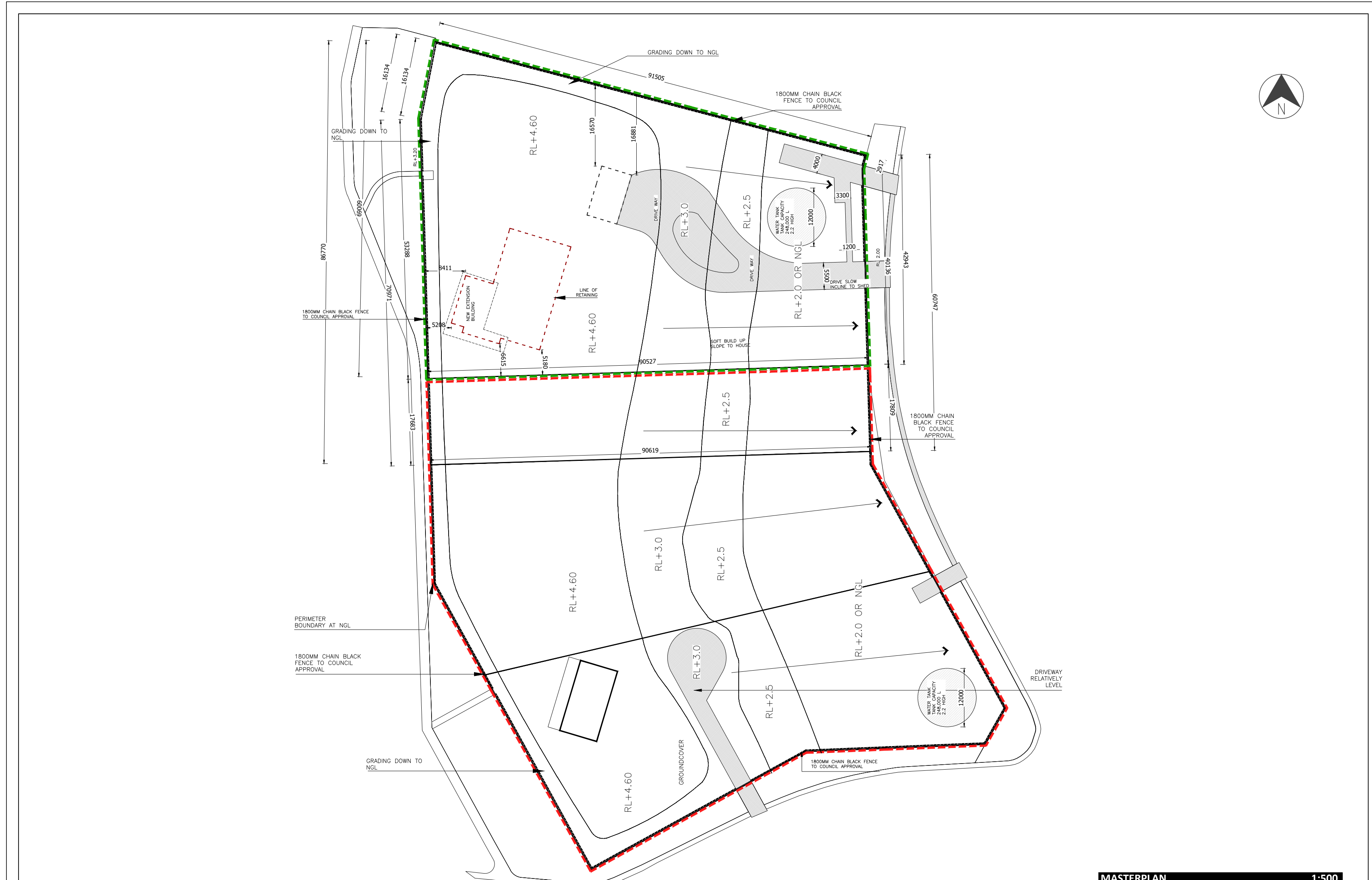
DATE	REV	AMENDMENT
14.03.2022	01	ISSUE FOR DEVELOPMENT APPROVAL

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CLIENT TIM ROBERTS	DESIGNED HLM	DRAFTING/CHECK LEON HOUSE	START DATE 14.03.2022	ISSUE DATE 14.03.2022
PROJECT LANCELIN				

TITLE SITE SURVEY SITEPLAN	SCALE 1:700 @ A2	PROJECT No 1074	DRAWING No 1074-PR-SU-01	REV 01
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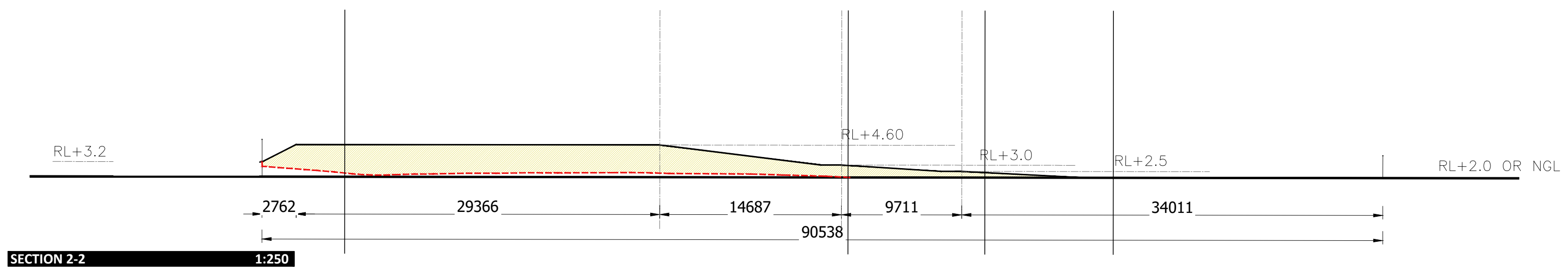
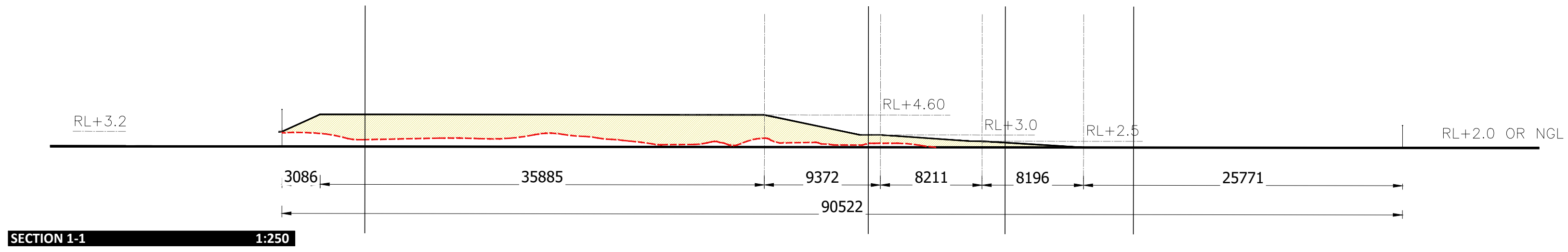
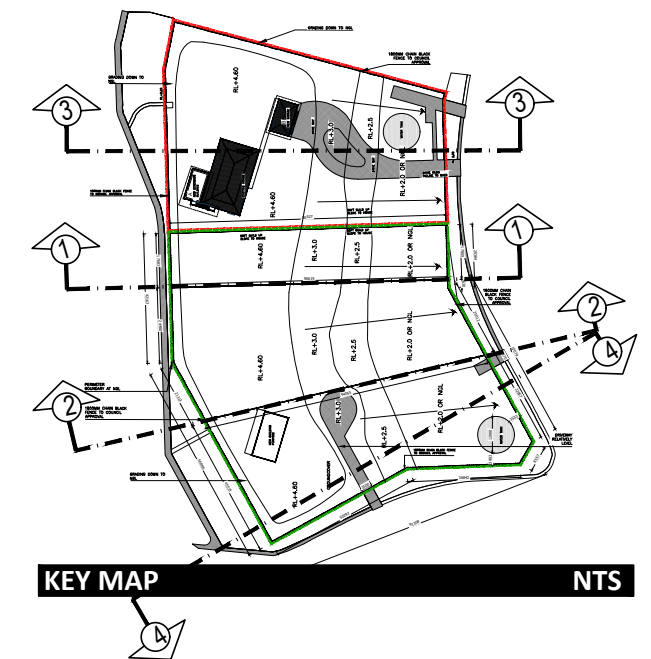
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CLIENT TIM ROBERTS	DESIGNED BY HLM	DESIGN/DRAFTING CHECK LEON HOUSE	START DATE 14.03.2022	ISSUE DATE 14.03.2022
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MASTERPLAN 1:500

TITLE MASTER PLAN	PROJECT No 1074	DRAWING No 1074-BL-MA-01	REV 01
SCALE 1:500 @ A2			

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AREA CALCULATIONS	
LOT 4 LAND FILL AREA	8,481.00 m3
LOT 5-6 LAND FILL AREA	12,734.00 m3
TOTAL LAND FILL AREA	21,215.00 m3

PLANS DRAWN TO BE PRINTED TO SCALE
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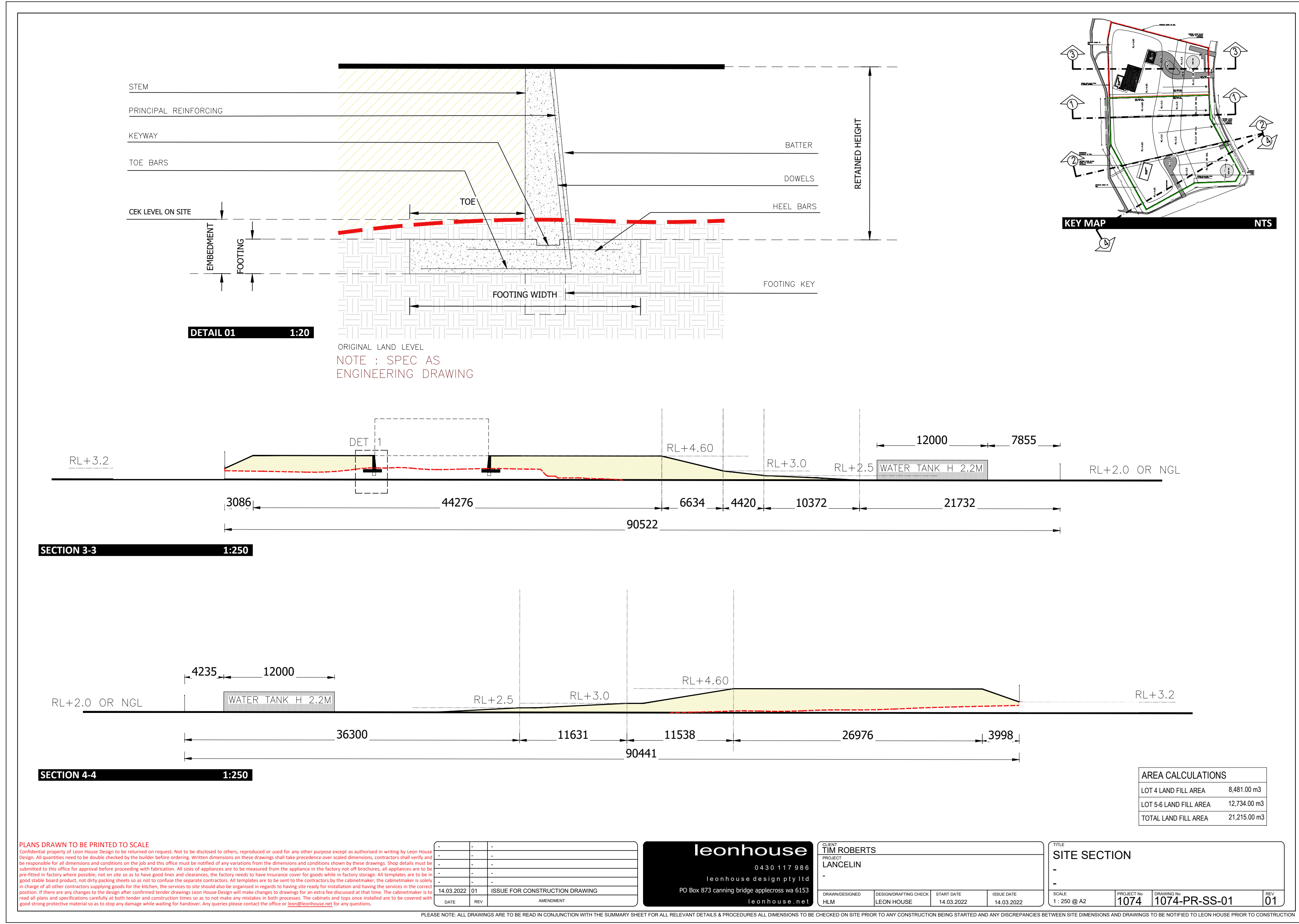
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CLIENT TIM ROBERTS	DESIGNED HLM	DRAFTING CHECK LEON HOUSE	START DATE 14.03.2022	ISSUE DATE 14.03.2022
PROJECT LANCELIN				

TITLE SITE SECTION	SCALE 1:250 @ A2	PROJECT No 1074	DRAWING No 1074-PR-SS-01	REV 01
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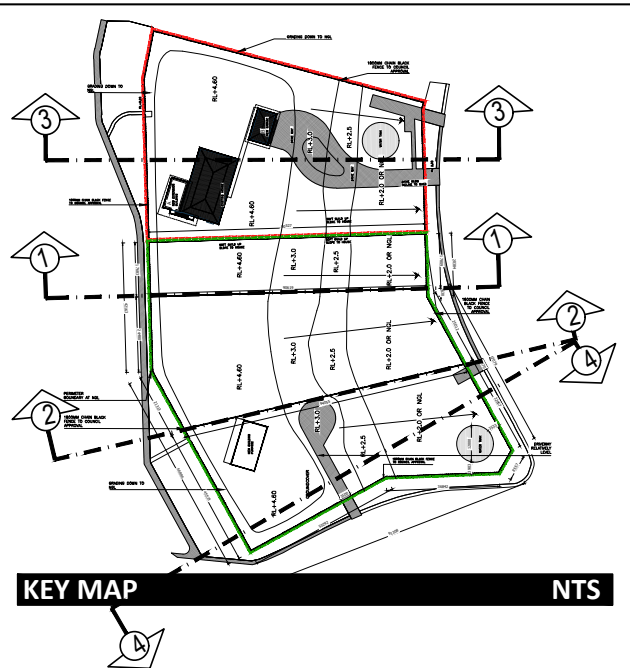
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DETAIL 01 1:20

SECTION 3-3 1:250

SECTION 4-4 1:250



AREA CALCULATIONS	
LOT 4 LAND FILL AREA	8,481.00 m3
LOT 5-6 LAND FILL AREA	12,734.00 m3
TOTAL LAND FILL AREA	21,215.00 m3

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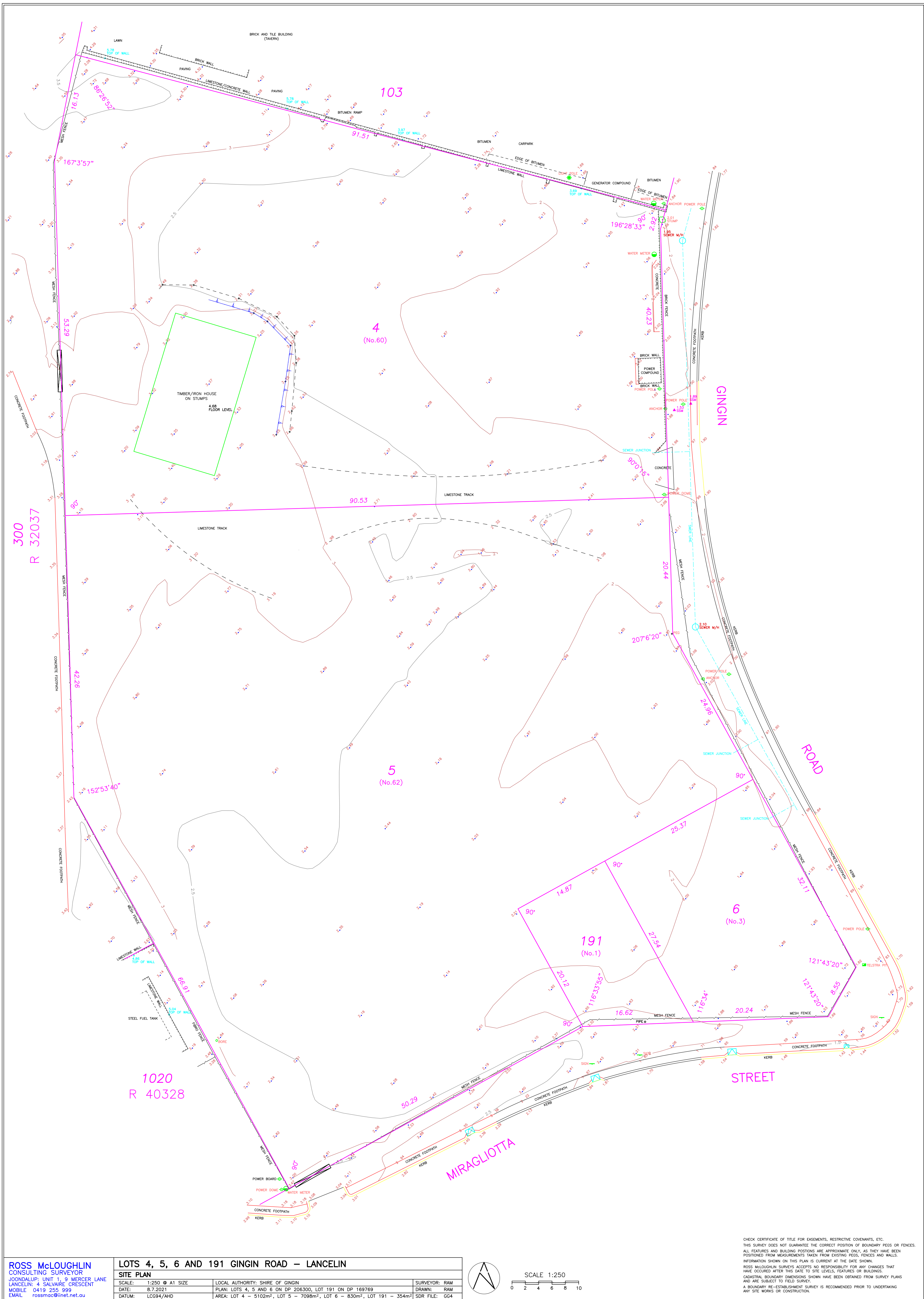
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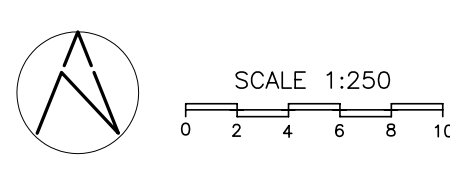
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SCALE 1:250 @ A2	PROJECT No 1074
	DRAWING No 1074-PR-SS-01
	REV 01

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ROSS McLOUGHLIN
CONSULTING SURVEYOR
JOONDALUP: UNIT 1, 9 MERCER LANE
LANCELIN: 4 SALVARE CRESCENT
MOBILE 0419 255 999
EMAIL rossmac@line1.net.au

LOTS 4, 5, 6 AND 191 GINGIN ROAD – LANCELIN			
SITE PLAN			
SCALE: 1:250 @ A1 SIZE	LOCAL AUTHORITY: SHIRE OF GINGIN	SURVEYOR: RAM	
DATE: 8.7.2021	PLAN: LOTS 4, 5 AND 6 ON DP 206300, LOT 191 ON DP 169769	DRAWN: RAM	
DATUM: LCG84/AHD	AREA: LOT 4 – 5102m ² , LOT 5 – 7098m ² , LOT 6 – 830m ² , LOT 191 – 354m ²	SDR FILE: GG4	



CHECK CERTIFICATE OF TITLE FOR EASEMENTS, RESTRICTIVE COVENANTS, ETC.
THIS SURVEY DOES NOT GUARANTEE THE CORRECT POSITION OF BOUNDARY PEGS OR FENCES.
ALL FEATURES AND BUILDING POSITIONS ARE APPROXIMATE ONLY, AS THEY HAVE BEEN
POSITIONED FROM MEASUREMENTS TAKEN FROM EXISTING PEGS, FENCES AND WALLS.
INFORMATION SHOWN ON THIS PLAN IS CURRENT AT THE DATE SHOWN.
ROSS McLOUGHLIN SURVEYS ACCEPTS NO RESPONSIBILITY FOR ANY CHANGES THAT
HAVE OCCURRED AFTER THE DATE TO SITE LEVELS, FEATURES OR BUILDINGS.
CADASTRAL BOUNDARY DIMENSIONS SHOWN HAVE BEEN OBTAINED FROM SURVEY PLANS
AND ARE SUBJECT TO FIELD SURVEY.
A BOUNDARY RE-ESTABLISHMENT SURVEY IS RECOMMENDED PRIOR TO UNDERTAKING
ANY SITE WORKS OR CONSTRUCTION.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.1.4

Archived: Wednesday, 13 December 2023 1:05:48 PM

[REDACTED] 2023 4:26:35 PM

To: [James Bayliss](#)

Subject: Re: Development Application - Lots 4 (No. 60) & 5 (No. 62) Gingin Road and Lots 6 (No. 3) & 191 (No. 1) Miragliotta Street, Lancelin (23-286)

Importance: Normal

Sensitivity: None

Attachments:

[Lancelin Site Section.pdf](#) 

Hi James,

Detailed responses to the matters raised are provided in this email and in red against the relevant items in your 14 November 2023 email below.

In relation to the first four dot points in your email which largely relate to potential off-site impacts of the proposed fill, we believe these matters were addressed in the applicant response to submissions as sent to the Shire on the 3 November 2023 (refer to pages 7 and 8). Nevertheless, further advice has been sought from MP Rogers and Associates as detailed below. These responses largely relate to the hydraulics and inundation mapping done for the Shire by Baird.

The Coastal Inundation Study (CIS) undertaken by Baird on behalf of the Shire assumes that about 0.5 km of dune would be breached by the ocean during the 500 year ARI event on top of the mean sea level that may occur by 2120. This effectively includes the full impact of possible sea level rise due to climate change. This breach is shown as hatched in light blue on the extract from the Baird work provided below (refer to Sections 7.5 Bathtub Mapping Approach and 7.6 Hydro-connectivity of the Baird report).

Such a breach would provide a massive hydraulic connection between the ocean and the coastal development at Lancelin. On that basis, Baird assumed that there would be no attenuation of the peak ocean water level. The peak ocean water level and the present day land surface levels were used to produce the maps showing inundation depths.

Filling of the subject land would not change the Baird map except the subject land would not be shown as inundated. There would be no offsite impacts of the filling. The inundation levels estimated by Baird would not change for the other areas.



In less extreme events the dunes may not be breached and the low lying areas behind the dunes would not be subject to direct inundation from the ocean. During such events, the ocean water level would be less than shown by Baird and the adjacent properties would not experience the inundation shown by Baird.

Regardless of the capacity of the hydraulic connection, the maximum water level would be that in the ocean. It is the ocean water level driving the inundation shown by Baird. Baird has assumed that the ocean water level would be transmitted to the lower areas behind the dunes. This is the worst possible case.

If we were to step through the event envisaged by Baird we get the following:

1. The ocean water level rises.
2. Some of the dunes are eroded away.
3. Ocean water flows through the breach in the dune and starts to fill the low lying areas.
4. The water level in the low lying areas eventually reaches the same peak level as in the ocean.
5. Water no longer flows into the inundation area because the water level is the same as in the ocean. Water flow from the ocean stops when the low lying area has the same water level. This occurs regardless of the area and volume needed to fill the low lying areas to the peak ocean water level.

Baird has already taken the worst inundation case possible for the flood maps provided and filling the subject land would not affect the adjacent properties in respect to the risk of inundation or flooding. The flooding shown on the other properties in Lancelin is already on the basis that the local flood level is the same as the maximum ocean level without any attenuation.

I trust that this makes our position clear on the lack of off-site impacts of the proposed fill. If the above requires further explanation this might be best achieved through a meeting with Mick Rogers where he can explain the hydraulics and inundation mapping undertaken by Baird.

It would also be appreciated if you can advise your position in respect to the application based on the additional information as provided so we can determine if we need to obtain legal advice prior to the Council meeting at which the application will be determined.

Please don't hesitate to give me a call if you have any further queries.

Regards

Murray Casselton

Strategic Counsel

element.
the art and science of place

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We acknowledge the Whadjuk people of the Noongar nation as Traditional Owners of the land on which we live and work. We acknowledge and respect their enduring culture, their contribution to the life of this city, and Elders, past and present.

From: James Bayliss <James.Bayliss@gingin.wa.gov.au>

Subject: RE: Development Application - Lots 4 (No. 60) & 5 (No. 62) Gingin Road and Lots 6 (No. 3) & 191 (No. 1) Miragliotta Street, Lancelin (23-286)

Hi Murray and Ella,

Please be advised that an Item will be prepared for the December Council Meeting. As it stands the recommendation to Council will be to refuse the development.

I make the following comments:

- The DPLH advice with respect to the DA includes that the substantial fill is intended to facilitate future development, but the development scenario has not been contemplated in the inundation modelling completed. The DPLH recommends that the proponent should address that as part of the application because no consideration has been given to possible off-site impacts of the fill. This was also a concern raised by a submitter. This issue remains unresolved. **It is understood that the concern is that the site works and raised levels will redirect inundation events on to other properties and exacerbate localised flooding during events. See detailed responsive comments in email above. Filling the subject land would not affect adjacent properties in respect to the risk of inundation or flooding.**
- SPP 2.6 provides in section 5.5 (i) that adequate coastal hazard risk management and adaptation planning should be undertaken by the responsible authority *and/or proponent*. **See detailed responsive comments in email above. Inundation risk of other properties and the locality generally is not exacerbated.**
- Section 5.11 of SPP2.6 says that the precautionary principle is to be applied and the onus is on the applicant to show that development does not pose any likelihood of serious or irreversible harm to the environment. **See**

detailed responsive comments in email above. There is no risk of serious or irreversible harm to the environment relating to any exacerbation of inundation risk.

- I note the proponent's submission on the draft CHRMAP during the stakeholder consultation process, however that does not address the above matters. **Noted. See comments in email above.**
- In my view the proposal is also inconsistent with the principles of orderly and proper planning:
 - Proceeding with planning applications in a piecemeal fashion result in an application being severed in a way that is likely to impede the proper consideration of the development proposal. Notwithstanding the Shire's request for the holistic development to be presented nothing can/has been provided to clarify. Notwithstanding this lack of certainty, you maintain that the future development is nevertheless exempt from needing development approval. This affirms that proper consideration of the holistic development is being disconnected in a piecemeal way and is impeding the proper planning considerations of the proposal. **In our view the application should be considered on its standalone merits on the basis that it is generally consistent with the endorsed ODP, is an appropriate response to coastal risks identified in the Shire's CHRMAPS and that it seeks to appropriately secure, landscape and stabilise the currently unsightly land and to address concerns around sand movement. In due course, if inundation risks increase, retaining and/or other physical protection may need to be implemented to appropriately secure the raised levels as would be the case along the Town's entire coastal frontage.**

It should also be noted that the nature of works proposed is in effect the same type of works that may occur under a subdivision approval under which circumstance you do not know exactly what will be developed on the land afterwards. In respect to potential concerns about the extent and height of the fill, it should be noted that it is in part simply replacing sand/soil that was lost as part of the site remediation process. The proposed levels also reflect the floor level of the existing house, are generally consistent with the level of the adjoining hotel (which sits on a retained contour of approximately 4m AHD) and are similar to the levels envisaged under the approved ODP.

- The relevant design principle of the R-Codes has not been addressed. The proposal does not demonstrate the balance between 'minimal' fill and the desire to future proof inundation predictions. **The extent of fill proposed is consistent with existing site development and the established hotel on the adjoining property. It is also an appropriate response to modelled inundation risk as set out within the Shire's draft CHRMAP with appropriate contingency for a greater level of inundation risk. All proposed levels grade down to existing NGLs at the property boundary, with lower graded levels typically the primary feature as viewed from the abutting streets (Miragliotta Street and Gingin Road). The extent of retaining walls currently proposed are within the site to accommodate the floor levels of the existing house and will have no impact on adjoining properties. No retaining to external boundaries is proposed at this stage.**

It is also notable that the endorsed ODP does not include proposed levels. By way of background, the ODP report and content were originally prepared by TPG in November 2008 ahead of the final ODP which was approved in July 2010. The original ODP included sections of the proposed development along the beachfront boundary (refer attached). These sections have the level of the entire beach front boundary at RL 4.4m which is similar to what is being sought now as part of the current application. The building envelopes remain the same and the house designs on top as still contemplated in the ODP are two levels above this RL. It is our understanding that the section was removed from the ODP due the sensitivities around fill levels and retaining at the proposed DUP and dunal interface. These concerns are not relevant to the current proposal as all proposed levels grade down to existing NGLs at the property boundary. The

current proposal is also consistent with Council's 2009 position in wanting sufficient detail to clearly enunciate the extent of fill intended across the whole of the development site.

- o The potential to increase the NGL and subsequent future building height is an aspect of the issues associated with this piecemeal proposal. The increase in NGL reflects the floor level of the existing house on the subject site and the levels of the adjoining hotel and are similar to the levels envisaged under the approved ODP. In the event that the modelled inundation risk by Baird eventuates then NGLs will have to be raised across all affected areas in Lancelin with the new levels (+2.9m AHD with contingency) effectively becoming a new NGL datum point. This means that what constitutes NGL now is unlikely to be the case in future given modelled inundation risk and it would be orderly and proper planning and contextually appropriate to use adjusted NGLs for building height calculation purposes. Within this context, adjusted NGLs that are generally consistent with the approved ODP and that are responsive to pre-existing site development and the immediate context are not considered to be of concern.
- o No comments in relation to Additional Use 20 or consistency with the approved Outline Development Plan (ODP) for the site has been provided. Additional Use 20 options (holiday accommodation, shop, restaurant and office) are still protected and possible given this is a works application only. In point of fact, the additional fill and landscaping as proposed will effectively protect and potentially secure the existing use rights afforded under the current planning framework and ensure that the subject site remains developable in a manner generally consistent with the 2010 ODP (which is noted to more resemble a local development plan than a structure plan) or for some other urban purpose.
- o No comments in relation to Additional Use 3 has been provided. The fuel depot use doesn't exist anymore and there is no proposition to re-establish it. On this basis Additional Use 3 is not a material consideration in relation to the application.

Collectively there are many deficiencies with the proposal, and on that basis I am not able to responsibly advise Council that the proposal is consistent with the planning framework. As I have previously outlined, the site would benefit from stabilisation and landscaping that this proposal may initiate, however it must be done in a manner consistent with the applicable planning framework.

I raise the above issues in an attempt to have you reconsider the proposal in its current form and to address the outstanding items.

Regards,

James Bayliss
Manager Planning and Building

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[REDACTED]



[REDACTED]

From: [REDACTED] >
Sent: Wednesday, August 2, 2023 2:15 PM
To: James Bayliss <James.Bayliss@gingin.wa.gov.au>
Cc: [REDACTED] >
Subject: Re: Development Application - Lots 4 (No. 60) & 5 (No. 62) Gingin Road and Lots 6 (No. 3) & 191 (No. 1) Miragliotta Street, Lancelin (23-286)

Hi James,

Hope you are well. My apologies for the delay in getting back to you on this. Please see the below comments in red provided by our Client in response to the City's queries below.

We are happy to meet over teams to discuss the proposal in further detail. Please let us know when you would be available to meet.

Trust this assists. Happy to discuss further should you have any queries.

Many thanks,

Ella Compton
Senior Consultant -- Planning



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We acknowledge the Whadjuk people of the Noongar nation as Traditional Owners of the land on which we live and work. We acknowledge and respect their enduring culture, their contribution to the life of this city, and Elders, past and present.

From: James Bayliss <James.Bayliss@gingin.wa.gov.au>
Date: Wednesday, 19 July 2023 at 2:41 pm

To: [REDACTED]

Subject: RE: Development Application - Lots 4 (No. 60) & 5 (No. 62) Gingin Road and Lots 6 (No. 3) & 191 (No. 1) Miragliotta Street, Lancelin (23-286)

Hi Ella,

I refer to your application referenced below. I have made some general comments below and outline a number of queries for your consideration:

1. I note that the collective development proposal relates to 4 lots. I am comfortable to deal with the proposal as one assessment, however please confirm that the cost of development relates to overall works proposed works over the 4 lots.

We confirm that the development cost relates to the whole site.

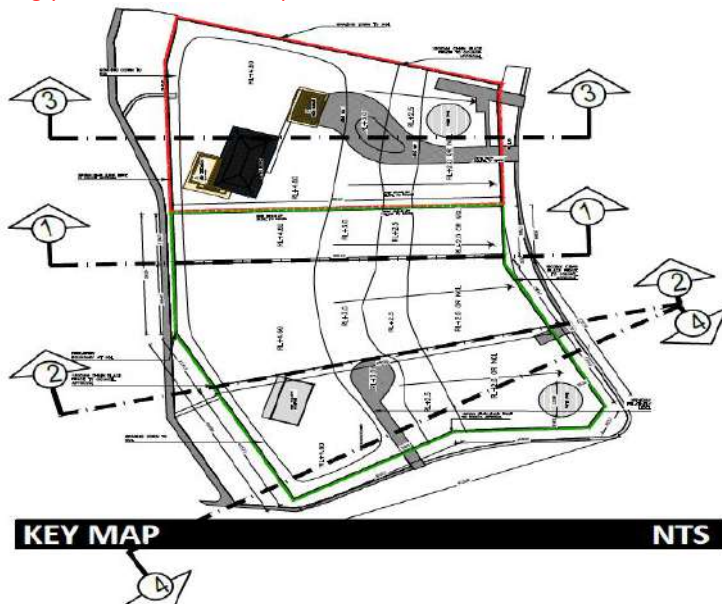
2. I am having difficulty interpreting which elevations relates to which property. Can you outline on the elevation drawings (which sections) relate to which property. It would be beneficial if the Site Plan hatched the area that the fill is proposed to be placed. It would also be beneficial if the site plan delineated each lot number.

In the section pages there is the plan showing the location of the 4 sections (extract below). The confusing part may be that section 4 is viewed from the opposite direction to sections 1-3 (not sure why the architect did that).

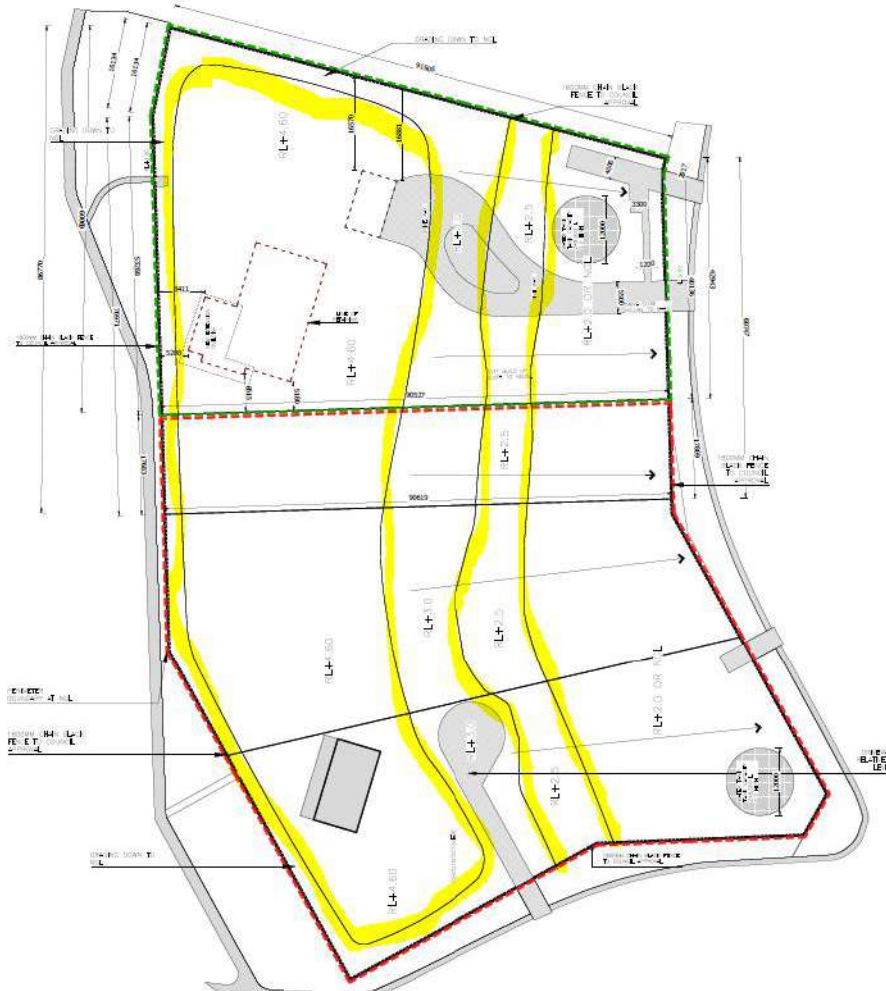
The sections don't necessarily align with any particular underlying lot as we are treating the DA and works as if the land was 1 parcel. But it looks like:

- Section 3 is in Lot 4 the 5,102sqm lot to the north
- Section 1 is close to the new boundary of Lots 9001 and 9002.
- Section 2 would be in Lot 9002
- Section 4 is in Lot 9003

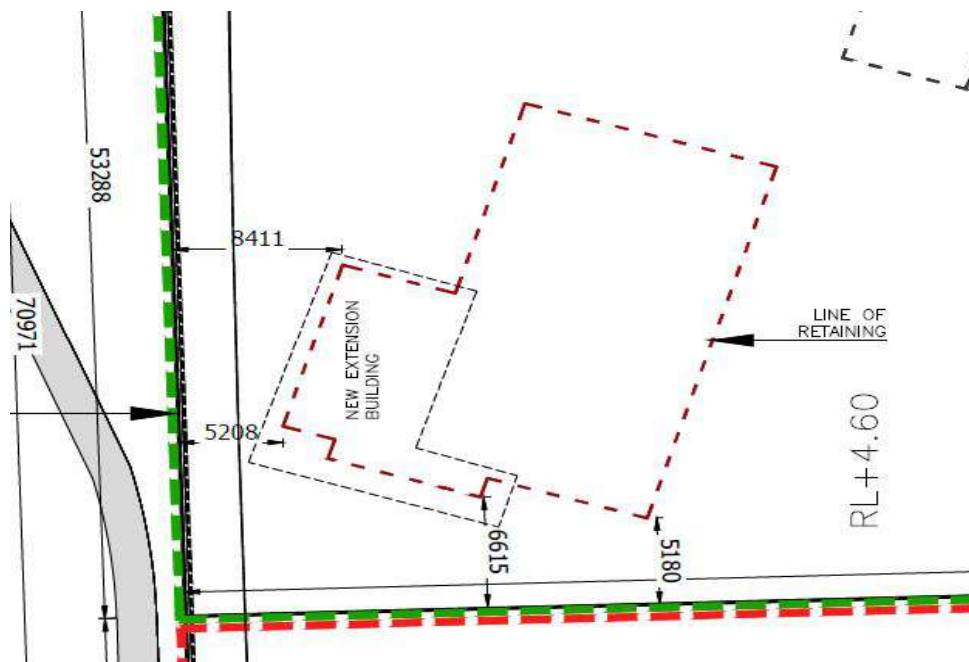
Accordingly, we do not have a separate volume calculation for each individual lot.



The contours for the fill are shown on the site plans. We have used the yellow highlighter in the snip tool below to show this. The RLs are also marked. So the higher levels are along the west and tapers down towards Gingin Road.



3. Do you have a feature survey of the properties? **Yes – attached Ross McLaughlin survey from 2021.**
4. I note that the proposal seeks approval for ‘*earthworks (filling), retaining walls and two (2) water tanks*’. No development plans that outline the retaining walls have been provided. **The retaining walls are around the house and the proposed extension to the house and are shown in the site plan, but due to the scale of the site plan you have to zoom in to see the line and notes. Refer to the extract below.**
- The proposal then says that the proposed retaining walls meet the deemed-to-comply provisions of the R-codes. Can you confirm if the ‘retaining walls’ forms part of the proposal and if so provide plans, or are you suggesting the retaining wall is exempt as it meets the deemed-to-comply provisions?
- We understand that retaining over 500mm requires a DA, hence we have applied for the retaining around the house as per the note above. There is not retaining along boundaries which may be what the reference to deemed to comply relates to.**



5. Can you confirm the intent of the water tanks...are they to provide potable water to the 'future development' or do they relate to some form of firefighting infrastructure? The water tanks are likely to be classified as an 'external fixture' under the R-Codes. Without a dwelling onsite (southernmost lot) I am unsure if an external fixture can be considered on a standalone basis.

The tanks will be primarily for irrigation water relating to future landscape plans. The sites are connected to mains water so the house on Lot 4 wont need to have a connection to the tank. We are intending to install bores in due course which would be connected to the tanks.

6. Will the fill batter down towards the lot boundaries, or will retaining walls be installed?

Batter down to the fence line.

7. What is the purpose of the fill? I note that site works should respond to the natural features of the site and require 'minimal' fill (refer to Design Principles of cl 5.3.7 R-codes). My initial review is that fill up to 2.6m in height may not represent minimal fill. You indicate that that the CHRMAP recommends habitable floor levels to be raised, however no habitable buildings are proposed. If there is a nexus between this proposal and habitable buildings, my view would be that a collective development application for the entirety of the development should be lodged.

We don't have a collective development application for the site unfortunately. There is a lot of history on this site, going back to the rezoning to R40 then the approval for a 29 lot subdivision that included raising the front of the lot similar to what is proposed now. This approval expired a long time back. More recently we remediated the site which included the removal of 300mm of fill across the site, and now the CHRMAP matters are pressing onto coastal land holdings. Hence our short-term plan is to add the fill as contemplated in the DA and clean up the site with new fencing and landscape etc whilst we constantly assess what development may become viable on the site. The CHRMAP consultation process highlights that lifting sites to address future sea level rising inundation risks is a positive proactive measure.

It may be beneficial to have a meeting to discuss the above as I have had some difficulty understanding aspects of the proposal. I am in Perth this Friday for a SAT matter and can meet prior (say 8/8:30?), otherwise happy to discuss over the phone/Teams.

We are happy to meeting in person or via teams call at your convenience, please let us know when you are available to discuss further.

SCHEDULE OF SUBMISSIONS AND APPLICANTS' RESPONSES

**DEVELOPMENT APPLICATION: PROPOSED SITE WORKS (FILL) AND EXTERNAL FIXTURES (WATER TANKS) ON LOTS 4 & 5
GINGIN ROAD AND LOTS 6 & 191 MIRAGLIOTTA STREET, LANCELIN**

No.	Submitter	Submission details	Applicants' response
1.	DoT	<p>The submitter provides the following comment:</p> <p><i>See attached PDF.</i></p>	<p>The officer disagrees that the Draft CHRMAP yet to be ratified by Council prevails over the endorsed version.</p> <p>The remaining comments are noted.</p>
4.	DWER	<p>The submitter provides the following comment:</p> <p><i>DWER has assessed the proposal and has no objections, with the following comment to provide:</i></p> <p><i>Imported fill will need to meet the requirements for Clean Fill or Uncontaminated Fill, as listed in the Landfill Waste Classification and Waste Definitions 1996.</i></p>	<p>Noted.</p>
5.	DoH	<p>The submitter provides the following comment:</p> <p><i>It is noted that the water tanks to be installed will be primarily for irrigation water relating to future landscape plans. The lots are connected to mains water. It is essential to ensure that any non-drinking water is not confused with or does not contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration, suitable backflow prevention arrangement.</i></p> <p><i>The 'clean fill' to be used for the 'filling process' must not contain asbestos containing materials.</i></p> <p><i>Please ensure the local statutory services of the Shire of Gingin (including the local Environmental Health team) are involved in the assessment of this proposal.</i></p>	<p>Noted.</p>
6.	DPLH	<p>The submitter provides the following comment:</p>	<p>Noted.</p>

		See attached PDF.	
2.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <p><i>This letter is in regard to my objections for the above proposed development. I would like for Council to reconsider granting approval for proposed site levels and water tanks.</i></p> <p><i>Site levels</i> I consider the site levels to be to be un-satisfactory due to the height. The height should be more consistent with existing natural ground levels on the western boundary of around 3.3 RL showing on site survey.</p> <p><i>The proposed mound of fill sand will be 2.6m higher than the NGL of the eastern boundary and majority of the combined lots. I believe the huge amount of fill will look out of place and inconsistent with surrounding properties.</i></p> <p><i>Another issue is the huge amount of sand shifting and erosion, at present there is already constant beach sand blowing down Miragliotta St in Easterly direction. The fill sand being much higher than NGL will blow into neighbouring properties and streets. Its all good and well the development states "ground cover" but this would need to be maintained and would this be maintained?</i></p> <p><i>Water Tanks</i> The proposed water tanks are enormous and would be eyesore. Surely there would be alternative position or sinking into ground to make the properties look more residential.</p>	Noted. The officer generally concurs.
3.	Ratepayer	<p>The submitter provides the following general comment:</p> <p><i>Conditional non-objection to the proposal subject to:</i></p> <p>1) <i>A site-specific coastal engineering assessment being undertaken confirming the proposed fill has no off-site impacts to our property.</i></p>	Noted. The officer generally concurs.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.1.5

		2) <i>A site-specific stormwater drainage management plan demonstrating the proposal has no off-site impacts to our property.</i>	
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Department of **Planning,
Lands and Heritage**

Your ref: BLD/5714, P2568
Enquiries: Brooke Hongell (6551 9229)

James Bayliss
Coordinator Statutory Planning
Shire of Gingin

Transmitted via email only to: James.Bayliss@gingin.wa.gov.au
Sam.Smith@gingin.wa.gov.au
Coastal@dplh.wa.gov.au

Dear James

**REQUEST FOR COMMENT – DEVELOPMENT APPLICATION FOR PROPOSED
SITE WORKS (FILL & RETAINING) AND EXTERNAL FITURES (WATER TANKS)
AT LOTS 4, 900, 901 & 902 GINGIN ROAD, LANCELIN**

Thank you for your letter dated 4 August 2023 inviting comment from the Department of Planning, Lands and Heritage (DPLH) on the proposal for site works and waters tanks at Lots 4, 900-902, Gingin Road, Lancelin (subject site) with respect to the State's coastal planning framework.

A key objective of State Planning Policy 2.6: Coastal Planning Policy (SPP 2.6) is to ensure development considers coastal processes and coastal hazards, and advocates for avoidance of new development within areas identified to be impacted by coastal hazards. Where infill development is proposed, it should be located in the least vulnerable portions of the site and comply with the requirements of the Shire's approved Coastal Hazard Risk Management and Adaptation Plan (CHRMAP).

The Shire's current (2019) and draft (2023) versions of the CHRMAP identify the subject site as highly vulnerable to coastal hazards (both erosion and inundation) by 2070, where 'managed retreat' is the preferred adaption option from 2030 onwards (if avoid is not achieved). It has not been demonstrated how the proposal is able to adequately mitigate coastal hazard risks across the subject site or implement a managed retreat response, as recommended in the 2019 and draft 2023 CHRMAP.

The substantial amount of fill proposed across the site appears intended to facilitate future development of the site within areas highly vulnerable to coastal erosion and inundation in the planning timeframe. However, the proposal does not consider off-site impacts of this fill, where inundation events may cause floodwaters to divert onto adjoining properties and roads. This development scenario has not been contemplated in the inundation modelling completed and therefore should be addressed by the proponent as part of the application.

The proposed works are within an area of the site highly vulnerable to coastal erosion and inundation by 2070. As such, the subject land has limited capacity to

support a managed retreat response given the cumulative impacts of both coastal erosion and inundation present across the lots.

It is understood that the intent of the works is to facilitate a future development proposal on the subject site, where a range of residential, commercial, and short stay accommodation options could potentially be approved under the Shire's Local Planning Scheme No. 9. Long-term development in this location is not compatible with the current and draft versions of the CHRMAP, to avoid in the first instance, or if this is not achieved, to ensure that development is able to be relocated through a managed retreat response. For development to be considered on the site in the long term, then detailed coastal investigation should be undertaken. These may include measures such as a revetment or seawall, subject to further review.

In considering the above, the proposed development does not adequately address the coastal hazard risks and is broadly inconsistent with the State and local coastal planning framework. Notwithstanding this, it is acknowledged that there is existing development on the site where an accommodation approach is being proposed. If the proposal is supported by the Shire, it should be in accordance with the requirements of the local planning scheme and be subject to the recommended conditions and advice detailed in **Attachment 1**.

Should you wish to discuss any aspect of this advice, please contact Brooke Hongell on 6551 9229 or by email at brooke.hongell@dph.wa.gov.au.

Yours sincerely



Mek Piggott
A/Principal Planner, Regional Central
Land Use Planning

3 October 2023

OFFICIAL

ATTACHMENT 1

**Department of Planning, Lands and Heritage Recommended Conditions and Advice
for Development Application at Lots 4, 900-902 Gingin Road, Lancelin**

CONDITIONS

1. A notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate of title of the proposed development lot advising of the existence of a hazard. The notification is to state as follows:

“This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years from the date this notification is registered and may be subject to conditions of development approval which require removal and rehabilitation to pre-development conditions.”
2. Development approval shall be limited to a period of not more than 47 years from the date of approval, at which point the approval will lapse and:
 - a. The development shall be removed; and
 - b. The land shall be rehabilitated to its predevelopment condition, to the specifications and satisfaction of the Local Government, at the landowner’s cost.
3. Any development approval granted in respect of Condition 2 shall cease to have effect and:
 - a. The development shall be removed; and
 - b. The land shall be rehabilitated to its pre-development condition, to the specifications and satisfaction of the Local Government, at the landowner’s costs when the earliest occurrence of any one of the following events:
 - i. the most landward part of the Horizontal Shoreline Datum is within 11 metres of the most seaward part of the lot boundary; or
 - ii. a public road is no longer available or able to provide legal access to the property; or
 - iii. water, sewerage or electricity to the lot is no longer available as they have been removed/decommissioned by the relevant authority due to coastal hazards.
4. The landowner is to undertake monitoring and review the coastal hazards every five years. The landowner is to provide reporting to the Local Government on this matter to the satisfaction of the Local Government.

ADVICE

1. In relation to conditions 1 and 2, the lots have been identified as being located in an area likely to be at risk of coastal hazard risk from erosion and inundation over the 100-year planning timeframe set out in *State Planning Policy 2.6 – State Coastal Planning Policy*.

OFFICIAL

ATTACHMENT 1

2. In relation to condition 2, there is no limit to the number of extensions that the Shire of Gingin may grant, allowing the development to remain until such time condition 3 occurs at which time the development will be required to be removed in accordance with condition 3.
3. The applicant is advised that the Horizontal Shoreline Datum means the active limit of the shoreline under storm activity, as defined in *State Planning Policy 2.6 – State Coastal Planning Policy*.
4. The applicant is advised that the 11 metre distance between the Horizontal Shoreline Datum and the most seaward part of the lot boundary is the S1 value for this location which has been obtained from the draft Coastal Hazard Risk Management and Adaption Plan (2023) prepared for the Shire of Gingin. S1 is the allowance for absorbing the current risk of storm erosion as defined in *State Planning Policy 2.6 – State Coastal Planning Policy*.



Government of **Western Australia**
Department of **Transport**
Maritime Business Unit

James Bayliss
Coordinator Statutory Planning
Shire of Gingin

Your ref : BLD/5714 P2568, OCP156242
Our ref : DT/12/04076
Enquiries : Tim Stead
tim.stead@transport.wa.gov.au

9 August 2023

Dear James

RE: Development Application: Proposed Site Works (Fill) and External Fixtures (Water Tanks), Address: Lots 4 (No. 60) & 5 (No. 62) Gingin Road and Lots 6 (No. 3) & 191 (No. 1) Miragliotta Street, Lancelin

Thank you for your letter dated 4 August 2023. As requested, we have reviewed the Application for Development Approval received for site works (fill) and external fixtures (water tanks) on a portion of the abovementioned properties dated 28 June 2023.

Our review focussed on coastal hazards that may impact the Development Application (the "DA") site (the "Site"), using planning timeframes presented in the 2023 Shire of Gingin's Draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP), including its application of State Planning Policy No 2.6 State Coastal Planning Policy (SPP 2.6) to Lancelin. The Gingin CHRMAP applies to this Site as no site-specific CHRMAP was provided in the DA. Given the Site is in a coastal hazard zone with both erosion and inundation hazards, we believe it may warrant a site-specific CHRMAP here to provide more targeting adaptation planning over the planning timeframes.

Two critical elements from the Gingin CHRMAP informed our review: the Lancelin Township Jetty to Lancelin Point (LA3) coastal hazard allowances for erosion to 2120, and the 500yr ARI Gingin coastal inundation levels to 2120, which include sea level rise projections. To supplement review of these elements, we also considered other factors such as asset sensitivity, asset adaptive capacity, plus the general potential for increased ground water intrusion hazards associated with sea level rise projections. We subsequently interpreted these components through the lens of the Gingin CHRMAP's recommendations applicable to the Site.

We have used the following allowances from the Gingin CHRMAP, and evaluated their application to the Site:

1. The total erosion allowance for LA3 was reported as ranging from 101m - 202m to 2120, measured inland from the Horizontal Shoreline Datum level of +1.4m AHD. We estimate this places up to approximately $\frac{2}{3}$ of the Site within the 2120 hazard allowance zone. See hazard mapping in Attachment A.
2. The Gingin coastal inundation level to 2120, inclusive of sea level rise projections, was reported as +2.8m AHD. We estimate this places up to approximately $\frac{1}{2}$ of the Site (at existing levels) underneath the 500yr ARI inundation level, with further potential for increased inundation due to the potential of dune breaching events. See hazard mapping in Attachment B.

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Tel: (08) 94357545 www.transport.wa.gov.au
ABN 27 285 643 255
wa.gov.au

We anticipate the following asset vulnerabilities within the DA site, based on the above information:

1. The total erosion allowance for the DA site to 2120 places the house (and outlined house extension, driveway, plus some fencing if relevant) at risk from coastal erosion hazards. While retaining walls are provided around the existing house, these do not appear to be engineered to address the coastal erosion hazard as they are not coastal protection structures, resulting in potential for undermining and/or settling due to coastal erosion. We consider the house therefore remains at risk to coastal erosion hazards in the applicable SPP2.6 planning timeframe.
2. The Gingin coastal inundation level to 2120 for the Site places the water tanks (and outlined garage, driveway, plus some fencing if relevant) at risk from inundation hazards. As no fill is planned to be placed at the water tank locations, the existing natural ground level was assumed to entail the same risk as shown in the Gingin CHRMAP hazard mapping. Estimated inundation at the water tanks is interpreted to range from +0.2 to +0.6m above natural ground level. This inundation level may increase significantly in the case of a dune breaching event resulting from a 500yr ARI inundation event.

We understand the DA's approach to coastal adaptation consists of the following: Avoid (placing tanks out of the coastal erosion hazard zone), Accommodate (through fill to raise floor levels), and Protect (retaining walls bordering the existing house). To assess whether this DA adheres to the Gingin CHRMAP recommendations for coastal adaptation in locations affected by coastal hazards, we reviewed the CHRMAP recommendations for Lancelin. These include (taken from P. 138):

- *AV - Avoid further development*
- *MR2 - Managed Retreat - Commence investigations to determine options for appropriate longer-term relocation/town scale adaptation.*
- *MR3 - Planning Controls for retreat*
- *NR3 - Notifications on Certificate of Title*
- *NR4 - Prepare emergency evacuation plans for the affected areas.*
- *PR1 - Dune care/management - especially adjacent to Grace Darling Park where a known dune breach point exists at the end of Hopkins Street.*
- *PR5 - Beach nourishment - investigate suitability.*
- *Investigate groundwater and stormwater.*

It appears this DA only partially adheres to these recommendations though AV: avoiding development of the water tanks by installing them away from the coastal erosion hazard zone. However, the proposed tank locations do not avoid the inundation hazard zone. Hard Protection, such as through retaining walls, is also not a recommended adaptation option for Lancelin. Furthermore, accommodation of hazards through raised floor levels is not recommended by the Gingin CHRMAP for Lancelin. This is not listed on CHRMAP P.138, or in Section 11, Table 16. The previous Gingin

CHRMAP from 2019 did suggest that raising floor levels may be an option to consider, however we consider the 2019 CHRMAP's recommendation have been superseded by the 2023 CHRMAP. The Shire will now need to consider whether adherence by this DA to the Gingin CHRMAP's recommendations is required in the context of its strategic planning vision for future coastal developments in Lancelin. A coastal engineering assessment and design of an engineered revetment or seawall will subsequently be required if either an avoid or managed retreat adaptation option is not selected at the Site.

Finally, we provide further, more specific feedback for the Shire's information regarding this DA:

- We did not see that a vertical datum was provided on all drawings. Please ensure the vertical datum is provided on all drawings, to confirm alignment with the vertical datum (AHD) provided in drawing "GINGIN4PLAN3".
- Are the water tank structural materials confirmed? Asset sensitivity, asset adaptive capacity, and therefore overall risk applicable to these assets may vary depending on the material used e.g. galvanised steel vs. plastic vs. concrete etc.
- As the house is already an existing asset that is under future threat from coastal erosion hazard, the Shire may consider a Notification on Title and development restrictions, as recommended by P. 136 of the draft Gingin CHRMAP.
- The draft Gingin CHRMAP discusses ground water-based hazards due to saltwater intrusion from sea level rise projections. This has the potential to affect the Site, particularly the stump footings of the existing house and the water tanks. For Lancelin, the draft Gingin CHRMAP recommends an Investigation into groundwater and stormwater hazards. The Shire may consider implementing this option to assist review of future DAs in Lancelin.

Please do not hesitate to contact me if you require clarification on any of the above feedback from our review.

Kind regards



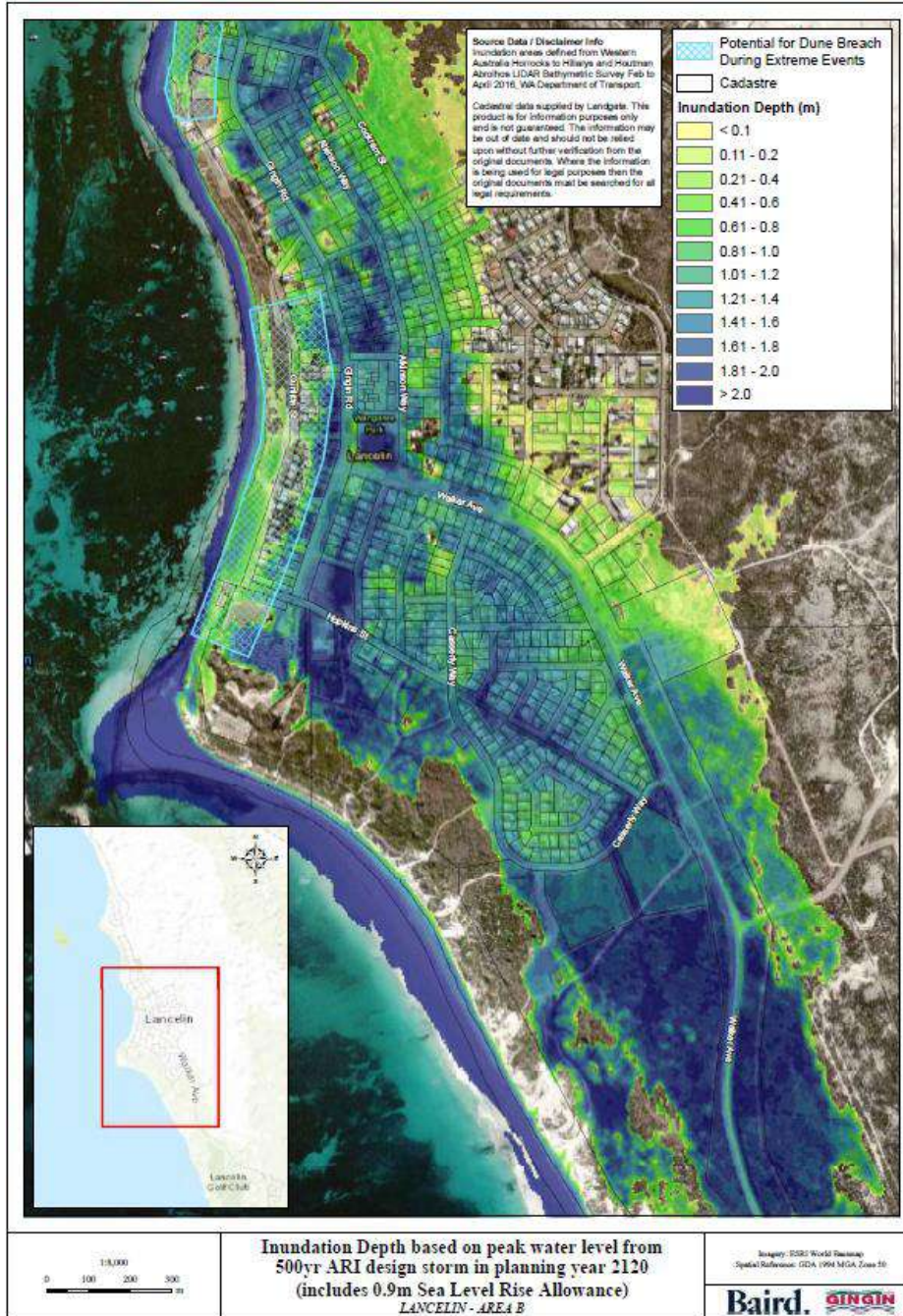
Tim Stead
Project Manager Coastal Engineering
Maritime Business Unit
Department of Transport

Attachment A: Lancelin Coastal Erosion Allowances. Top: LA3, Bottom: DA Site.





Attachment B: Lancelin Coastal Inundation Levels. Top: Lancelin, Bottom: DA Site.







SCHEDULE OF SUBMISSIONS AND APPLICANTS' RESPONSES

**DEVELOPMENT APPLICATION: PROPOSED SITE WORKS (FILL) AND EXTERNAL FIXTURES (WATER TANKS) ON LOTS 4 & 5
GINGIN ROAD AND LOTS 6 & 191 MIRAGLIOTTA STREET, LANCELIN**


No.	Submitter	Submission details	Applicants' response
1.	DoT	<p>The submitter provides the following comment:</p> <p><i>See attached PDF.</i></p>	<p>Refer Attachment 1 – Goodoil Investments Pty Ltd submission response to the draft Coastal Management Strategy (CMS) and draft Coast Hazard Risk Management Adaptation Plan (CHRMAP). This outlines the landowners' position on the draft CHRMAP and CMS in that they do not currently align with community values and expectations for the ongoing use of Lancelin as a townsite and tourism destination.</p> <p>The proposed development seeks to ensure the subject site responds to the risks identified in the previous 2019 CHRMAP and the draft 2023 CHRMAP. The additional fill and landscaping protect the existing use rights afforded by the applicable zoning and ensures the subject site remains viable for future development.</p> <p>The draft CHRMAP highlights to existing and prospective landowners that there are coastal risks that may impact their properties over the next 100 years. Unlike other examples across Australia where landowners have purchased land along the coast which has been rendered unusable or unsafe due to coastal erosion, landowners in Lancelin are now fully aware of the risk. As the Guidelines note, private parties are responsible for managing risks to their private assets and incomes. To manage these risks, private parties need to:</p> <ul style="list-style-type: none"> • Be aware of the risks and their responsibility for managing them; • Take steps to understand the magnitude and nature of the specific risks to their assets and activities; • Take steps to ensure that the State Government does not exacerbate the coastal erosion risk by its recent and planned future dredging activities at Lancelin Jetty; and • Development of implementation strategies and actions to manage risks in accordance with SPP 2.6.


			<p>With this in mind, landowners should have the option to proactively manage their own risks and make their own decisions when it comes to the development and protection of private assets.</p> <p>Over time, if coastal erosion starts to impact privately owned assets, landowners will need to consider whether the cost and insurance implications to manage the risk is justified or whether they would be better off vacating the property and relocating the assets. Given the acceptance of that risk, the time at which that position is reached should not be imposed arbitrarily through the CHRMAP, CMS or any other proposed planning controls.</p>
4.	DWER	<p>The submitter provides the following comment:</p> <p><i>DWER has assessed the proposal and has no objections, with the following comment to provide:</i></p> <p><i>Imported fill will need to meet the requirements for Clean Fill or Uncontaminated Fill, as listed in the Landfill Waste Classification and Waste Definitions 1996.</i></p>	Noted.
5.	DoH	<p>The submitter provides the following comment:</p> <p><i>It is noted that the water tanks to be installed will be primarily for irrigation water relating to future landscape plans. The lots are connected to mains water. It is essential to ensure that any non-drinking water is not confused with or does not contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration, suitable backflow prevention arrangement.</i></p> <p><i>The 'clean fill' to be used for the 'filling process' must not contain asbestos containing materials.</i></p> <p><i>Please ensure the local statutory services of the Shire of Gingin (including the local Environmental Health team) are involved in the assessment of this proposal.</i></p>	Noted.
6.	DPLH	<p>The submitter provides the following comment:</p>	In response to the DPLH letter that suggests the subject land is highly vulnerable to coastal hazards of both erosion and inundation


		<p><i>See attached PDF.</i></p>	<p>by 2070, M P Rogers & Associates – Coastal and Port Engineering have undertaken a review and responded as follows:</p> <p>The Cardno CHRMAP shows the 2070 coastal erosion hazard line in purple running along the seaward boundary of the subject land (see extract from Cardno CHRMAP below). On this basis, the subject land is not considered to be vulnerable to coastal erosion to 2070.</p>  <p>The landowner plans to focus development on the eastern portion of the property and to avoid all risk of coastal erosion to 2070, in accordance with the risk mitigation hierarchy prescribed in SPP2.6.</p> <p>With respect to the coastal inundation risk identified in the Baird study, the landowner plans to fill to +2.9 mAHd and avoid the inundation levels identified for the year 2120 during a 500 year ARI storm. This level includes the appropriate allowance for sea level rise due to climate change as recommended in SPP2.6. In this way, the development will completely avoid the future risk of inundation in line with the recommendations of SPP2.6.</p>
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			<p>The whole of government response to the vulnerabilities of coastal erosion and inundation at Lancelin needs careful consideration by many parties with input from the full range of stakeholders.</p> <p>The below extract from the Baird report below shows inundation of most of Lancelin in the design event at 2120.</p>  <p>One risk management approach would be to prohibit all development in the areas to avoid any inundation risk in the distant future. However, this approach would adversely affect most landowners in the area as it would be unacceptable to the local community and result in financial hardship as the value of these properties would be negatively affected.</p>
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			<p>In essence such a management approach would prohibit most if not all development and redevelopment in Lancelin. A more appropriate management approach is to proactively manage the risk of inundation progressively over time. As shown in the Baird work, the risk of inundation is negligible in the coming couple of decades but increases towards the end of the 21st Century. Such an approach is similar to managed retreat used to avoid erosion risks.</p> <p>As properties are developed and redeveloped over the coming decades the Shire could insist that the land levels in the new developments are all above the levels provided in the Baird report. This is 2.9 mAHD for the subject property.</p> <p>This would allow the opportunity for most properties to be raised over time to avoid future inundation risk. Any properties lower than the future inundation levels would still be subject to the inundation risk and may not be allowed to be developed unless raised appropriately. This would provide a sensible way forward to manage and avoid the risks of inundation as recommended in SPP2.6.</p> <p>In respect to the draft conditions, we do not agree with the approach to limit the approval period to not more than 47 years. The landowner will need to consider the risk of erosion and inundation over time. Given the acceptance of that risk, the time at which the use of the land should cease should not be imposed arbitrarily through a condition of the development approval. It is more appropriately determined by the landowner in due course.</p> <p>Furthermore, the condition requiring the development to be removed where the most landward part of the HSD is within 11m of the seaward part of the lot boundary should be amended. To provide incentive for future development to be located in areas that are at the least risk, the condition should enable the ongoing use of the relevant parts of the lot until the HSD is within 11m of the seaward part of the building, not the boundary. The Shire should support the ongoing use of assets that are still at an acceptable level of risk, even if the boundary is less than 11m from the HSD.</p>
2.	Ratepayer	<i>The submitter does not support the application and provides the following general comment:</i>	The proposed fill will be at a consistent height with surrounding properties. Notably, it will be the same height as the nearby hotel.

	<p><i>This letter is in regard to my objections for the above proposed development. I would like for Council to reconsider granting approval for proposed site levels and water tanks.</i></p> <p><i>Site levels</i> <i>I consider the site levels to be to be un-satisfactory due to the height. The height should be more consistent with existing natural ground levels on the western boundary of around 3.3 RL showing on site survey.</i></p> <p><i>The proposed mound of fill sand will be 2.6m higher than the NGL of the eastern boundary and majority of the combined lots. I believe the huge amount of fill will look out of place and inconsistent with surrounding properties.</i></p> <p><i>Another issue is the huge amount of sand shifting and erosion, at present there is already constant beach sand blowing down Miragliotta St in Easterly direction. The fill sand being much higher than NGL will blow into neighbouring properties and streets. Its all good and well the development states "ground cover" but this would need to be maintained and would this be maintained?</i></p> <p><i>Water Tanks</i> <i>The proposed water tanks are enormous and would be eyesore. Surely there would be alternative position or sinking into ground to make the properties look more residential.</i></p>	<p>The proponent intends to stabilise the fill with landscaping. The reticulation water that will be available due to the installation of the water tanks will reduce reliance on scheme water and is considered to be a more sustainable solution. The site will also be fenced and planted with screening Cottonwood trees on the inside of the property boundaries, as seen in the examples below.</p> <p>The proponent will fence the site to an appropriate residential standard in line with Shire requirements and install dense planting along the boundaries on the inside as indicated above so that the water tanks will be visually screened.</p> <p>Please refer to the below images which detail a similar project example, whereby the landscaping treatments results in a significant improvement to local visual amenity and screening of development within the site. Note, black mesh would not be installed along the fence at this site.</p> 
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3.	Ratepayer	<p>The submitter provides the following general comment:</p> <p><i>Conditional non-objection to the proposal subject to:</i></p> <p>1) <i>A site-specific coastal engineering assessment being undertaken confirming the proposed fill has no off-site impacts to our property.</i></p>	<p>The Baird work assumes that about 0.5 km of dune would be breached by the ocean during the 500 year ARI event on top of the mean sea level that may occur by 2120. This breach is shown as hatched in light blue on the extract from the Baird work provided below. (Refer to Sections 7.5 Bathtub Mapping Approach and 7.6 Hydro-connectivity of the Baird report.)</p>

			<p>Such a breach would provide a massive hydraulic connection between the ocean and the coastal development at Lancelin. On that basis, Baird assumed no attenuation and just used the peak ocean water level and the present-day land surface levels to produce the maps showing inundation depths. Filling of the subject site as per the proposed plans would not change the Baird map except the subject land would not be shown as inundated.</p>  <p>Baird has already taken the worst case possible for the flood maps provided. Filling the subject land would not affect the flooding shown by Baird on other properties. The flooding shown on the other properties in Lancelin is already on the basis that the local flood level is the same as the ocean level without any attenuation.</p> <p>The proponent has advised that all stormwater will be retained on site which can be enforced through a standard condition of planning approval.</p>
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**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.1.6

		2) <i>A site-specific stormwater drainage management plan demonstrating the proposal has no off-site impacts to our property.</i>	
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**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.1.6

ATTACHMENT ONE – GOODOIL INVESTMENTS PTY LTD SUBMISSION RESPONSE

Goodoil Investments Pty Ltd

ACN 105 981 860
as trustee for
Timothy Roberts Investment Trust

C/- Warburton Group
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Telephone: +61 (0)8 9286 0800
Facsimile: +61 (08) 9200 5605

28 August 2023

Chief Executive Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

Attention: Kylie Bacon - Coordinator Strategic Planning & Projects

Dear Kylie,

SHIRE OF GINGIN COASTAL MANAGEMENT STRATEGY AND COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN

Warburton Group act on behalf of Goodoil Investments Pty Ltd, the landowner of Lot 4 (No. 60), Lot 900 (No. 62a), Lot 901 (No. 62b), and Lot 902 (No. 62c) Gingin Road, Lancelin (the subject sites). We understand the Shire of Gingin (the Shire) is seeking comment from the community on the draft Coastal Management Strategy (CMS) and draft Coastal Hazard Risk Management Adaptation Plan (CHRMAP).

We appreciate that climate change is contributing to the impacts of coastal erosion and inundation and that the Shire must be proactive given the vulnerable nature of the coastal towns of Lancelin, Ledge Point, Seabird and Guilderton. However, respectfully, the response proposed for Lancelin as outlined in the CMS and CHRMAP is inconsistent with community values and expectations about the future of the townsites. As such, we consider the management strategies in their present form to be unacceptable and requiring further thought and consideration, taking account of the concerns outlined in this submission.

In summary, the landowner of the subject sites strongly opposes the draft CMS and CHRMAP based on the following concerns:

- The technical studies informing the CHRMAP and CMS do not address the impacts of recent and planned future dredging at Lancelin jetty or canvas appropriate management of these impacts on the risk of coastal erosion affecting adjacent properties.
- Relocation of the entire Lancelin Townsite is an unrealistic management strategy and will be detrimental to the iconic coastal town which is highly valued by residents and visitors alike. Prioritising a retreat strategy implies that the Shire does not value Lancelin as a long-term residential community, tourism attraction and economic activator.
- The recommended planning controls will result in the subject sites and surrounding properties being no longer viable for future development which directly conflicts with the current zoning under the Shire's Local Planning Scheme No. 9 (LPS 9). If the Shire implements these planning controls, there will be little impetus for further private investment in the Town and the

Shire given the uncertainty around the long-term potential of land that is zoned for development under LPS 9.

- The management actions proposed undermine and are inconsistent with the existing zoning and land use permissibility under the Shire's LPS 9. The Shire must acknowledge that existing properties appropriately zoned under LPS 9 can continue to be used and/or developed for their intended purpose.
- The recommendations will have a significant impact on the tourism industry which is essential for the local economy and the ongoing viability of the Town. Prohibiting and limiting certain beach activities will have an adverse impact on the number of residents who reside in Lancelin and the number of tourists who frequent the area specifically for coastal and near coastal recreational activities.

In light of the above concerns, the Shire should delay adoption of the CHRMAP and CMS until the matters raised have been adequately addressed. In this respect, we would welcome the opportunity to review and provide comment on any revised CHRMAP and CMS once available.

Managed Retreat Strategy

The strategy of managed retreat for the entire Lancelin Townsite is unrealistic and will be to the detriment of the iconic coastal town. Lancelin is highly valued by residents and visitors as a coastal hot spot for recreational activities, including surfing, fishing and four-wheel driving. If the Town is relocated away from the coastline, it will completely undermine the primary drawcards that attract people to reside, visit and invest in the Town. If the Shire proceed with the managed retreat strategy, it will likely result in the end for Lancelin as a viable place, with an exodus of both residents and tourists.

Furthermore, the resources required to facilitate the relocation of an entire townsite will be significant. As it currently stands there is no feasible funding pathway identified as part of the CHRMAP and CMS. This in of itself rules this out as a viable option. Even if alternative parcels of land are provided to residents to assist in the relocation process, there is no guarantee that residents will want to continue to reside in the relocated township given it would no longer offer the seaside lifestyle or coastal recreational opportunities that are presently much valued.

The CHRMAP preparation process should be placed on hold until further investigations have been completed to determine whether a town scale retreat is plausible and viable based on potential funding pathways, availability of land and unequivocal support from the affected community. If these investigations are not possible, the recommendation of a town scale retreat should be removed from the CHRMAP and CMS entirely and deferred to future iterations of the CHRMAP and CMS once the required investigations have been completed.

The CHRMAP states that the Shire will be prepared with appropriately zoned land available for relocation of properties and assets by 2050. This timeframe significantly underestimates the time required to essentially plan and deliver a new town to the east of the existing townsite. The strategic and statutory planning processes will need to be informed by detailed investigations, including environmental, economic, infrastructure and servicing considerations, all of which take considerable time. In addition, it is assumed that rezoning will need to be referred to the Environmental Protection Authority (EPA) for assessment given the environmental values associated with the area. The timeframes required to undertake the necessary investigations and planning processes do not align with the anticipated retreat timeframes identified under the CHRMAP and CMS.

While we acknowledge that the Shire intends to accommodate the risk in the short term, the medium to long-term adaptation approach renders the subject sites undevelopable and worthless as a long-term investment. For example, it would be a poor financial decision for the landowner to invest up to and potentially in excess of \$1.5 million to construct a new dwelling on each of the lots only for the assets to be removed in 2070, well short of their design life.

Given the above concerns, we would support the Shire working more closely with affected landowners to update the CHRMAP and CMS to prioritise a preferable strategy of accommodating the risk through all means possible in a partnership arrangement, as opposed to the implausible option of retreating

the townsite in a manner which does not align with community expectations.

Coastal Hazards

Residential properties within Lancelin North (LA3 and LA4) have been identified as having a very high chance of erosion by 2070 and beyond. Our coastal engineering consultant, M P Rogers & Associates, has advised that it appears that the studies informing the CHRMAP and the CMS do not appear to account for the impacts of the recent and planned future dredging at the Lancelin jetty. The State Government has removed sand from the active littoral zone to provide safe navigation to the jetty. This activity is planned to continue. This dredging reduces the natural accretion trend of the beach in front of our property. How the State Government manages the impacts of its works has the potential to influence the erosion risk of some areas of the Lancelin townsite.

Residential properties within Lancelin North (LA3 and LA4) have been identified as having a very high chance of erosion by 2070 and beyond due to the assumption that they have low to moderate adaptive capacity. However, this is an incorrect assumption that private landowners are unaware of their risks and that future development is unable to respond to the identified risk through the appropriate development and placement of assets. As an example, the CHRMAP and CMS predicts that the subject sites will be impacted by erosion between 2070 and 2110, as shown on the map below. Future dwellings can therefore be appropriately located towards the front of the subject sites as an adaptation response to the erosion impacts. Furthermore, the impacts of inundation can be readily accommodated through design solutions such as minimum finished floor levels and ensuring essential services are located above inundation levels.

However, these solutions and the appropriate management of the impacts of the State Government dredging are not reflected in the draft documentation with properties in Lancelin North recommended for managed retreat, with planning controls to be introduced to prevent further development within the coastal zone. This represents a clear disconnect between potential management strategies that may be deployed by the State Government, the landowners and/or the Shire (preferably in partnership) and the actual risk identified on the hazard maps. The blanket response to prevent further development within the coastal zone is inappropriate and unacceptable given there are vacant properties that are appropriately zoned under LPS 9 that can accommodate future development. On this basis, there needs to be a more nuanced approach to reflect this specific scenario to ensure privately owned land which can accommodate future development is not unnecessarily constrained by the recommendations of the CHRMAP and CMS.



Recommended Planning Controls

State Planning Policy 2.6: State Coastal Planning Policy (SPP2.6) and the State Coastal Planning Policy Guidelines (the Guidelines) are predominantly focussed on ensuring that land identified as being vulnerable to coastal processes is not used for the intensification of development through rezoning or subdivision. However, many of the properties that fall within the erosion hazard lines are already zoned under the Shire's LPS 9 and therefore will not be subject to rezoning or necessarily further subdivision. Considering the subject sites are existing and are appropriately zoned for residential use under LPS 9, the Shire must ensure that the local planning framework does not prohibit the right to develop and use this private property for its intended purpose. The CHRMAP and CMS should therefore prioritise a strategy of accommodating the risk for Lancelin until 2070 which is consistent with other coastal towns within the Shire.

The introduction of appropriate planning controls to support the ongoing use of the subject sites is supported in principle, except for the use of time limited approvals. Given the erosion hazard lines are based on uncertain predictions which could be subject to change over the next 100 years, decisions should be based on trigger events, not time periods. This also allows landowners to consider a greater range of options in response to the risks identified, such as assisting in the delivery of private or public protective measures including engineered solutions, nature-based solutions, sand nourishment, dune repairs, etc. These types of interventions could ultimately delay the trigger event, allowing ongoing use of the subject sites into the foreseeable future.

Conversely, the introduction of planning controls which prevent further development on appropriately zoned land or force the managed retreat of at-risk properties by a specified date is strongly opposed. This approach must be avoided until it can be substantiated through further investigations on the feasibility, funding, compensation, land acquisition, availability of appropriately zoned land and appetite from the community to relocate the townsite. This decision should not be taken lightly and if the Shire decide to prepare planning controls to support a policy of managed retreat, strong opposition should be expected.

Landowners Rights

The CHRMAP and CMS have highlighted to existing and prospective landowners that there are coastal risks that may impact their properties over the next 100 years. Unlike other examples across Australia where landowners have purchased land along the coast which has been rendered unusable or unsafe due to coastal erosion, landowners in Lancelin are now fully aware of the risk. As the Guidelines note, private parties are responsible for managing risks to their private assets and incomes. To manage these risks, private parties need to:

- Be aware of the risks and their responsibility for managing them;
- Take steps to understand the magnitude and nature of the specific risks to their assets and activities;
- Take steps to ensure that the State Government does not exacerbate the coastal erosion risk by its recent and planned future dredging activities at Lancelin jetty; and
- Develop and implement strategies and actions to manage risks in accordance with SPP2.6.

With this in mind, landowners should have the option to manage their own risks and make their own decisions when it comes to private assets. Over time, if coastal erosion starts to impact private owned assets, landowners will need to consider whether the cost and insurance implications to manage the risk is justified or whether they would be better off vacating the property and relocating the assets. Given the acceptance of that risk, the time at which that position is reached should not be imposed arbitrarily through the CHRMAP, CMS or any other proposed planning controls.

Beach Access

The CHRMAP recommends a ban on beach access for vehicles which is a major tourism attraction for Lancelin and surrounding townships. The ability to drive on the beach is a major drawcard for residents and tourists alike and provides economic stimulus for local businesses. If the Shire ban vehicle beach access, Lancelin will lose a major tourism attraction which will be detrimental to the ongoing viability of the town. This issue required reconsideration and the development of a different management approach.

Summary

Considering the above, the Shire's proactive approach to the impacts of climate change is generally supported. However, it is noted that the studies informing the CHRMAP and CMS have not accounted for the recent dredging and planned future dredging by the State Government. Proper account of the impacts of this dredging is likely to influence the management response.

Furthermore, the Shire's present primary management response to relocate the entire Lancelin Townsite is not feasible or realistic and will be cost prohibitive. The Shire should further explore alternative means for accommodating existing properties and assets in partnership with the State Government and the landowners until there is definitive evidence that the managed retreat option can be fully implemented and is the last option available. This approach will enable the Shire to continue to support and promote Lancelin as a coastal community and significant tourism destination in Western Australia.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact the undersigned on (08) 9286 0800.

Yours sincerely,



Marcus Le Messurier
Head of Property
Goodoil Investments Pty Ltd

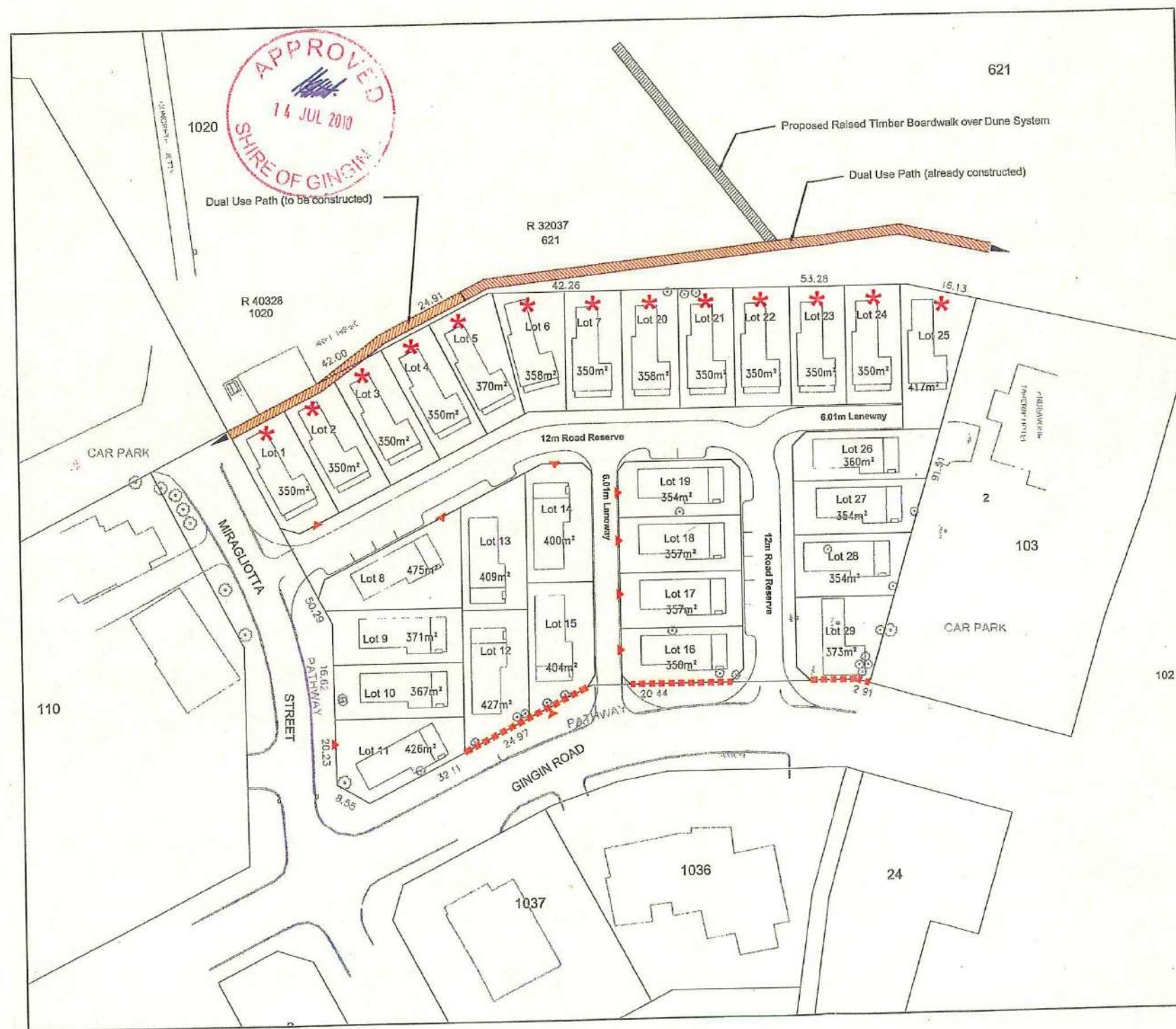
Objectives of the **Tourism** zone under LPS 9 are:

- (a) Promote and provide for tourism opportunities;*
- (b) Provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where such facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area;*
- (c) Allow limited residential uses where appropriate;*
- (d) Encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities;*
- (e) Ensure that short stay tourist and holiday accommodation are the predominant land uses in the zone; and*
- (f) Encourage tourism development that is generally sympathetic to the natural and built features of the surrounding area.*

Objectives of the **Residential** zone under LPS 9 are:

- a) Provide for a range of housing types and encourage a high standard of residential development;*
- b) Maintain and enhance the residential character and amenity of the zone;*
- c) Limit non-residential activities to those of which the predominant function is to service the local residential neighbourhood and for self-employment or creative activities, provided such activities have no detrimental effect on the residential amenity; and*
- d) Ensure that the density of development takes cognisance of the availability of reticulated sewerage, the effluent disposal characteristics of the land and other environmental factors.*

ATTACHMENT 1
ENDORSED OUTLINE DEVELOPMENT PLAN
AND ENDORSED AMENDMENTS



Notes:

1. The public road shall accommodate a footpath throughout, extending to Miragliotta Street to facilitate access to the Dual Use Path
2. A solid wall having a height no greater than 3.0 metres shall be constructed at the northern boundary to assist with noise amelioration to lots 25-29 and provide sufficient privacy to dwellings.
3. Development applications for proposals in respect of lots 1-7 and 25-29 shall be accompanied by a report prepared by a suitably qualified acoustic engineer demonstrating that the dwelling materials, design and separating boundary wall (where applicable) are sufficient to ameliorate noise impacts from the tavern and jetty uses.
4. At the time of subdivision, the following, at a minimum, will be required:
 - 4.1. A memorial to be placed on the Title advising potential purchasers of possible noise impacts from the commercial use of the Lancelin Jetty and Lancelin Hotel
 - 4.2. 12 car parking bays are to be constructed and set aside for public use with signage stating 'No parking of trailers and caravans permitted'
 - 4.3. A raised boardwalk is to be funded and constructed by the developer.
 - 4.4. Prior to the commencement of site works, investigation for soil and groundwater contamination is to be carried out to the specification of the Department of Environment and Conservation. All remediation works including validation of remediation are to be completed to the specifications of the Department of Environment and Conservation prior to the commencement of any site works.
 - 4.5. Review the LWFMP to correct any errors and review the Task and Scheduling for weed control, so that the responsibility for dune restoration (time limited to 3 years) falls to the developer / friends groups and omit all references to dune restoration to the satisfaction of the Chief Executive Officer.
 - 4.6. The developer shall construct footpaths internal to the development to the satisfaction of the Chief Executive Officer.
 - 4.7. A landscaping plan shall be required with all landscaping works to be funded by the developer for the Miragliotta Street and Gingin Road frontage.

- * Dual frontage dwelling design
- Dwellings designed to address the street at the boundaries indicated
- Dual use path: 2 - 2.25 metres wide to accommodate cycle / pedestrian traffic
- ▶ Access Location

DEPARTMENT OF PLANNING

20 JUL 2010
SPN/076



Outline Development Plan
Lot 16 Gingin Road
Lancelin

Date: July 2010
Scale: 1:1000
Drawing No: 709-051 ST10 14_07_2010.dwg

Designer: JM
Drawer: MK

TOWN PLANNING
AND URBAN DESIGN

This concept has been prepared for the purpose of meeting client specifications. The drawing does not constitute an invitation, agreement or contract (or any part thereof) of any kind whatsoever.

Although care has been taken in the completion of this drawing by The Planning Group WA Pty Ltd, all parties associated with the proposed property development decision are responsible for any errors or omissions. The right is reserved to change the plan at any time.

Liability is expressly disclaimed by The Planning Group WA Pty Ltd for any loss or damage which may be sustained by any person acting on any visual impression gained from this drawing.



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13.2 RECONSIDERATION OF APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED RECEPTION CENTRE ON LOT 24 (125) BARAMBA ROAD, KARAKIN

This matter was brought forward for discussion. See page 11.

File	BLD/7323
Applicant	Developed Property Pty Ltd
Location	Lot 24 (145) Baramba Road, Karakin
Owner	JCR Management
Zoning	General Rural
WAPC No	James Bayliss – Manager Planning and Building
Author	James Bayliss – Manager Planning and Building
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	18 October 2022 - Item 13.1 16 February 2023 – Item 13.7
Appendices	<ol style="list-style-type: none"> 1. Aerial Imagery [13.2.1 - 1 page] 2. Location Plan [13.2.2 - 1 page] 3. Applicants Proposal [13.2.3 - 2 pages] 4. Operation Management Plan - V 6 [13.2.4 - 12 pages] 5. Acoustic Report [13.2.5 - 32 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To reconsider an Application for Development Approval for a proposed Reception Centre on Lot 24 (145) Baramba Road, Karakin.

BACKGROUND

At its Ordinary Council Meeting on 18 October 2022, Council resolved to defer determination of this application to enable the applicant to amend their proposal to be consistent with the information provided during deputation presentations.

At its Ordinary Council Meeting on 16 February 2023, Council considered the revised submission and resolved to refuse the development for the following reasons:

1. *The development is inconsistent with objective (a) of Clause 3.2.7 of Local Planning Scheme No. 9 as the development will not maintain or enhance the specific local rural character of the locality.*

2. *The development is inconsistent with Clause 67 (2) (m) and (m) (i) of the Deemed Provisions, as the development is not viewed as being compatible within its setting.*
3. *The development is inconsistent with Clause 67 (2) (n) of the Deemed Provisions, as the development is viewed as having adverse amenity impacts on the locality.*

The proponent subsequently lodged an application for review (appeal) with the State Administrative Tribunal (SAT). The applicant, the officer and various Councillors participated in a mediation session to discuss the proposal. Mediation concluded with the applicant agreeing to provide additional information to address unresolved concerns.

Aerial imagery and a location plan are provided (**see appendices**).

The applicant's additional information is provided (**see appendices**) and includes the following:

- Cover letter
- Acoustic report
- Revised Operational Management Plan.

Pursuant to section 31(1) of the *State Administrative Tribunal Act 2004*, Council is invited to reconsider the proposal. Council may:

- affirm the previous decision;
- vary the decision; or
- set aside the decision and substitute a new decision.

COMMENT

Stakeholder Consultation

No further consultation with respect to the revised proposal has been undertaken. The community's position, namely opposition to the development, is recognised through three earlier phases of consultation.

The Shire did provide each submitter with a letter outlining that this report was being presented to Council in response to the SAT appeal process.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

This report does not seek to duplicate the earlier planning assessment, but rather focuses on the revised information lodged. The earlier planning assessment still remains the officer's position and can be viewed as part of the relevant Council Minutes.

It became apparent during mediation that four (4) key outstanding issues needed to be resolved by the applicant, which are outlined below with corresponding officer commentary:

Noise

Noise (music, vehicles and pedestrians) may impact adjoining residents. This was viewed as an unacceptable amenity impact created by the entertainment establishment within a tranquil rural setting.

The applicant provided an acoustic report prepared by Acoustic Consultants Australia.

The officer interprets the acoustic assessment as concluding that there is marginal adherence to the *Environmental Protection (Noise) Regulations 1997*, subject to implementing the following mitigation techniques.

- *Compliance is predicted for all combined operations during daytime, evening or Sundays with either doors open or closed where music played indoors does not exceed equivalent sound pressure of 85 dBA over a representative period (e.g. any 15 minute period during the event).*
- *After 10pm doors should be kept closed (except for regular ingress and egress).*
- *Maximum crowd assessed is 100 patrons.*
- *The room shall be treated internally to reduce the reverberation time from the existing 1.7 seconds to the recommended 1.1 seconds in the mid-frequencies, to be within the recommended reverberation levels as shown in Figure 9.*
- *The observed gaps around the building's doors and in between steel panels shall be treated to minimise noise breakout.*
- *Other significant noise sources not stated or assessed in this report like external mechanical plant (e.g. generators), external speakers or live music shall be subject to noise assessment. Other considerations regarding the music played inside the Function Centre:*
- *It should not contain excessive low frequency component (no subwoofers);*
- *Be played through speakers distributed in the Function Room, placed at locations as far as possible from doors and pointing away from windows and doors.*

While the acoustic report indicates that adherence with the Noise Regulations can be achieved, it does not necessarily follow that the noise impacts are acceptable in a planning sense. It could be argued that the proposal is nevertheless inconsistent with the amenity of the locality, and that the acoustic report reaffirms that noise will permeate to nearby sensitive receptors unless stringent management practises are adhered to.

Shed Specifications and Upgrades

As part of mediation, the Shire suggested that the landowner seek building advice to understand the extent of remedial works required to be undertaken to the Reception Centre building to satisfy the construction standards of the corresponding BAL rating.

The suggestion was raised given it is anticipated remedial works may have been financially prohibitive, thus making any further progression of the proposal futile.

The applicant has simply outlined that this has been considered and will be dealt with via the Change of Use application under the *Building Act 2012*. The officer will not press the point.

Shelter in Place

The Shire sought clarity that the Reception Centre building was capable of accommodating the maximum number of patrons (and staff) in the event it was required to be used for shelter as a last resort in the event of a bushfire emergency.

The applicant advises that the structure can accommodate up to 200 persons as a shelter, which is more than sufficient to accommodate all staff and any other personnel onsite.

Operational Management Plan (OMP)

The applicant has provided a revised OMP (version 6) to address the various issues of concern raised above.

The OMP sets out how the development will be managed to ensure adverse impacts do not arise. The OMP does however still contains vague statements, as an example the operating days are outlined as follows:

*The venue will be hired out to interested patrons **between Friday and Sunday and potential public holidays** with the expectation that the events will either occur on a Friday or Saturday night. **From time-to-time other days may be used in unique situations.***

In other words, an event can be held any day of the week if deemed a 'unique situation'. This is not viewed as being acceptable and will be expressly conditioned to only occur on a Friday or Saturday night. The only circumstance a Sunday night can be used is if the Monday is a public holiday.

A further example relates to the operating hours being described as ‘the **intended** hours’. The operating hours are to be fixed, to give certainty to the decision maker and adjoining landowner/s of the parameters of any approval (if issued).

The OMP says that doors to the venue will be closed at 10pm, however the Acoustic Report recommends that doors be closed at 7pm when music is being played (Item #6 of Table 9). The officer notes that the OMP has been varied on six occasions, and now prefers to simply impose conditions as opposed to requesting further revisions to the OMP.

The veracity of the OMP to ensure no adverse impacts will arise is unknown.

Approval Timeframe

Given the proposal may create undesirable impacts, the officer is of the view that any approval should be time limited. It should be noted that lengthy discussion was held at mediation in relation to the approval timeframe as part of mediation.

The officer previously suggested a 2 year approval period to provide the operator with an opportunity to demonstrate that adverse nuisances will not arise.

The preferred approach is to extend the approval term to 5 years, whilst restricting the number of events that can take place over that period to 12. The reasoning for this approach is that a 2 year approval term may only have resulted in 1 or 2 events, and therefore the true impact (if any) would not be evident.

The only way to ascertain whether impacts will arise is if a sufficient number of events are held. Only then would a future planning assessment be able to undertake a comprehensive assessment as to the appropriateness of an extension.

On that basis, the recommendation is to limit the approval term to 5 years and the number of events to 12 (whichever comes sooner).

Summary

The officer is of the view that the development is capable of being supported on a temporary basis. This position should not be construed by the applicant or submitters as intimating that the use is appropriate in perpetuity, as legitimate planning concerns remain.

Council’s previous refusal is still viewed as having a valid planning basis. However, given that the proponent accepts a time and event limited condition it may not be in the Shire’s interests to progress the appeal to hearing.

The applicant is aware that, should adverse impacts arise or the proposal be managed contrary to the Operating Strategy, then the prospect of a further approval is hindered.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 9

POLICY IMPLICATIONS

State Planning Policy 3.7 – Bushfire Prone Areas

Position Statement: Tourism Land Uses in Bushfire Prone Area

Local Planning Policy 3.1 – Tourist Development in Rural Areas

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

Governance Support Officer left the meeting at 4.17pm and returned at 4.27pm.

VOTING REQUIREMENTS - SIMPLE MAJORITY

SUBSTANTIVE MOTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Kestel

That Council grant Development Approval for a Reception Centre on Lot 24 (145) Baramba Road, Karakin subject to the following conditions:

1. The development plans, including accompanying documentation (Operational Management Plan dated 11 September 2023 version 6) prepared by Developed Property, together with any requirements and annotations detailed thereon, are the plans and documents approved as part of this application and shall form part of the development approval issued, unless conditioned otherwise.

2. This approval is limited to a maximum of 12 events only and is limited to a period of 5 years (expiring on 19 December 2028), whichever occurs first.
3. This approval is granted for use of the property as a Reception Centre, specifically for hosted wedding events only.
4. This approved use is only permitted for hosting of events over a 9 month period between March and November each year. The development is prohibited from operating between December and February.
5. Events may only take place on a Friday or Saturday. Events on a Sunday are only to take place if the following Monday falls on a public holiday.
6. The operating hours are restricted to 9:00am – 11:00pm only.
7. Prior to the commencement of the approved use, the landowner/operator shall demonstrate that the existing 'reception centre' building has been retrofitted to AS3959 construction standards for a BAL-29 rating.
8. Prior to the commencement of the approved use, the landowner/operator shall demonstrate that the existing 'reception centre' building has been retrofitted to satisfy Table 9 of the Acoustic Report prepared by Acoustic Consultants Australia – Report 10.00554R-01.
9. The approved development is to adhere to the noise mitigation recommendations outlined under Table 9 of the Acoustic Report prepared by Acoustic Consultants Australia – Report 10.00554R-01.
10. Prior to the commencement of the approved use, a Bushfire Emergency Evacuation Plan (BEEP) shall be submitted to and approved by the Shire of Gingin on advice from the Department of Fire and Emergency Services (DFES).
11. Prior to the commencement of the approved use, the Bushfire Management Plan (BMP) (control version B dated 7 November 2019) shall be amended to the satisfaction of the Shire of Gingin and on advice from the Department of Fire and Emergency Services (DFES). The approved BMP shall be implemented thereafter.
12. Prior to the commencement of the approved use, the landowner/operator shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title of the land as notification to prospective purchasers as follows:

Bushfire Prone Area – This lot is located within a bushfire prone area and is subject to a Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP). Additional planning and building requirements may apply to development on this land.

13. Any external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Shire of Gingin.
14. The operator is required to provide the Shire with written notice of an event a minimum of 7 days prior to the event taking place.
15. The operator is required to keep up to date records of events and patron numbers, with a copy of such records being provided to the Shire of Gingin within 14 days upon written request.
16. Overnight caravan accommodation and/or camping by guests is prohibited.

ADVICE NOTES:

- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: Where an approval has so lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.
- Note 3: The Bushfire Management Plan is to be amended to address the comments made by the Department of Fire and Emergency Services and reflect the current version of the Guidelines;
- Note 4: All noise from the operation and associated equipment is required to comply with the *Environmental Protection (Noise) Regulations 1997*;
- Note 5: The development is to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2004*;
- Note 6: It is the landowner's responsibility to implement and maintain bushfire protection and mitigation measures on their property.
- Note 7: It is suggested that noise modelling and acoustic assessment be undertaken for multiple events over the temporary approval period, to be provided in any future proposal to extend the approval.

AMENDMENT MOTION

MOVED: Councillor Balcombe **SECONDED:** Councillor Sorensen

That the substantive motion be amended in condition 2 by replacing the words "maximum of 12 events" with "maximum of 9 events" and "period of 5 years (expiring on 19 December 2028)" with "a period of 3 years (expiring on 19 December 2026)".

**CARRIED
6 / 2**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Sorensen, Councillor Woods and Councillor Weeks*

AGAINST: *Councillor Peczka and Councillor Stewart*

The amendment was incorporated into the Substantive Motion, which was then put to the vote.

COUNCIL RESOLUTION

MOVED: Councillor Balcombe **SECONDED:** Councillor Kestel

That Council grant Development Approval for a Reception Centre on Lot 24 (145) Baramba Road, Karakin subject to the following conditions:

1. The development plans, including accompanying documentation (Operational Management Plan dated 11 September 2023 version 6) prepared by Developed Property, together with any requirements and annotations detailed thereon, are the plans and documents approved as part of this application and shall form part of the development approval issued, unless conditioned otherwise.
2. This approval is limited to a maximum of 9 events only and is limited to a period of 3 years (expiring on 19 December 2026), whichever occurs first.
3. This approval is granted for use of the property as a Reception Centre, specifically for hosted wedding events only.
4. This approved use is only permitted for hosting of events over a 9 month period between March and November each year. The development is prohibited from operating between December and February.
5. Events may only take place on a Friday or Saturday. Events on a Sunday are only to take place if the following Monday falls on a public holiday.
6. The operating hours are restricted to 9:00am – 11:00pm only.

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11. Prior to the commencement of the approved use, the Bushfire Management Plan (BMP) (control version B dated 7 November 2019) shall be amended to the satisfaction of the Shire of Gingin and on advice from the Department of Fire and Emergency Services (DFES). The approved BMP shall be implemented thereafter.
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14. The operator is required to provide the Shire with written notice of an event a minimum of 7 days prior to the event taking place.
15. The operator is required to keep up to date records of events and patron numbers, with a copy of such records being provided to the Shire of Gingin within 14 days upon written request.
16. Overnight caravan accommodation and/or camping by guests is prohibited.

ADVICE NOTES:

- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: Where an approval has so lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.
- Note 3: The Bushfire Management Plan is to be amended to address the comments made by the Department of Fire and Emergency Services and reflect the current version of the Guidelines;
- Note 4: All noise from the operation and associated equipment is required to comply with the *Environmental Protection (Noise) Regulations 1997*;
- Note 5: The development is to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2004*;
- Note 6: It is the landowner's responsibility to implement and maintain bushfire protection and mitigation measures on their property.
- Note 7: It is suggested that noise modelling and acoustic assessment be undertaken for multiple events over the temporary approval period, to be provided in any future proposal to extend the approval.

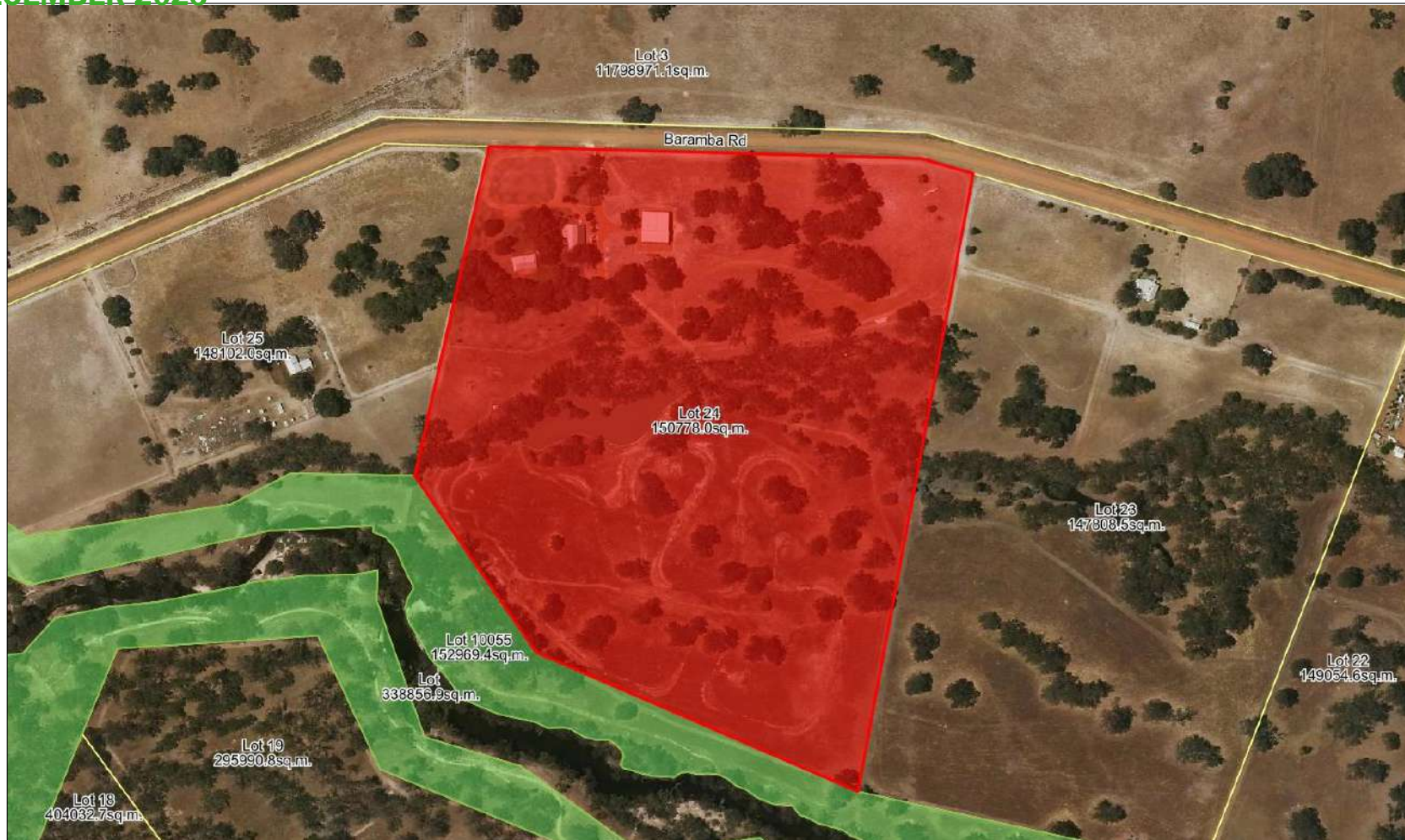
**CARRIED
6 / 2**



FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Sorensen, Councillor Stewart and Councillor Woods*

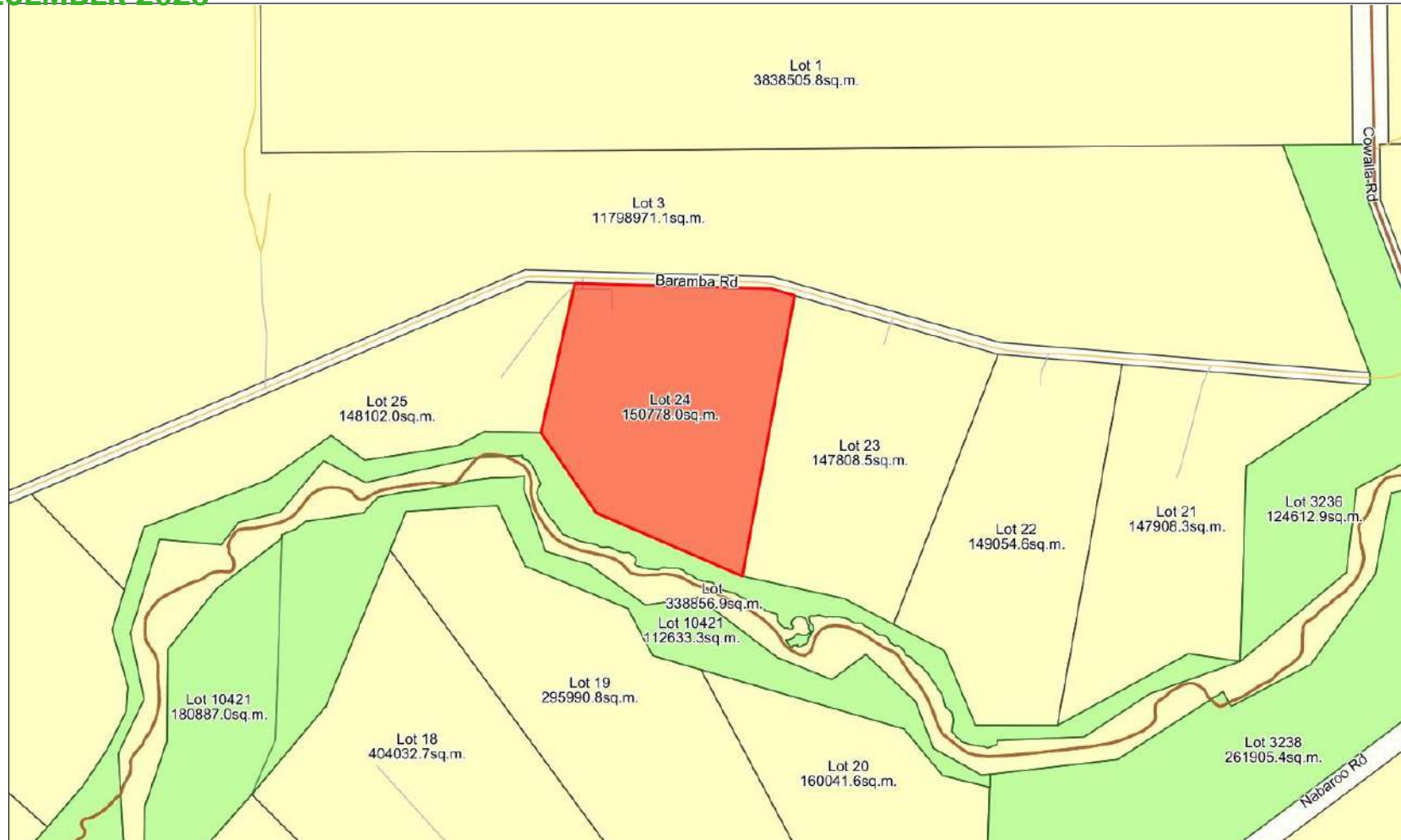
AGAINST: *Councillor Peczka and Councillor Weeks*



Reason for Amendment:

To reduce the duration of the proposed development approval, thus ensuring a shorter operation period prior to any further development approval being sought.



 <p>SHIRE OF GINGIN WATER • LEASURE • PROSPERITY</p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Location Map - Lot 24 (145) Baramba Road, Karakin</p>	<p>Scale: 1:4143</p>	<p>Date: 27/07/2021</p> 
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 <p>SHIRE OF GINGIN WATER • BEACH • PROSPERITY</p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Lot 24 (145) Baramba Road, Karakin</p>	<p>Scale: 1: 9126</p>	



Our Ref: PN23073
Address: 145 Baramba Rd, Karakin
Date: 26/09/2023

Developed Property Pty Ltd
ABN: 62 624 180 310
Phone: (08) 6119 9175
Office: 1/294-296 Rokeby Road Subiaco
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Email: info@developedproperty.com.au
Website: www.developedproperty.com.au

JCR Management Pty Ltd (Applicant)
Shire of Gingin (Respondent)

DR 50/2023 - 145 BARAMBA ROAD, KARAKIN – MEDIATION

Developed is pleased to present the following information to assist in resolving the statement of issues outlined by the Shire of Gingin (Altus Planning) that were discussed at an onsite mediation held on 30 June 2023.

1. Noise

The Shire noted that insufficient information was provided in the original Development Application to demonstrate that the proposed Reception Centre could mitigate noise impacts on nearby landowners. As such, it was advised that an acoustic report prepared by a qualified acoustic engineer demonstrating the noise can be reasonably managed would likely resolve this matter.

In order to resolve this issue, an acoustic report prepared by 'Acoustic Consultants Australia' has been prepared which demonstrates that noise can be effectively mitigated from the Reception Centre Use with some mitigation techniques. This report has been included as part of this package.

It is assumed this issue has now been addressed, however should the Shire have any further questions regarding noise, please feel free to communicate this.

2. Shed specifications and upgrades

The Shire noted that no information regarding the sheds BAL ratings were provided as part of the application documentation. The cost involved with upgrading the shed to BAL 29 capabilities was highlighted as potentially significant and as such it was advised that the owner investigate the BAL rating of the shed and whether a BAL – 29 could be achieved in a cost effective manner.

Since the mediation meeting, the landowner has sought advice concerning the shed's ability to meet a BAL-29 rating and it was confirmed this could be achieved comfortably.

The landowner is however at this stage not prepared to undertake this additional cost without surety of an approval, and as such we ask for the BAL rating for the shed to be resolved via a condition of approval.



3. Shelter in place

Further to issue 2, the Shire advised the shelter in place capabilities of the shed may need to be investigated as a last resort in the event of a bushfire emergency. As such, it is advised that as the shed is capable of meeting BAL29, it is considered that this matter can be addressed under the same condition discussed above. The Shed can accommodate up to 200 person as a Shelter which is more than sufficient to accommodate all staff and other personnel as the maximum number of guests sought is 100.

4. Operational Management Plan

The Shire noted that insufficient information was provided in the original Development Application to demonstrate several matters to be addressed in the Operational Management Plan. As such, Developed has since updated the proposed operation management plan to address each matter the Shire felt required more clarity.

If the Shire of Gingin is satisfied with the above items being resolved, we request Altus Planning on behalf of Gingin prepare Minutes for signing. We trust that each issue outlined above has been addressed by this updated package of information. Should the Shire or SAT have any follow up questions or require any additional information, please contact the undersigned.

Attached:

1. Acoustic Report
2. Revised OMP

5. Mediation

We are hopeful that any remaining concerns can be resolved by correspondence before the date set for the next mediation and that the proposed mediation hearing can be vacated.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Clare'.

Michael Clare
Planning Consultant
michael@developedproperty.com.au
(08) 6119 9175



Operation Management Plan

145 Baramba Road, Karakin



Prepared for
Shire of Gingin on behalf of the landowner of 145 Baramba Road, Karakin
Date: 11/09/2023

www.developedproperty.com.au

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.2.4

Our Reference: DP2227 v2
Address: 145 Baramba Road, Karakin
Date: 11/09/2023

Developed

Developed Property Pty Ltd

ABN: 62 624 180 310

Office: 315 Rokeby Road
Subiaco WA 6008

Postal: PO Box 662
Subiaco WA 6008

planning@developedproperty.com.au

www.developedproperty.com.au

Dear Sir / Madam,

Developed Property Pty Ltd acts on behalf of the landowners of 145 Baramba Road, Karakin in preparing the attached operating strategy for your consideration. This Operation Management Plan is to accompany a development application for a change of use to a 'Reception – Centre'.

Should you have any questions or queries regarding the proposed report please do not hesitate to contact me on planning@developedproperty.com.au or (08) 6119 9175

Yours sincerely,



**Michael Clare
Planning Consultant**



Table of Contents

1.0 Introduction2

1.1 Background2

2.0 Proposed Use.....2

3.0 Operating Hours.....2

4.0 Music and Noise.....2

3.0 Services.....3

4.0 Catering.....3

5.0 Accommodation.....3

6.0 No sale or supply of Alcohol by the landowner:4

7.0 Transportation6

8.0 Contingency plans for guests that are incapable driving due to intoxication:6

9.0 Car Parking.....7

10. Antisocial behaviour8

11. Dust Emissions.....8

12. Effluent Disposal.....8

12. Communication with Event Organisers9

13. Waste Management.....9

14. Conclusion10

Developed

1.0 Introduction

This Operation Management Plan has been prepared in support of a change of use application for a 'Reception-Centre'. A Reception-Centre use is defined by the Shire of Gingin's Local Planning Scheme No.9 as:

"A premise used for functions on formal or ceremonial occasion but not for unhosted use for general entertainment purposes."

The proposed change in use will enable the premise to be used for wedding ceremonies with this being the overall intent. This operation strategy provides guidance on how the venue will be hired and how any impacts are managed by the landowner to ensure to the change of use is still consistent with the Rural Zoning of the land.

1.1 Background

145 Baramba Road (the subject site) has a total area of 150,797 sqm and is bound by Baramba Road to the north and Moore River to the south. The site is primarily Rural land with an existing single house and outbuilding located within proximity of Baramba Road. The remainder of the site is underdeveloped with vegetation scattered throughout.

2.0 Proposed Use

The landowner is seeking approval for a 'Reception Centre' use so that the subject site can be rented out as a wedding venue. These events are intended to have a maximum of between 80-100 guests at any one time with the venue intending to be rented out once a week depending on interest.

The venue will be hired out to interested patrons between Friday and Sunday and potential public holidays with the expectation that the events will either occur on a Friday or Saturday night. From time-to-time other days may be used in unique situations. It is anticipated that the site may also be required on a Thursday for the setup of mobile facilities such as food services, accommodation, and waste services should a booking be made for a Friday event.

3.0 Operating Hours

The intended operates only on Saturday from 9.00 am to 11.00 pm.

The venue will hold a maximum of 12 events over a 9 month period (specifically between March and November) in any calendar year. The venue is not available for hire in December, January and February.

Event setup and pack up will occur during standard business hours (9am – 5pm) to minimise nuisance to any adjoining neighbours.

4.0 Music and Noise

The venue will make provision for both live and recorded music to be played during the reception. To protect the amenity of the rural location and mitigate noise concerns, it is proposed that music will cease being played as specified in the table below:

Type of music played	Time
Live music	4.00pm to 10.00pm
Recorded music	4.00pm to 10.30pm

Doors to the venue will be closed at 10:00pm and will remain closed until the function concludes at 11:00pm.

Should a wedding ceremony be conducted on the lawn area adjacent to the wedding venue, noise will be limited to a portable vocal amplification system at a reasonable level for the celebrant to pronounce vowels. Ceremonies will be limited to day time hours.

3.0 Services

The landowner intends to rent out the venue itself with guests providing their own services in relation to

- Catering
- transportation
- car parking
- waste services.

This will ensure that the site maintains its rural context with no proposed permanent construction occurring as a result of the use operation.

4.0 Catering

Catering will not be provided as part of the venue hire and will be arranged by the venue patrons. This is likely to take the form of a temporary structure such as a food truck service however this will vary from booking to booking.

Catering services will be required to access the site prior to the event start time. Such services will occur during standard delivery operation times (9am to 5pm subject to booking times and event start times).

5.0 Accommodation

The site presently has an existing single house on the property with there being no intention to construct any additional accommodation. Based on this, guests and organisers will not be permitted to accommodate on site with patrons utilising the existing short stay accommodation facilities within surrounding townsites such as Lancelin, Karakin and Seabird. The short stay accommodation facilities within these townsites will provide adequate accommodation for patrons as these facilities include but are not limited to:

Suburb	Existing Accommodation
Ledge Point	<ul style="list-style-type: none"> - Ledge Point Family Villas - Ledge Point Holiday Park - Big 4 Ledge Point Holiday Park - Air Bnb
Lancelin	<ul style="list-style-type: none"> - Lancelin Beach Hotel

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	<ul style="list-style-type: none"> - Lancelin Lodge YHA - Windsurfer Beach Chalets. - Air Bnb
Seabird	<ul style="list-style-type: none"> - Seabird Caravan Park - Seabird Tavern and Caravan Park
Wanerie	<ul style="list-style-type: none"> - Back to Nature Caravan Park

Based on the above, there are adequate facilities within the surrounding townsites to accommodate the proposed reception-centre guest patrons with the use of the existing Shire’s tourism industry offerings.

6.0 No sale or supply of Alcohol by the landowner:

Event holders shall be made aware that under no circumstances will the landowner sell or supply alcohol to guests for any wedding event held on the property. Event holders must seek prior consent from the landowner to:

- supply alcohol (i.e. bring your own) to their guests provided that there is no sale (as defined by the *Liquor Control Act 1988*) of the alcohol to be consumed, and/or
- permits guests to bring their own alcohol to consume on the premises for the event.

The storage and consumption of alcohol shall be limited to the following areas within the reception centre as shown in the plans below:

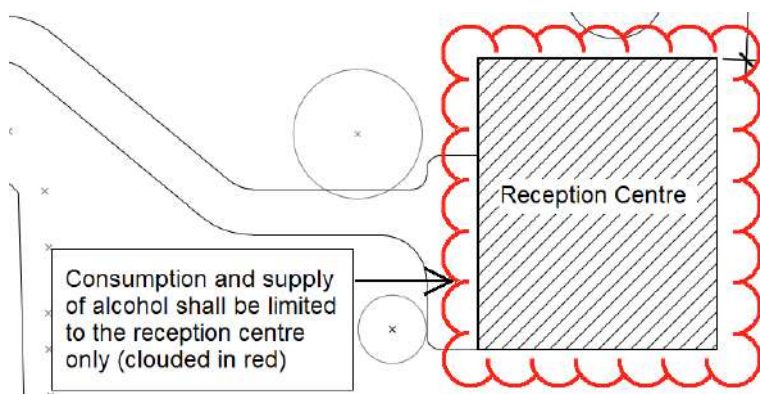


Figure 2: Extract of Site Plan showing where alcohol may be consumed and stored

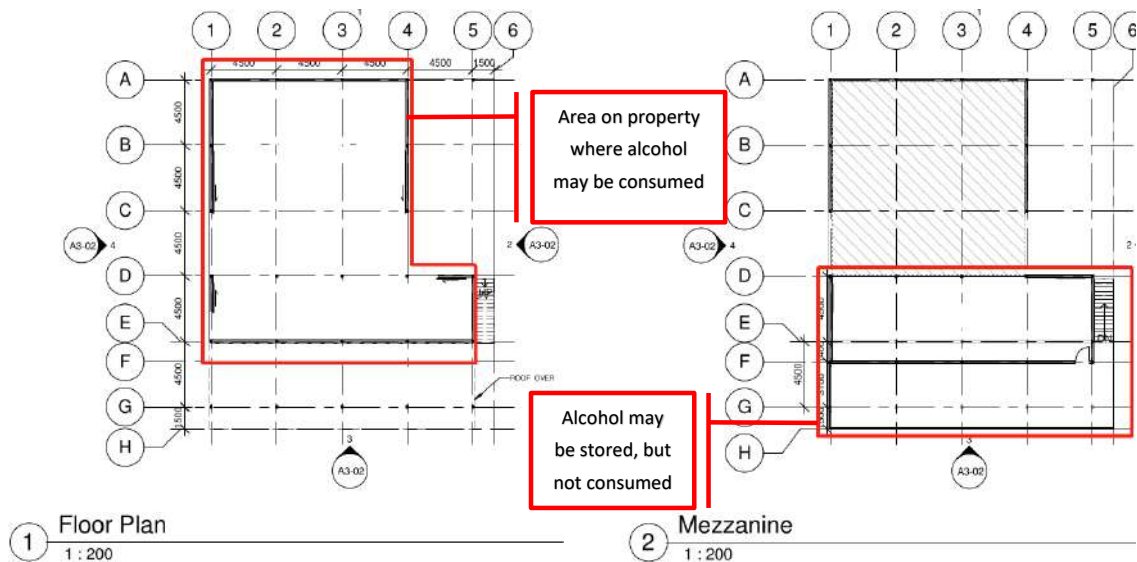


Figure 3: Extract of floor plans to show where alcohol may be consumed and stored

In supply alcohol to guests, event holders are expected to ensure that:

- they have obtained any Local Government approvals,
- the consumption of alcohol is by guests of legal drinking age (18 and over),
- the consumption of alcohol is moderated so that no guest shall be heavily intoxicated,
- there is adequate supply of free drinking water for guests, and
- safe drink and driving practices are enforced (i.e. no drink driving).

Notwithstanding the above, the landowner reserves the right to withdraw consent for the consumption of alcohol.

7.0 Transportation

Transportation to and from the site will be arranged by the event organisers with this taking the form of private bus charters. These bus services will service the surrounding townsites of Ledge Point, Lancelin, Wanerie and Seabird as patrons will utilise the accommodation facilities within these townsites. These



Figure 1: Example Private Charter Vehicle (54-Seater)

private charters will operate before and after the event commences with a singular central pick-up point within each townsite. This is considered appropriate due to the walkability of each townsite. The number of private charters will vary from booking to booking based on the number of patrons however it is anticipated that the maximum number of vehicles required to cater for 100 patrons would be 2 vehicles like the below vehicle.

It's also viable for any Taxi or Uber services to be used should attendees feel more comfortable using a private transport for smaller numbers on an individual basis.

Alternatively, should guests wish to drive to and from the venue there are capabilities for these vehicles to be contained wholly within the allotment. See this information below.

8.0 Contingency plans for guests that are incapable driving due to intoxication:

Given the proposed function centre will involve the service of alcohol as a standard feature of a wedding, guests becoming intoxicated will be an unfortunate but inevitable matter to manage. Further to this, guests who have elected to drive to the venue and then opt to responsibly consume alcohol will need to be managed. Serving alcohol in a responsible manner consistent with the Liquor Control Act (1988) requirements will be mandatory for all staff who will be trained under this act. However, notwithstanding this the contingency plans for guests that are incapable to drive due to intoxication are as follows:

- Guests indicate they are driving to the wedding prior to attending and sign an agreement that they will not drive intoxicated to or from the venue.
- Ensure all staff serving alcohol monitor guests drinking levels and any sign of intoxication restrict alcohol consumption.
- Always allow for additional space on bus transport for guests that are not in a position to drive home.

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- Don't argue with the intoxicated guest. Invite the intoxicated guest to an area away from other guests, where you can arrange a suitable solution to the issue with driving/arranging alternative transport.
- Utilise a breathalyser machine and monitor guests alcohol levels if there is a risk of guests driving intoxicated.
- It should be noted that whilst it will be a priority to control guests from driving home, the venue is limited in its ability to force guests not to drive. Should a guest disregard direction to not drive, as a last resort the venue would contact police and advise that a guest has driven.

9.0 Car Parking

Car parking bays will be provided in the northwest corner of the site abutting Baramba Road. The designated car parking area has been shown on the proposed site plan with a break down of access to the site provided below:

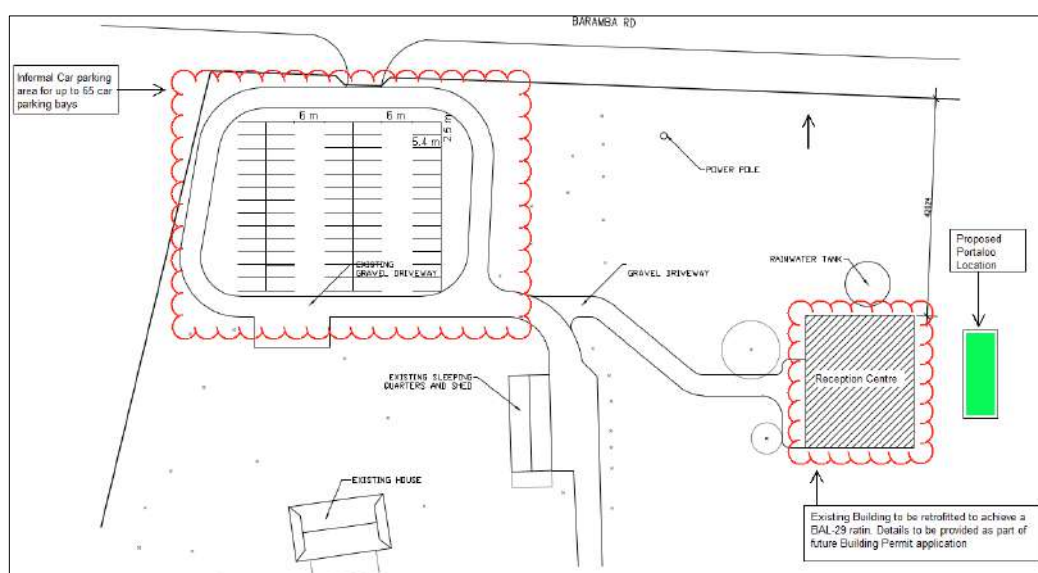


Figure 2: Proposed Car Parking Area (Highlighted Red)

The proposed parking area will take the form of a levelled grassed area that will utilise the existing gravel driveway and crossover to Baramba Road. As a result, there will not be a requirement to develop additional vehicular access points. In addition to the above, the following will be provided. Car parking spaces will be marked to Australian standards. Temporary lighting will be provided to assist guests in finding their vehicles when it is dark. Parking signage directions will be placed at the entrance to direct attendee, a speed limit of no more than 5km/h will also be made visible along with markers on the ground outlining the parking location.

All visitor parking is to be restricted to only be in the allocated parking area and vehicles will not be permitted to park off site in the road verge.

10. Antisocial behaviour

It is not anticipated that guests will behave inappropriately, however the venue has contingency measures in place, as follows.

- All staff serving alcohol are required to be trained to responsibly serve alcohol.
- Should guests show signs of intoxication or signs of antisocial behaviour alcohol guests will be cut off from the service of alcohol.
- Any guests threatening or behaving inappropriately to other guests will be asked to vacate the premises. Note, if they are intoxicated guests will be instructed to depart without driving.

11. Dust Emissions

Dust emissions are not anticipated to be a serious concern, however this will be monitored and any issues will be resolved if it is clearly a result of venue guests. In addition to this a 5km/h speed limit will apply within the property.

12. Effluent Disposal

The site presently has an existing septic system servicing the single house on site. The landowner is not proposing to install any new septic systems for this change of use application rather the landowner will organise non-permanent portaloos (like Figures 3 and 4 below) on behalf of the event holders. These portaloos will be installed and removed by a trained professional who will dispose of the waste in line with the required provisions and health standards.

The portaloos will not be located within 30m of the southern lot boundary to ensure there is an appropriate separation of the proposed use and the existing watercourse. This is to meet the provisions set out in the Shires LPS No.9 Schedule 10. Due to the temporary nature of the portaloos and the proposed setback of the toilets from Moore River, there will be no impact to the surrounding environment.

The number of portaloos that will be provided by the event organisers will be in accordance with the *Guidelines on the Application of the Health (Public Buildings) Regulations* with a breakdown of these requirements provided below:

Total Attendance	Male	Female	Universal	Hand Basins	Total Requirement
1-50	Toilet – 1 Urinal -1	Toilet – 1	1 Unisex	1 Basin	3 Toilets 1 Urinal 1 Basin
50-100	Toilet – 1 Urinal – 1	Toilet – 2	1 Unisex	1 Basin	4 Toilets 1 Urinal 1 Basin

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Figure 3: Example Portable Effluent Disposal Portaloo



Figure 4: Example Universal Access

As part of the development application approval, it is expected that a condition of approval will be issued binding which will require the landowner to meet the above-mentioned minimum requirements for the use.

12. Communication with Event Organisers

As part of the booking process, the landowner will provide the event organisers a site map that shows the required location for services such as car parking, catering, and effluent disposal system locations. This will ensure that the location of such services is in line with the approved development plans and any conditions of approval.

13. Waste Management

Waste will be collected and stored on site within rubbish bin bags that will be appropriately stored to not result in any odour or amenity issues to adjoining properties. It will be the responsibility of the landowner to dispose of the accumulated waste at the Shires landfill sites at either Gingin, Seabird and Lancelin. The three mentioned facilities are capable of adequately servicing the proposed use as they are within proximity to the site and operate seven days a week between 8:30am to 5:30pm.

Site Name	Location	Open Times	Open Days
Gingin Landfill Site	Cockram Road, Gingin	8:30am – 5:30pm	Thursday to Monday
Seabird Landfill Site	Seabird Road, Seabird	8:30am – 5:30pm	Saturday to Wednesday
Lancelin Landfill Site	Lancelin Road, Lancelin	8:30am – 5:30pm	Thursday to Monday

Waste will be transported from 145 Baramba Road to the landfill site via private vehicle. The landowner will utilise the Shire’s containers for change scheme for any eligible containers.

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14. Conclusion

This operations strategy has been prepared in support of a change of use application for a 'Reception – Centre' use at 145 Baramba Road, Karakin. The intended use for the site is to primarily hire the land and associated outbuilding to wedding event organisers to use. As the land is Rural and used primarily for a single house, all services will need to be provided by the event organisers and will need to be temporary in nature.

The operations strategy has outlined the responsibility of the landowner in the provision of services with this relying extensively on the event organisers and the way in which they want to run their event. The temporary nature of the services will also enable event organisers greater flexibility in their event planning whilst maintaining the context and character of a Rural zone.



PROPOSED
RECEPTION CENTRE
145 BARAMBA ROAD,
KARAKIN –
NOISE ASSESSMENT

Report 10.00554R-01
prepared on 29/08/2023



MINUTES ORDINARY COUNCIL MEETING 19 DECEMBER 2023

APPENDIX 13.2.5



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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

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BASIS OF REPORT

This report has been prepared by **Acoustics Consultants Australia (ACA)** with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from ACA. ACA disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

REFERENCE	DATE	PREPARED	REVIEWED	AUTHORISED
10.00535R-01	29/08/2023	MdIM	MdIM	Miguel de la Mata

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.2.5

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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT



CONTENTS

REPORT 10.00554R-01	4
1. INTRODUCTION	4
2. BACKGROUND INFORMATION	5
3. ACOUSTIC CRITERIA	12
4. ASSESSMENT	15
5. RECOMMENDATIONS	23
APPENDICES	25
APPENDIX A: GLOSSARY	26
APPENDIX B: NOISE MODELLING CONTOURS	29

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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

Report 10.00554R-01

1. INTRODUCTION

This report presents the findings of the noise assessment conducted by Acoustics Consultants Australia (ACA) for the proposed Reception Centre located at Lot 24 (No. 145) Baramba Road, Karakin (Shire of Gingin).

The aims of this assessment are:

- To identify the main sources of noise from the proposal and the nearest noise sensitive receivers;
- to test the in-situ sound insulation performance of the proposed function room;
- to conduct an objective noise assessment based on a three-dimensional noise model of the proposed operations calibrated with measurements conducted at similar venues; and
- to provide recommendations that will set basis for noise management, where required.

Noise from the proposal has potential to impact surrounding sensitive receivers. The site lays within rural land and it is in proximity to other lots within the same rural setting.

This assessment has been prepared in accordance with the WA Environmental Protection (Noise) Regulations 1997 (EPNR). The methodology and Standards used to conduct the assessment, as well as the numeric assessment results are presented in the following sections of this report.

Acoustic terms used in this report are defined in the Glossary of **Appendix A**.



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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

2. BACKGROUND INFORMATION

The proposal is for change of use of 145 Baramba Road, Karakin to 'Reception Centre'. The change of use application does not entail building works other than small potential building fitout treatments.

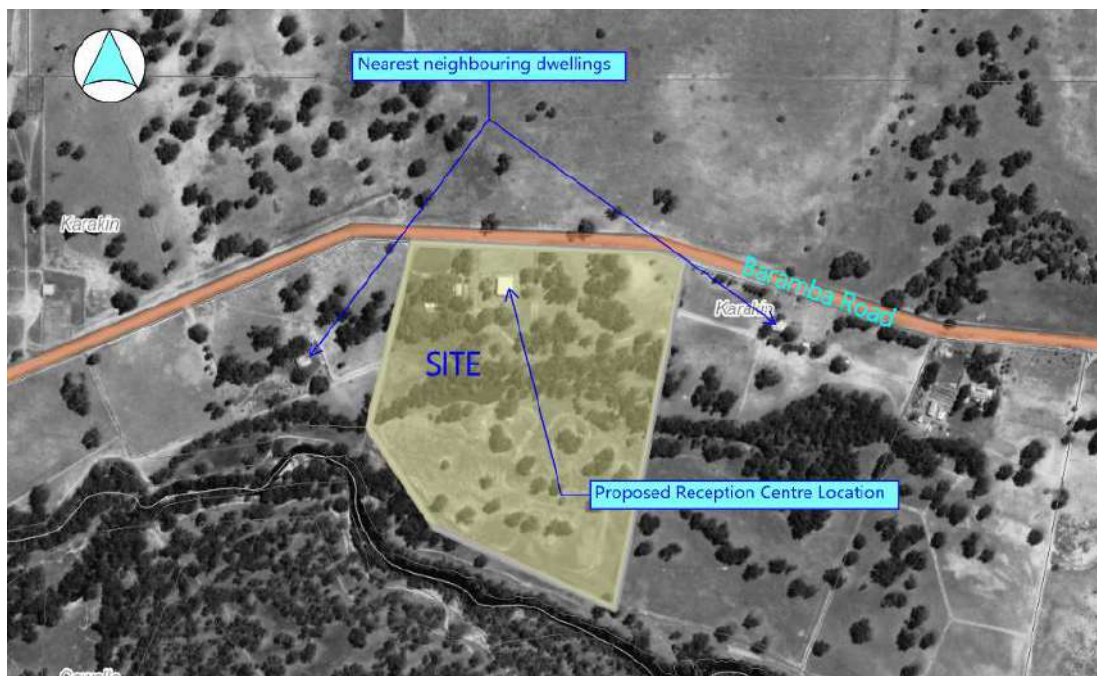
It is understood that the Shire of Gingin would require a review of the proposed operations to ensure they are compliant with the State Noise Regulations, identification of the potential impacts and mitigation requirements, due to the rural nature of the site and surroundings.

This noise impact assessment includes all the potential worst-case noise generating scenarios from the proposal that could generate impacts on the nearest sensitive receivers. ACA's approach to the assessment included a site visit, outbuilding façade test and noise prediction in accordance with the WA Noise Regulations (**Section 3**). Further details of the proposed operations are provided in the following sections.

2.1. Location

The site is located at Lot 24 (No. 145) Baramba Road, Karakin, Shire of Gingin, within 'General Rural' use land and it is surrounded by other lots of the same nomination. The site largely comprises undeveloped land with vegetation, it also includes one established dwelling, sleeping quarters and a large shed that will be used as reception centre. The nearest identified noise sensitive receivers are dwellings east and west of the site. **Figure 1** depicts an annotated aerial view of the site and its surroundings.

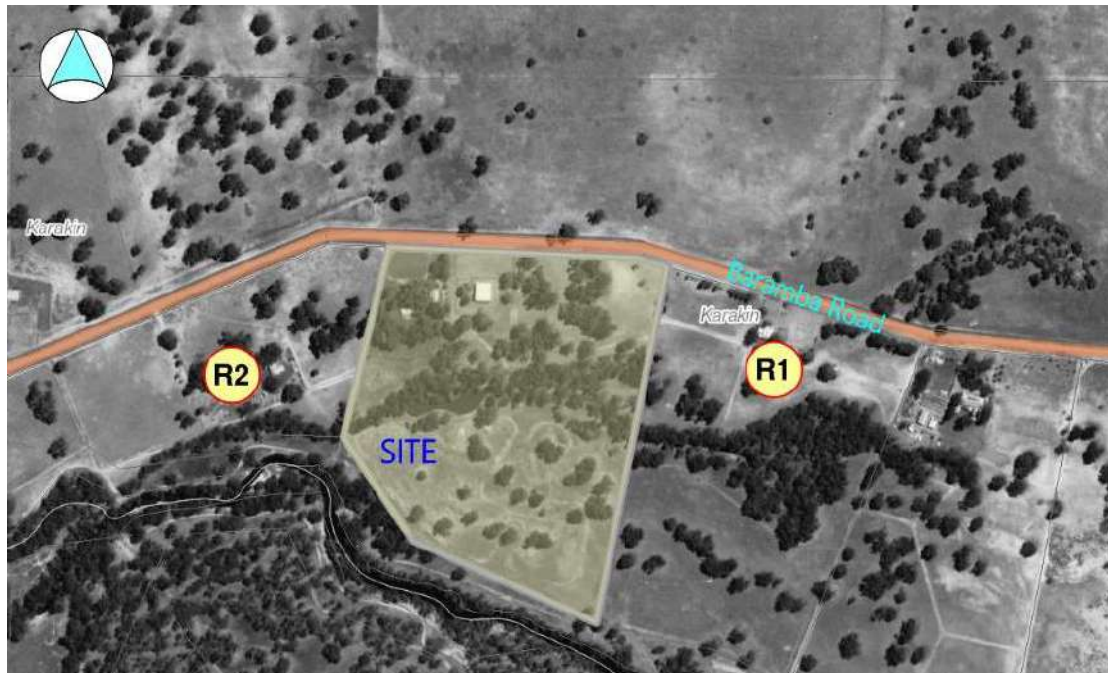
Figure 1 Overall site location



5

The nearest and most exposed highly-sensitive receivers, as defined in Regulations (**Section 3**) have been identified and labelled R1 and R2 in **Figure 2**.

Figure 2 Noise sensitive receivers



The most exposed noise sensitive receivers are:

- R1 – 93 Baramba Road. The existing dwelling is located approximately 350 m from the proposed reception centre and 130 m from the site boundary
- R2 – 147 Baramba Road. The existing dwelling is located approximately 260 m from the proposed reception centre and 100 m from the site boundary

Other highly sensitive premises are located approximately 1 km south of the site on Nabaroo Road (Cowalla).

2.2. Operations and Site Description

Access to the site will be via the existing gates on Baramba Road and car parking will be available near the entry point. A driveway will connect the car park to the proposed function room. This room space will be within an existing shed/building constructed with insulated sandwich panels. The building sits on a concrete slab. The site gently slopes down towards the south, overlooking land zoned as 'Parks and Recreation'.

Figure 3 shows the proposed layout of the venue and the overall distribution of the areas of interest.



Figure 3 Proposed layout



The operational intent is to hire the site for wedding receptions. The estimated maximum capacity of the functions is 100 persons. Eventgoers would either be transported to site on couches/buses or drive to site individually. Accommodation will be limited to the existing premises and no expansion in accommodation capacity is being proposed. Details linked to transportation, installation of transportable toilets, catering and waste management will be managed by the venue hirers and not by the proponent.

It is expected that the proposed Reception Centre will host parties, which will include crowd and music. It is proposed that music will be played internally (no external music) between 6pm and midnight.

ACA conducted a site visit on Thursday 17th of August 2023 to inspect the current condition of the Function Room building and to undertake an in-situ sound insulation test of the building façade.

The building is constructed in its entirety with EPS sandwich panels (walls and roof) in good condition sitting on concrete foundation throughout. The building has two levels (ground and mezzanine); access to the ground level is through two barn-styled sliding solid core doors that face west and east; access to the mezzanine is via a set of external stairs, which lead to a deck with access to the room via a standard solid core door. The internal mezzanine area overlooks the internal ground level of the room from within an internal balcony.

Photos of the external and internal condition of the building, as well as the identified main noise paths captured during the site visit are shown in **Figure 4** below.



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145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

Figure 4 Site observations

i) External condition: Top (Ground level) – Bottom (Stairs and deck, access to Mezzanine)



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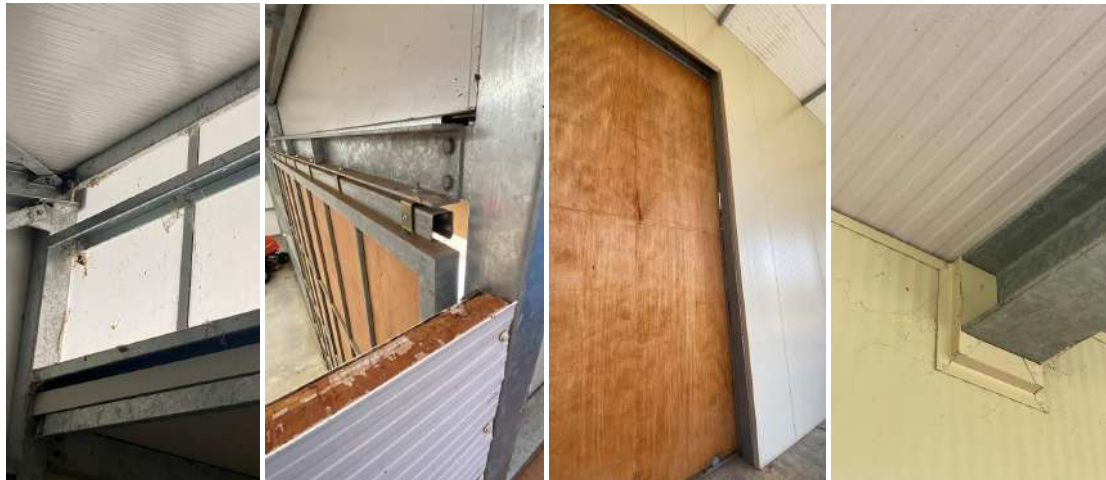


PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

ii) Internal condition. Left: Mezzanine room – Right: View to ground level



iii) Main noise paths: Unsealed doors, panel junctions, polycarbonate panels



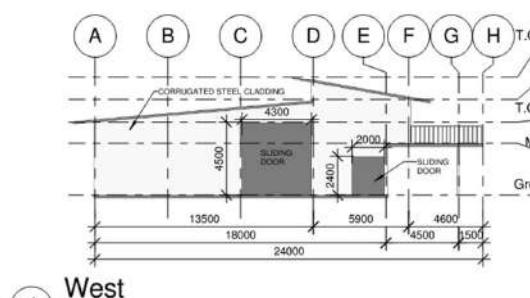
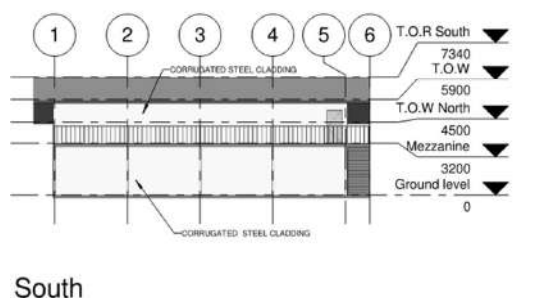
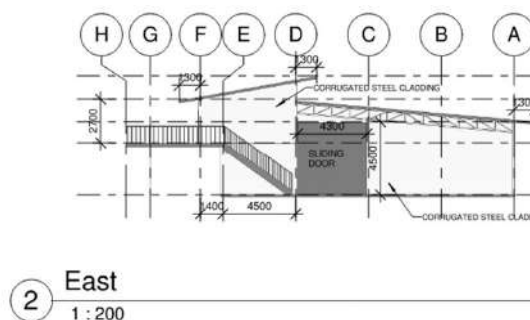
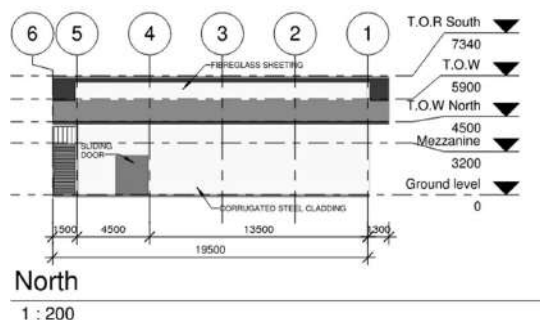
Plans of the building were provided by Developed Planning consultants. The plans are 'as built' plans and are shown in **Figure 5**. These plans are accurate to the existing building inspected by ACA.



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145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

Figure 5 Existing Building Plans ‘As Built’



The identified key noise sources associated with the site are expected to be:

- Breakout noise through the building façade from music and patrons within the function room.
- Outdoor noise levels from patrons on the Mezzanine deck area.

There is no mechanical plant within the existing building and no new mechanical plant is proposed for the Function Room.

Other short-term noise contributors envisaged from the proposed operations on site are:

- Vehicles in the car parking area before and after functions;
- Preparation works and pack up, before and after events; and
- Waste disposal.

Whilst these activities have not been numerically assessed due to their low frequency and short duration nature, they are still required to meet the environmental standards. Short-duration events such as those mentioned above, have significantly less stringent noise criteria and; therefore, not representative of the worst-case assessment scenarios.

Nonetheless, the abovementioned activities will be restricted to take place during daytime; hence the risk for disturbance at nearby residents will be minimised.

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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT



2.3. Operational Noise Scenarios

This assessment focuses on the noise sources of primary relevance for worst-case operations of the site. These key noise sources abovementioned define the following typical assessment scenarios:

1. Crowd noise and music from the function room operating at full capacity. Capacity of 100 people in total evenly distributed indoors. Sound levels allowed in this scenario are for 'Foreground Music'¹; that is an internal reverberant sound level of L_{A10} 85 dB distributed within the venue. Doors of the room closed.
2. Per Scenario 1, with doors open.
3. Noise from 80 persons located outdoors on the Mezzanine deck.

¹ Association of Australasian Acoustical Consultants, Licensed Premises Noise Assessment Technical Guideline Version 3.0.



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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

3. ACOUSTIC CRITERIA

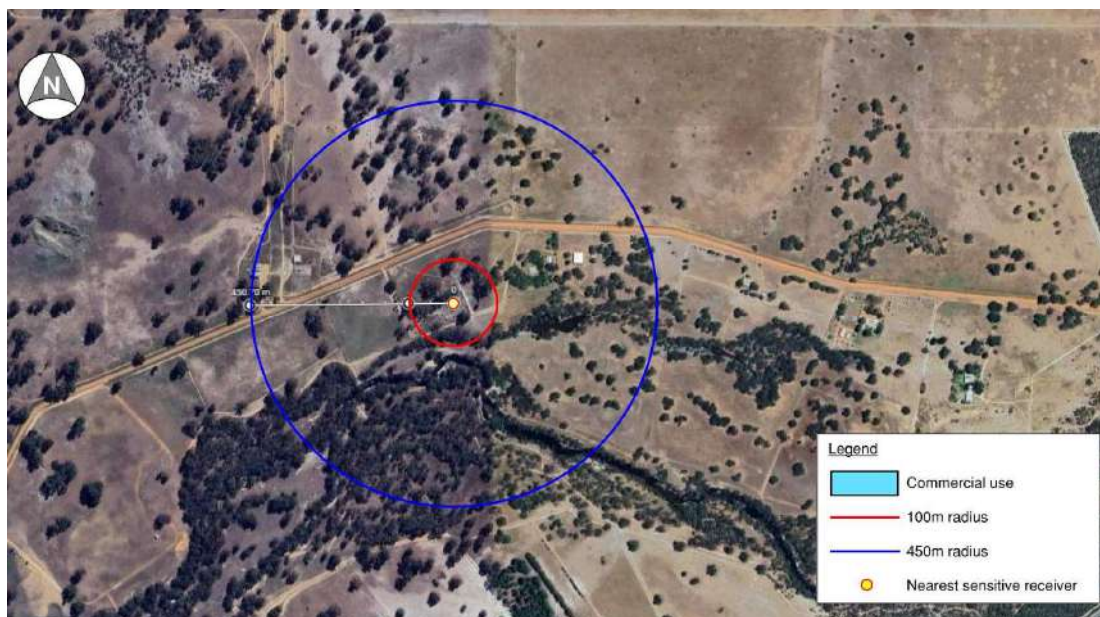
Noise criteria have been determined in accordance with the Western Australia *Environmental Protection (Noise) Regulations 1997* (EPNR).

3.1. WA Environmental Protection (Noise) Regulations 1997

Noise emissions from commercial premises are regulated by state noise policy in the form of the Western Australia Environmental Protection (Noise) Regulations of 1997 (EPNR). To achieve compliance with this policy, noise levels at nearby residential areas are not to exceed defined limits. These limits are determined from consideration of prevailing background noise levels and 'influencing factors' that consider the level of commercial and industrial zoning in the locality.

The influencing factor considers zoning and road traffic volumes around the sensitive receiver of interest, within 100 m and 450 m radii (see **Figure 6**).

Figure 6 Influencing factor calculation map



The influencing factor in this case is 0 dB due to 100% rural premises surrounding the nearest noise sensitive receivers.

A summary of the applicable outdoor noise criteria is provided in the following table.



Table 1 WA EPNR Assigned Noise Levels

Type of premises receiving noise	Time of day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	45	55	65
	0900 to 1900 hours Sunday and public holidays	40	50	65
	1900 to 2200 hours All days	40	50	55
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35	45	55
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80

A series of adjustments must be added to the noise source levels if noise received at the sensitive premises cannot reasonably be free of audible characteristics of tonality, modulation and impulsiveness, and the adjusted level must comply with the assigned level. Definition of these terms (tonality, modulation and impulsiveness) are provided by Regulation 9(1) of the EPNR. **Table 2** summarises the adjustments, as defined by the Regulations.

Table 2 Noise character adjustments

Adjustment where noise emission is music		Adjustment where noise emission is not music		
Impulsiveness is not present	Impulsiveness is present	Tonality is present	Modulation is present	Impulsiveness is present
+10 dB	+15 dB	+5 dB	+5 dB	+10 dB

It is expected that the dominant noise source from the site would be a mix of crowd and music. Adjustment for +10 dB will be applied to music noise emissions but not to crowd noise.

3.2. Internal Noise Levels

For reference on acoustic amenity at internal spaces, Australian Standard 2107:2016 *Acoustics – Recommended design sound levels and reverberation times for building interiors* (AS/NZS 2107) and the World Health Organisation Guidelines for Community Noise 1999 (The WHO Guidelines) documents provide recommended noise limits for specific room usages.

While AS2107 does not intend to set out environmental impact criteria, in some situations, indoor targets are considered appropriate to noise sensitive activities such as sleep and residential living since they generally occur indoors. Where it can be shown that the *outdoor* Assigned Noise Levels are impracticable to achieve, consideration may be given to appropriate application of guidelines such as Australian Standard 2107:2016.



Further, Regulation 19 of the EPNR provides an alternative to conduct compliance measurements indoors, when measuring outdoors is not a viable option.

The following table presents recommended internal noise levels recommended for house in rural areas in Table 1 of AS/NZS 2107.

Table 3 AS/NZS 2107 Recommended design sound levels

Type of occupancy	Design sound levels ($L_{Aeq,t}$ range) – dB
Houses in Rural Areas with Negligible Transportation	
Sleeping areas (night-time)	25-35

From this table, a referential internal noise target of L_{Aeq} 35 dB is considered reasonable for living areas. The recommended sound levels given are not necessarily appropriate in all circumstances and may not reflect each occupant’s expectations of quality; this is particularly the case when noise has considerable low frequency energy or when the levels do not correspond to a quasi-steady noise source (i.e. sound fluctuates by a significant range in a short period of time).

The WHO Guidelines (World Health Organisation) provide internal noise limits recommended to avoid negative health impacts based on sleep disturbance scenarios. The guidelines are not specific to entertainment noise; however, acknowledge that when a significant low frequency component is present, a 10 dB safety factor may be applied.

The recommended limits by the WHO Guidelines are shown in **Table 4**.

Table 4 WHO Guidelines, sleep disturbance recommended noise limits

Noise metric	Recommended indoor levels – dB
Sleep disturbance, inside bedrooms	
$L_{Aeq,8hour}$	35
L_{Amax}	50

Note: The WHO Guidelines set out outdoor limits based on assumptions of 10dB indoor-outdoor difference. For windows closed, indoor to outdoor level difference may be 5-15 dB higher than with windows open. We summarise the indoor goals, as the façade transmission would vary from resident to resident.

Recommended external noise limits may vary between 10 and 25 dB higher than the figures of **Table 4**, depending on the façade transmission loss specific to each case (i.e. some houses attenuate sound better than others).



4. ASSESSMENT

4.1. Approach

The assessment has been conducted based on the following steps:

- A site visit to take note of the condition of the existing building;
- Site test measurements conducted to quantify the existing sound insulation of the proposed Function Room building;
- Noise modelling based on a calibrated 3D noise prediction model. The model has been prepared and calibrated to the measurements conducted on site. The model is then used to predict noise levels at the surrounding noise sensitive receivers; and
- Assessment of predictions against the applicable noise criteria.

4.2. Assumptions

4.2.1. Crowd Noise

External crowd noise has been estimated using the Haynes formulae. Internal crowd noise has been estimated using the Rindel method. All crowd calculations have been undertaken under the following assumptions:

- One third of the patrons may be talking at any given time with raised vocal effort.
- Room absorption will be fitted in to match the recommended reverberation time for function rooms where music may be played. That is, a reverberation time of 1.1 second in the mid-frequencies.
- The worst-case assessment location for outdoor crowd is the Mezzanine deck. A crowd of 80 persons have been assessed.

4.2.2. Music

It is assumed that music will be played within the Reception Centre during the specified times (6pm to midnight).

- Music will be played using standard PA speakers inside the function room at typical locations (room corners facing inwards), away from the entry doors.
- The reverberant sound pressure levels at which music will be played inside the Reception Room will not exceed L_{A10} 85 dB throughout the events.
- Low frequency sound inside the room will not be excessive. That is C-weighted sound levels will not exceed A-weighted sound levels by more than 10 dB any time.



4.3. Site Test

4.3.1. Methodology

A site test was conducted to quantify the in-situ sound insulation of the proposed Reception Centre. The test undertaken during the site inspection described in **Section 2.2**, resulted on an estimation of the equivalent sound insulation of the building, which was then used to predict the impact of music being played inside the room and calibrated to actual measurements.

The test conducted on Thursday 17th of August 2023 was undertaken based on the following tasks:

- A full range loudspeaker was setup at an average location inside the room in order to achieve a moderately diffuse field in the room (**Figure 7**);
- Pink noise was played through the speaker and measured inside the room;
- Noise measurements were conducted all around, near the building façade and at a distance from the building. Reverberation time measurements were also conducted inside the room;
- Background noise measurements were also conducted to adjust the test measurements;
- Noise measurements were analysed to obtain the representative transmission loss (TL) for each façade. This was undertaken based on the following formula:

$$TL \approx Noise_{outside} - Noise_{inside} - 10 \log(Facade Area) + 20 \log(Distance) + 14$$

Figure 7 Site test





The equipment used to conduct the site test is listed in **Table 5** below.

Table 5 Monitoring Equipment

Sound Level Meter			
Make and model	Type	Serial No.	Calibrated on
NTI Audio XL2	1	A2A-18134-E0	19/01/2022
Field Calibrator			
SVANTEK SV-33 (Type 1)		76674	13/03/2023

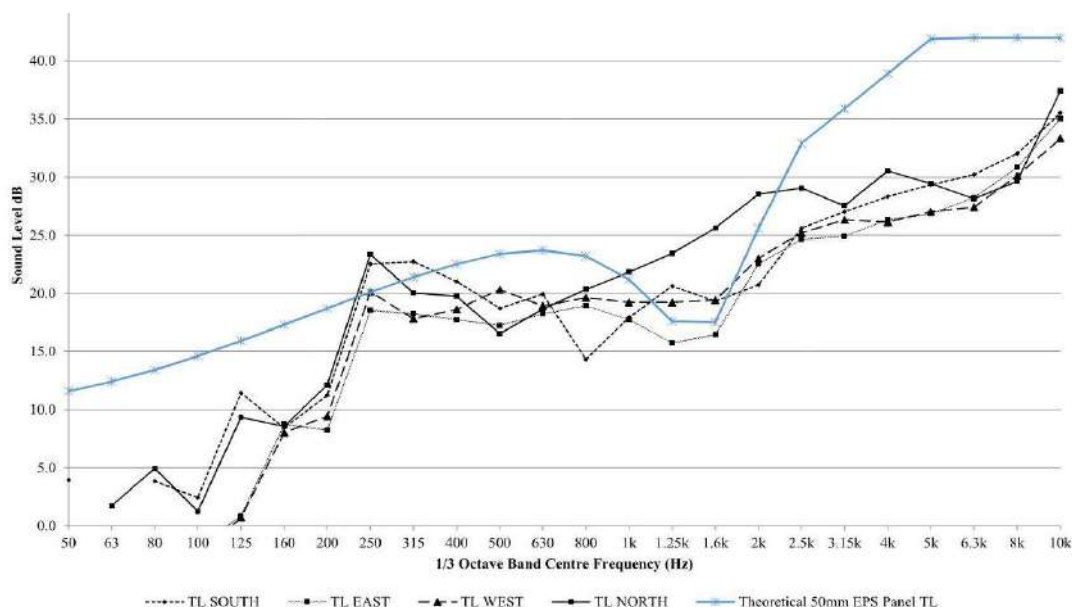
Note: This equipment is NATA certified, IEC 61672 Type 1. It is common practice to use Type 1 (or 2) noise loggers for measuring ambient noise levels in accordance with the Australian Standard AS 1055.1 *Acoustics – Description and measurement of environmental noise*.

The sound level meter was set to ‘Slow’ response. The instrumentation employed during the noise measurement surveys were designed to comply with AS IEC 61672.2-2004 *Electroacoustics-Sound level meters-Specifications*. The sound levels meters were field calibrated before and after the measurements with the calibrator. No significant drift (greater than 0.5 dB) in calibration was detected.

4.3.2. Test Results

The estimated sound transmission loss for each of the four façades were fairly consistent and some discrepancies are attributed to sound flanking paths (gaps) around the building façade. The calculated transmission loss for all façades from the site test and a comparative of the theoretical transmission loss of 50mm EPS panels are shown in **Figure 8**.

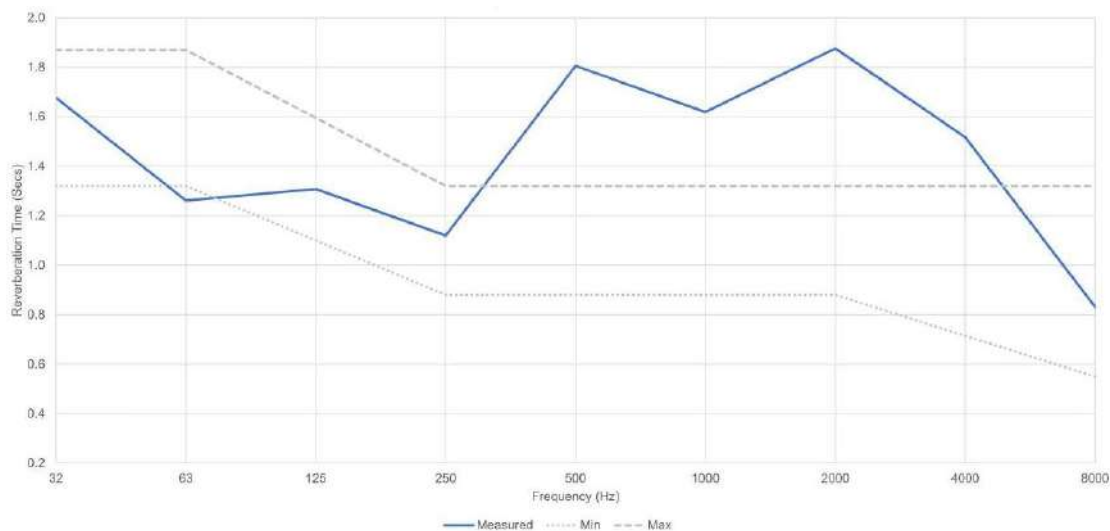
Figure 8 TL – Sound Insulation estimated for the building façades





The reverberation time measured inside the Function Centre room is shown in **Figure 9** with a comparative with the maximum and minimum recommended reverberation times.

Figure 9 Reverberation Time – Measured vs. Recommended



4.4. Noise Levels

The source noise levels used in this assessment are summarised in **Table 6**.

Table 6 Noise Source Levels

1/1 Octave Band Sound Level – dB									
	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz	dBA
Outdoor crowd 100 patrons – L₁₀ Sound Power Levels (*)									
L ₁₀	n/a	81	87	90	86	80	74	65	90
Music (typical) – L₁₀ Sound Pressure Level at Listeners' Ears									
L ₁₀	73	79	80	83	80	77	71	63	85

4.5. Noise Modelling

4.5.1. 3D Model

Geometry from the site and surroundings, surfaces, existing buildings, barriers and sound sources from the site were modelled using internationally recognised noise prediction algorithms. A three-dimensional noise model was developed using a software called SoundPLAN Essential V5.1. An adaptation of the algorithm contained within ISO 9613:1996 *Acoustics – Attenuation of sound during propagation outdoors* was used in this instance.



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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

The following items are considered:

- Three-dimensional location, height and orientation;
- shielding/reflection effects due to surrounding structures (such as awnings, parapets and roofs); and
- meteorological/thermal effects in accordance with ISO 9613 methodologies.

It is noted that these noise predictions are considered reasonably representative of ‘worst case’ scenarios and it is expected that actual noise levels would typically be less than that predicted for the majority of adjacent receivers.

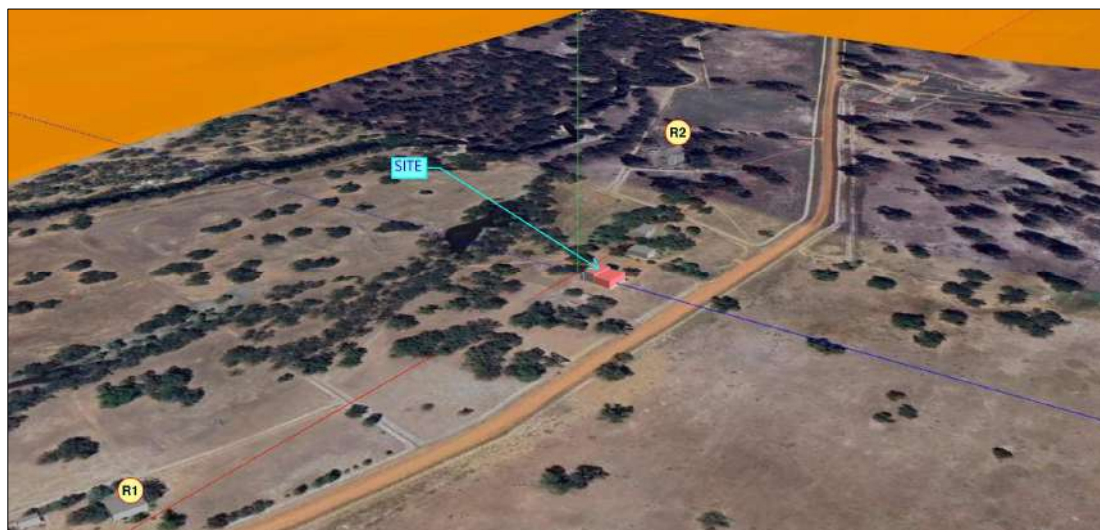
Figures 10 a/b show depicted figures with details of the noise model, including the point of assessment (receivers) and the key noise generating sources (i.e. breakout music and outdoor crowd).

Figure 10a Noise model – Site noise sources (building façade)





Figure 5b Noise model – Site and receivers



4.5.2. Modelling Scenarios

The noise modelling scenarios described in **Section 2.3** are:

1. Scenario 1 – Entertainment (music and crowd) noise, doors closed - L_{A10} noise levels
2. Scenario 2 – Entertainment (music and crowd) noise, doors open - L_{A10} noise levels
3. Scenario 3 – Outdoor 80 pax crowd on the Mezzanine deck – L_{A10} noise levels.

4.5.3. Results

Noise contour maps have been generated in SoundPLAN V5.1 (See **Appendix B**). The predicted noise levels are shown in **Table 7**.

Table 7 Noise Predictions

Receiver	Predicted Noise Levels– L_{A10}		
	Scenario 1	Scenario 2	Scenario 3
R1	18 dB	26 dB	26 dB
R2	21 dB	30 dB	29 dB

Based on the results, it has been established that noise mitigation may be required for time periods other than for daytime (i.e. after 7pm, Monday to Friday).



4.6. Assessment and Discussion

The results presented in the previous section have been assessed to the applicable noise criteria (per **Section 3**) and the results are presented in **Table 8**.

Table 8 Assessment of results

Receiver	Time Period	Noise Criteria	Scenario	Adjusted Noise Prediction (*)	Difference (dB)	Comments
R1	Daytime	L _{A10} 45 dB	1	28 dB	-17	Compliant
			2	36 dB	-9	Compliant
			3	26 dB	-19	Compliant
	Evening, Sunday or Public Holidays	L _{A10} 40 dB	1	28 dB	-12	Compliant
			2	36 dB	-4	Compliant
			3	26 dB	-14	Compliant
	Night-time	L _{A10} 35 dB	1	28 dB	-7	Compliant
			2	36 dB	+1	Exceedance
			3	26 dB	-9	Compliant
R2	Daytime	L _{A10} 45 dB	1	31 dB	-14	Compliant
			2	40 dB	-5	Compliant
			3	29 dB	-16	Compliant
	Evening, Sunday or Public Holidays	L _{A10} 40 dB	1	31 dB	-10	Compliant
			2	40 dB	-1	Compliant
			3	29 dB	-11	Compliant
	Night-time	L _{A10} 35 dB	1	31 dB	-4	Compliant
			2	40 dB	+5	Exceedance
			3	29 dB	-6	Compliant

NOTES: (*) Adjusted per Section 3.1, Table 2.

The assessment suggests that the proposed venue will be compliant with the EPNR assigned noise levels subject to noise management, during events after 10pm.

The following compliance basis must be noted:

- Compliance is predicted for all combined operations during daytime, evening or Sundays with either doors open or closed where music played indoors do not exceed equivalent sound pressure of 85 dBA over a representative period (e.g. any 15 minute period during the event).
- After 10pm doors should be kept closed (except for regular ingress and egress).
- Maximum crowd assessed is 100 patrons.



PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

- The room shall be treated internally to reduce the reverberation time from the existing 1.7 seconds to the recommended 1.1 seconds in the mid-frequencies, to be within the recommended reverberation levels as shown in **Figure 9**.
- The observed gaps around the building's doors and in between steel panels shall be treated to minimise noise breakout.
- Other significant noise sources not stated or assessed in this report like external mechanical plant (e.g. generators), external speakers or live music shall be subject to noise assessment.

Other considerations regarding the music played inside the Function Centre:

- It should not contain excessive low frequency component (no subwoofers);
- Be played through speakers distributed in the Function Room, placed at locations as far as possible from doors and pointing away from windows and doors.

The following section summarises the analysis above into a set of recommendations.



5. RECOMMENDATIONS

Table 9 outlines the noise mitigation required to reduce impact on residents from operations at the proposed venue.

Table 9 Noise Mitigation

Item #	Recommendation	Reasoning
Treating the Source		
1	Music to be played not louder than at the recommended levels only. Indicatively, not to exceed $L_{Aeq,5min}$ 85 dB at listeners' locations. Avoid excessive low frequency emissions, do not use subwoofers.	To avoid music exceeding the modelled terms.
2	A distributed network of speakers should be sought in place of large stereo system (use 4 or 6 speakers instead of 2 speakers). Place speakers away from of the sound system is to be designed to minimise spillage and projection towards noise sensitive receivers.	
Treating the Path		
3	<u>Function Centre Fitout</u> Fit sound absorption panelling to the internal room to achieve reverberation time of 1.1 seconds. This can be achieved with the following arrangement: <ul style="list-style-type: none"> - Use acoustic absorptive panels NRC 1.0 (e.g. Autex Quietspace 75mm or Martini Absorb HD 75) - 15 m² fitted to each wall (total of 60 m² across all walls) - 100 m² fitted to the soffit/ceiling, with focus on the Mezzanine room. 	To minimise reverberation and noise build-up indoors.
4	<u>Treat Gaps to make 'Air-tight' building</u> <ul style="list-style-type: none"> - Sliding Doors: Treat the sliding doors to minimise the gaps. Use rubber door sliding seals to ensure fitted seals. <div data-bbox="406 1361 767 1590" data-label="Image"> </div> - EPS Panels junctions: Treat all top-of-panel junctions with ceiling to achieve air tightness using a fire-rated mastic. <div data-bbox="406 1653 624 1854" data-label="Image"> </div> 	To contain noise from outdoor crowd

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.2.5



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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

Item #	Recommendation	Reasoning
Management		
5	Consider further noise assessment for crowds beyond 100 pax.	To meet the modelled terms
6	Manage functions to keep doors closed after 7pm when music is being played.	
7	Limit good's deliveries, waste collection to daytime hours (e.g. between 7am and 7pm, Monday to Saturday).	To reduce risk of cumulative venue noise.

When the recommendations above are thoroughly followed, compliance with the EPNR noise criteria will be expected for the operations at the proposed Function Centre.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

APPENDIX 13.2.5



APPENDICES

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

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PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT

APPENDIX A: GLOSSARY

APPENDIX 13.2.5





1 Sound Level or Noise Level

Sound consists of minute fluctuations in atmospheric pressure capable of evoking the sense of hearing. Noise is often used to refer to unwanted sound.

The human ear responds to changes in sound pressure over a very wide range. The loudest sound pressure to which the human ear responds is ten million times greater than the softest. The decibel (abbreviated as dB) scale reduces this ratio to a more manageable range by using logarithms.

The symbols SPL, L or L_p are commonly used to represent Sound Pressure Level.

The symbol L_A represents A-weighted Sound Pressure Level. The standard reference unit for Sound Pressure Levels expressed in decibels is 2 x 10⁻⁵ Pa.

2 “A” Weighted Sound Levels

The overall level of a sound is usually expressed in terms of dB(A), which is measured using a sound level meter with an “A-weighting” filter. This is an electronic filter with a frequency response corresponding approximately to that of human hearing.

People’s hearing is most sensitive to sounds at mid frequencies (500 Hz to 4000 Hz), and less sensitive at lower and higher frequencies. Thus, the level of a sound in dB(A) is a good measure of the loudness of that sound. Different sources having the same dB(A) level generally sound about equally loud.

A change of 1 dB or 2 dB in the level of a sound is difficult for most people to detect, whilst a 3 dB to 5 dB change corresponds to a small but noticeable change in loudness. A 10 dB(A) change corresponds to an approximate doubling or halving in loudness. The table below lists examples of typical noise levels:

Typical noise levels and subjective scale

Sound Pressure Level dB(A)	Noise Source	Subjective Evaluation
130	Threshold of pain	Intolerable
120	Heavy rock concert	Extremely loud
110	Grinding on steel	
100	Loud car horn at 3 m	Very loud
90	Construction site with pneumatic hammering	
80	Kerbside of busy street	Loud
70	Loud radio or television	
60	Department store	Moderate to quiet
50	General Office	
40	Inside private office	Quiet to very quiet
30	Inside bedroom	
20	Recording studio	Almost silent

Other weightings (e.g. B, C and D) are less commonly used than A-weighting in environmental acoustics. Sound Levels measured without any weighting are referred to as “linear” and the units are expressed as dB(Lin) or dB.



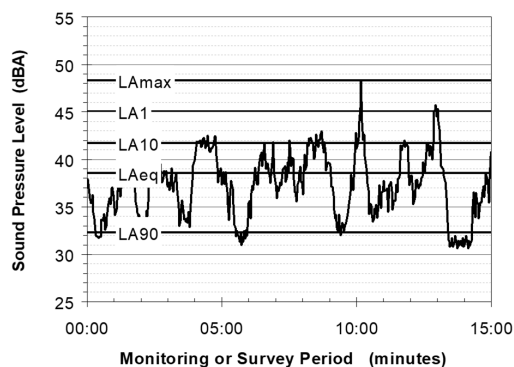
3 Sound Power Level

The Sound Power of a source is the rate at which it emits acoustic energy. As with Sound Pressure Levels, Sound Power Levels are expressed in decibel units, and these may be identified by the symbols SWL or L_w . The Sound Power definitions expressed in dB are typically referenced to the acoustic energy unit 10^{-12} W.

4 Statistical Noise Levels

Sounds that vary in level over time, such as road traffic noise and most community noise, are commonly described in terms of the statistical exceedance levels L_{AN} , where L_{AN} is the A-weighted sound pressure level exceeded for N% of a given measurement period. For example, the L_{A1} is the noise level exceeded for 1% of the time, L_{A10} the noise exceeded for 10% of the time.

The following figure presents a hypothetical 15-minute noise survey, illustrating various common statistical indices of interest.



Of particular relevance, are:

- L_{A1} The noise level exceeded for 1% of the 15 minute interval.
- L_{A10} The noise level exceeded for 10% of the 15 minute interval. This is commonly referred to as the average maximum noise level.
- L_{A90} The noise level exceeded for 90% of the sample period. This noise level is described as the average minimum background sound level (in the absence of the source under consideration), or simply the background level.
- L_{Aeq} The A-weighted equivalent noise level (basically the average noise level). It is defined as the steady sound level that contains the same amount of acoustical energy as the corresponding time-varying sound.

When dealing with numerous days of statistical noise data, it is sometimes necessary to define the typical noise levels at a given monitoring location for a particular time of day. Standardised methods are available for determining these representative levels. Different jurisdictions would choose to define their own preferred Standard.

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

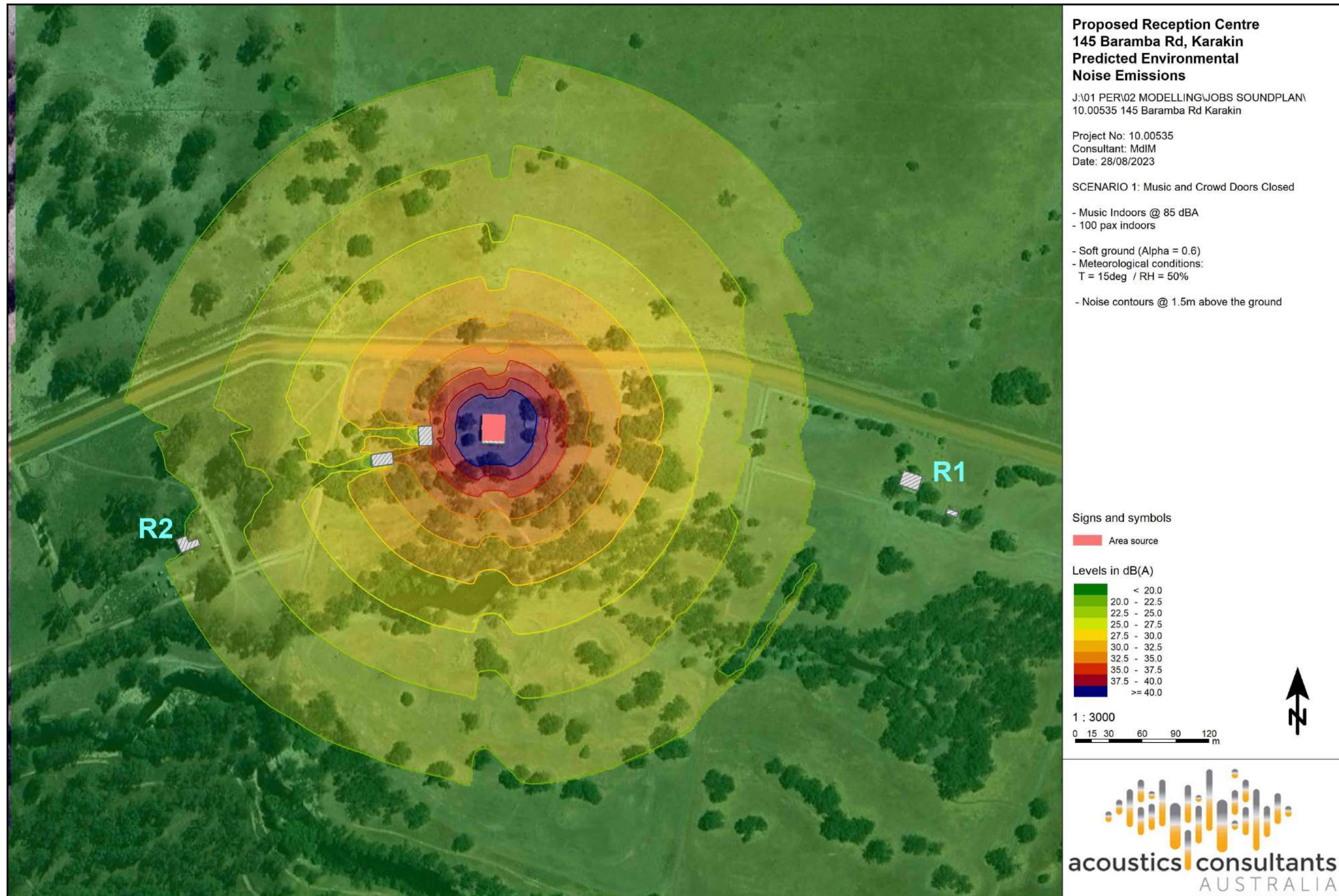
APPENDIX 13.2.5

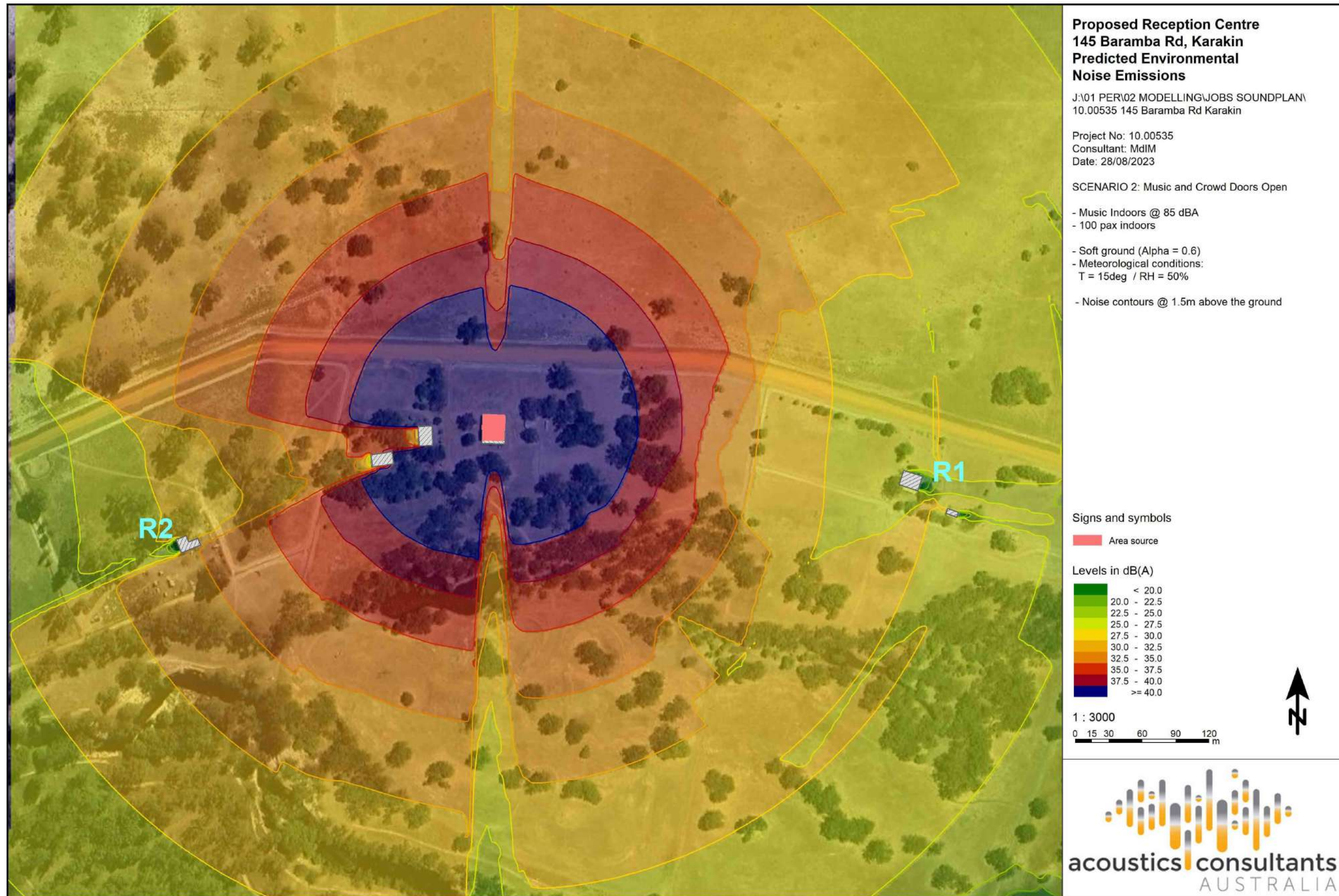
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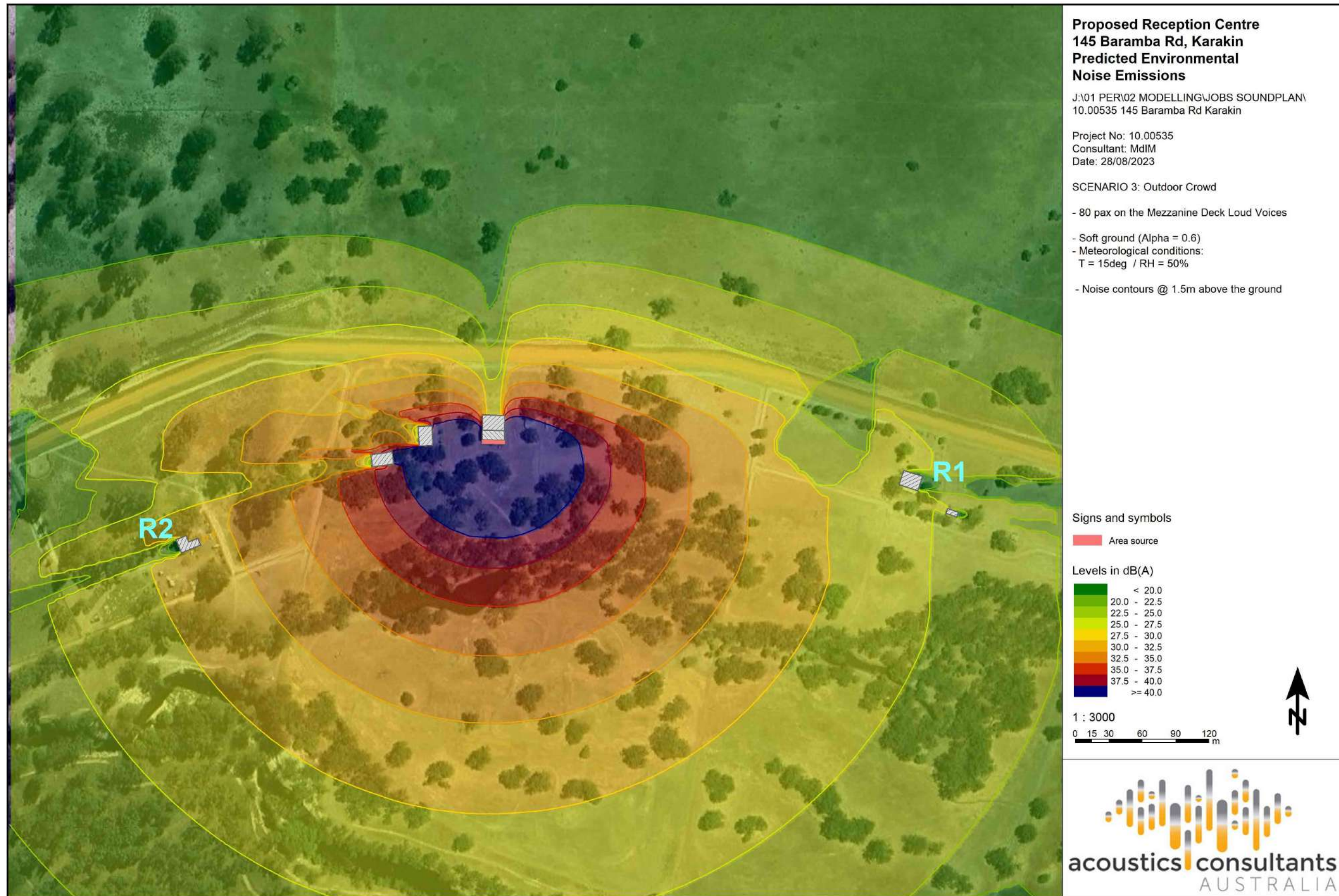
PROPOSED RECEPTION CENTRE
145 BARAMBA ROAD, KARAKIN – NOISE ASSESSMENT



APPENDIX B: NOISE MODELLING CONTOURS







13.3 RECONSIDERATION OF APPLICATION FOR DEVELOPMENT APPROVAL - AGRICULTURE INTENSIVE (ANNUAL HORTICULTURE) AND ASSOCIATED STRUCTURES ON LOT 2 (182) WATERVILLE ROAD, WANERIE

This matter was brought forward for discussion. See page 11.

File	BLD/5091
Applicant	Rowe Group
Location	Lot 2 (182) Waterville Road, Wanerie
Owner	Waterville Fresh Pty Ltd
Zoning	General Rural
WAPC No	NA
Author	James Bayliss – Manager Planning and Building
Reporting Officer	James Bayliss – Manager Planning and Building
Refer	15 June 2023 – Item 13.2
Appendices	<ol style="list-style-type: none"> 1. Location Plan [13.3.1 - 1 page] 2. Aerial Plan [13.3.2 - 1 page] 3. Applicant's Proposal [13.3.3 - 1 page] 4. Site Plan [13.3.4 - 1 page] 5. Elevations Plan [13.3.5 - 2 pages] 6. Farm Management Plan [13.3.6 - 64 pages] 7. Schedule of Submissions & Recommended Responses [13.3.7 - 16 pages] 8. Stakeholder photos [13.3.8 - 6 pages] 9. Applicant's Response to the Schedule of Submissions [13.3.9 - 20 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To reconsider an Application for Development Approval for a change of use from Agriculture Intensive (Perennial Horticulture) to Agriculture Intensive (Annual Horticulture) and associated shed on Lot 2 (182) Waterville Road, Wanerie.

BACKGROUND

At its Ordinary Council Meeting on 15 June 2023, Council resolved to refuse the development proposal for the following reasons:

- 1. The development has not demonstrated compliance with objective (ii) of Local Planning Policy 1.6 – Agriculture Intensive, as the development may have an adverse impact on surrounding properties.*
- 2. The development is inconsistent with Clauses 67(2)(s) and 67(2)(t) of the Deemed Provisions, as the road system in its current condition and design is unsafe to accommodate traffic and vehicles associated with the proposed development.*
- 3. The development has not demonstrated compliance with Clause 67(2)(n) of the Deemed Provisions, as the development has not demonstrated that adverse amenity impacts on the locality will not arise.*
- 4. The development has not demonstrated compliance with Clause 67(2)(c) of the Deemed Provisions, given clauses 5.8(c) and 58(d) (and related clauses of 5.12) of State Planning Policy 2.5 - Rural Planning have not been adequately addressed as technical analysis has not been provided in support of the proposed buffer distance to nearby sensitive land uses (dwellings) and the development may affect the nutrient loading of the Nullagine River.*
- 5. The development has not demonstrated compliance with Clause 67(2)(d) of the Deemed Provisions, given the Environmental Protection Authority – Guidance for the Assessment of Environmental Factors; Separation Distances between Industrial and Sensitive Land Uses (June 2005) has not been adequately addressed in relation to buffers/separation distances from the development to sensitive land uses.*
- 6. The development has not demonstrated compliance with Clause 67(2)(c) of the Deemed Provisions, given State Planning Policy 2.9 – Water Resource and Draft State Planning Policy 2.9 - Planning for Water have not been addressed.*
- 7. The development has not demonstrated compliance with Clause 67(2)(b) of the Deemed Provisions, as approval of the development is inconsistent with the principles of orderly and proper planning, in that adequate development plans in relation to the proposed shed (or any associated facilities for employees) have not been provided.*

The proponent subsequently lodged an application for review (appeal) with the State Administrative Tribunal (SAT).

On 10 August 2023 the parties participated in an onsite inspection and mediation session at the Shire offices. This concluded with the applicant agreeing to provide additional information to address deficiencies with the proposal, and the Shire was to provide traffic data in relation to vehicle usage of Waterville Road.

On 19 October 2023 the parties participated in a second mediation session to discuss the additional information and resolve the issue of road upgrade and maintenance contributions to Waterville Road and the intersection with Cowalla Road.

The mediation concluded with the applicant agreeing to provide a revised package of information for reconsideration, and that the parties would prepare a 'Heads of Agreement' as a precursor to entering a Deed of Agreement for road maintenance and upgrade contributions.

Nearing the conclusion of the second community consultation process, the officer advised the applicant that Stage 2 of the proposal would not be supported. On that basis, the applicant removed Stage 2 from the proposal altogether.

Aerial imagery and a location plan are provided (**see appendices**).

The applicant's additional information is provided (**see appendices**) and includes the following:

- Cover letter
- Revised Development Plans
- Revised Farm Management Plan.

The revised proposal is summarised as follows:

- The installation of five 16.75ha irrigation pivots using the full 360° arc and two half pivots using a 180° arc. This has been designed to ensure development is wholly outside the 500m separation distance to nearby sensitive land uses.
- The construction of a packing shed, office and amenities, cool room and storage with associated loading bays;
- The construction of a machinery, workshop and fertiliser shed and chemical storage;
- Hours of operation for farming activities as follows:
 - General farming activities to occur 7 days per week, with the majority of activities occurring between 5am to 4pm Monday to Friday;
 - Harvesting activities occurring between 5am to 4pm Monday to Friday; Packing Shed hours of operation occurring between 6am to 5pm Monday to Friday.

The State Administrative Tribunal (SAT) has made orders inviting the decision-maker, under Section 31 of the *State Administrative Tribunal Act 2004* (SAT Act), to reconsider its decision. Council may:

- affirm the previous decision;
- vary the decision; or
- set aside the decision and substitute a new decision.

COMMENT

Stakeholder Consultation

The application was advertised to the adjoining landowners for a period of 14 days in accordance with clause 64 of the *Planning and Development (Local Planning Scheme) Regulations 2015*. The Shire received 5 objections and 1 general comment.

A copy of the Schedule of Submissions and Recommended Responses is provided (**see appendices**).

One landowner provided a series of photographs delineating dust drift from a nearby market garden. This is provided as a standalone document (**see appendices**).

The Applicant's Response to the Schedule of Submissions is provided (**see appendices**).

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject lot is zoned General Rural under LPS 9, the objectives of which are to:

- a) *Manage land use changes so that the specific local rural character of the zone is maintained or enhanced;*
- b) *Encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;*
- c) *Maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and*
- d) *Provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.*

Agriculture Intensive is identified as a "D" – Discretionary land use within the General Rural zone. Agriculture Intensive is a primary use and as such is consistent with the objectives outlined above.

The land use 'Agriculture Intensive' is defined as follows:

...means, premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following:

- a) *The production of grapes, vegetables, flowers, exotic, or native plants, or fruit or nuts;*
- b) *The establishment and operation of plant or fruit nurseries;*
- c) *The development of land for irrigated fodder production or irrigated pasture (including turf farms); or*
- d) *Aquaculture.*

Local Planning Policy 1.6 – Agriculture Intensive (LPP 1.6)

LPP 1.6 applies to agriculture intensive uses within the Shire. The policy objectives are to:

Provide standards for different forms of irrigated horticulture in order to prevent adverse impacts on:

- i. *the natural environment; and*
- ii. *surrounding properties.*

LPP 1.6 defines Annual Horticulture as:

The commercial market gardening of all varieties of shallow rooted vegetables and flowers that can be sown and harvested within a twelve-month period. The essential character of this use is that the soil is cultivated mechanically at least once a year, fertilised regularly and re-used on a continual basis.

The relevant ‘Applicable Standards’ and ‘General Standards’ outlined within LPP 1.6 are outlined below with officer comments provided:

- 3.1.2 Council will process development applications for Irrigated Horticulture purely on land use planning grounds, without regard for viability considerations, such as Water Licensing. All Planning Approvals will be copied to the Department of Water for its records in dealing with Water Licensing.*

Officer Comment:

The applicant is aware of their obligation to seek the relevant water licensing from DWER.

- 3.1.4 All applicants shall clearly indicate areas of vegetation, wetlands and any other physical characteristics on the plans accompanying an application.*

Officer Comment:

The information submitted is viewed as sufficient to establish the key characteristics of the property with the exception of the topography of the site.

3.1.5 Waste material generated from the horticultural activity shall not be stored on the property in a manner that facilitates fly breeding or odour emissions, but shall be either buried, treated or removed off-site to Council's satisfaction.

3.1.6 Horticultural waste to be trashed for soil improvement shall be turned into soil within two days of the removal of the crop or portion of the crop to Council's satisfaction.

Officer Comment:

Section 5.5 of the Farm Management Plan (FMP) relates to Waste and Stable Fly Management. The operational procedures are consistent with the *Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019*.

3.1.8 Proposals for Irrigated Horticulture located within 500 metres of an identified existing or future Residential or Rural Residential area shall only be considered where it can be demonstrated that effective vegetation buffers and other measures will satisfactorily minimise or avoid potential land use conflict.

Officer Comment:

The development is not in proximity to a future residential or rural residential area.

3.1.11 All irrigated horticulture activity shall be set back 500 metres from any Rural Living, Residential, Tourist, Commercial or Urban Development zones. Applications for reduced setbacks shall be accompanied by comprehensive data and evidence that supports the proposed reduction.

Officer Comment:

Similar to clause 3.8.1, the development is not in proximity to a residential or rural living zone. The land abuts General Rural zoned land in all directions. It is also noted that no pivot encroaches within 500 metres of a sensitive land use.

Based on the above, the development is generally consistent with the provisions of LPP 1.6.

Planning and Development (Local Planning Scheme) Regulations 2015 (Deemed Provisions)

In accordance with Schedule 2, Part 9, Clause 67 of the Deemed Provisions, the local government is to have due regard to a range of matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. In this instance, the following matters are considered to be relevant:

(f) *Any policy of the State –*

The following external guidelines provide guidance in relation to buffer/separation distances for decision makers when considering applications for irrigated horticulture and sensitive uses (i.e., dwellings).

- State Planning Policy 2.5 - Rural Planning (SPP 2.5)
- Environmental Protection Authority – Guidance for the Assessment of Environmental Factors; Separation Distances between Industrial and Sensitive Land Uses (June 2005) – (EPA Guidance Statement)

SPP 2.5

Section 5.8 of SPP 2.5 applies to Intensive Agriculture developments and is therefore applicable to this development. WAPC policy in regard to intensive agriculture is outlined below:

- intensive agriculture is generally supported and encouraged on rural land provided rural amenity and environmental impacts can be effectively managed;*
- intensive agriculture sites of State significance should be protected from encroachment;*
- in considering buffer distances between intensive agriculture and sensitive land uses, the requirements of clause 5.12 should be observed, and the following matters may also affect the buffer –*
 - types of chemicals used and their method of application;*
 - the characteristics of the site/s, including vegetation, topography and prevailing winds;*
 - potential mitigation approaches, including fencing, vegetation buffers, open space, road reserves and other compatible uses; and*
 - potential staging and/or expansion intention of the intensive agriculture operator; and*
- where an intensive agriculture proposal may affect the nutrient load of a river, estuary or associated tributary and the system and/or its receiving water body has no further capacity to assimilate nutrients without an adverse impact on ecosystem health, a reduction in nutrient export is to be demonstrated.*

Officer Comment:

The FMP outlines the type of chemicals used, topography and weather data. It indicates the vegetation and screening proposed to mitigate offsite impacts that may arise, and now provides sufficient detail to satisfy the above considerations.

It is noted that the topography of the site, in conjunction with the prevailing winds, does not present a favorable position for a reduced separation distance to sensitive receptors (particularly to the north-east). It is for this reason that Stage 2 was ultimately not supported and removed from the proposal. As it stands, the separation distance satisfies the required distance, and the FMP adequately addresses the considerations under SPP 2.5.

SPP 2.5 defines a 'sensitive land use' as follows:

Land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and childcare centres. Generally excludes commercial or industrial premises.

It is also prudent to outline that SPP 2.5 defines 'rural amenity' as follows:

*Rural amenity - A standard of residential amenity that is rural in nature, **which may include impacts from primary production**. May also include biodiversity conservation, natural resource management, some public purposes and protection of landscapes and views.*

Clause 5.12.2 of SPP 2.5 states:

*(b) single dwellings and other sensitive land use on rural land should be afforded a **reasonable standard** of rural amenity;*

There is no clarity on what constitutes a 'reasonable standard' of rural amenity. However, it is noted that 'rural amenity' contemplates some impacts from primary production activities.

In other words, if you live in a rural area you are not afforded an equivalent amenity as may be expected in a residential environment. If you live in a rural area, it is foreseeable that some impact from primary production may arise. The 500m separation distance is viewed as sufficient to ensure that the locality will maintain a reasonable standard of rural amenity.

EPA Guidance Statement

The EPA Guidance Statement defines amenity as follows:

Amenity – factors which combine to form the character of an area and include the present and likely future amenity. For the purpose of this Guidance Statement, consideration of loss of amenity is limited to unreasonable impact on a person from gaseous, dust, noise and odorous emissions and risk.

Clause 4.4.1 of EPA Guidance Statement states:

Where the separation distance is less than the generic distance, a scientific study based on site and industry-specific information must be presented to demonstrate that a lesser distance will not result in unacceptable impacts.

Clause 4.4.2 of EPA Guidance Statement states

Where a separation under consideration is less than in the table, it is recommended that a new project does not proceed in the absence of site-specific investigations and a report demonstrating that the separation distance will meet acceptability criteria and that enforceable management techniques will be applied to ensure an appropriate environmental outcome.

The proposal falls under the industry ‘market garden’ for the purpose of calculating the generic buffer distance, which is 300-500m depending on the size. The proposed development is viewed as being a large development, and on that basis the larger buffer has been applied.

Given the proposal has been revised to remove any pivots within the 500m separation distance, no further investigation is required. The proposal satisfies the EPA Guidance Statement.

In the event any further pivots are proposed in the future, the officer notes that topography of the site (land tapering north) may result in emissions permeating towards the nearest sensitive receptors. While any future proposal would be considered on its merits, the officer is of the view that the land topography does not favour a reduction of the required separation distances.

State Planning Policy 2.9 – Water Resource (SPP 2.9)

The general measures set out in Section 5.1 of SPP 2.9, which may be relevant to the proposal are as follows:

- (ii) *Aim to prevent or, where appropriate, ameliorate the following potential impacts:*
- *increased nutrient loads into receiving waters.*
 - *any potential cumulative impacts.*

(iii) *Promote improved outcomes such as:*

- *reduction in nutrient export to receiving waters to a level lower than existing.*

Draft State Planning Policy 2.9 - Planning for Water (Draft SPP2.9)

Draft SPP2.9 was prepared in August 2021 and has undergone an extensive advertising period which concluded on 15 November 2021. This policy consolidates the current water-related policy framework and will supersede the current version of SPP2.9 once gazetted.

- It is noted that pursuant to Draft SPP2.9 policy mapping, the western portion of the subject site is identified as being land that drains to and is within 1 km of other estuarine areas.

The relevant policy outcomes from section 6 are as follows:

6.1 Planning and development maintains or enhances water quality and hydrological regimes to protect public health and support healthy ecosystems through the:

- iii. appropriate siting and management of land uses;*

The policy measures of draft SPP2.9 contained within section 7 state that:

- b) Proposals are to be accompanied by sufficient information to demonstrate appropriate protection and management of water resources relating to relevant policy outcomes. The information provided should be in accordance with the Guidelines, which specify instances where a Water Management Report is required and what it must contain.*
- i) minimise export of nutrient and non-nutrient contaminants entering water resources.*

Officer comment:

Section 5.1 of the FMP provides a comprehensive response to the potential impacts from nutrient loading of underlying groundwater and impacts on the Nullagine River.

It is also noted that nitrate concentration monitoring of groundwater production bores is a requirement of the Groundwater Operating Strategy to identify groundwater quality impacts from the site activities. If such an impact was to arise, it would be identified by the appropriate regulator, being the DWER as part of the water licensing regime.

(s) *The adequacy of –*

- (i) The proposed means of access to and egress from the site; and*

- (ii) *Arrangements for the loading, unloading, maneuvering 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;*

Officer Comment:

An average of 23-28 Passenger Car Equivalent (PCU) movements are proposed per day, which includes two heavy vehicles per day, at full production of the site.

The proposed traffic movements associated with the development will remain static and not increase in volume or size over time. Semi-trailers accessing the site will arrive from the south, heading in a northerly direction along Cowalla Road and turning left onto Waterville Road, then heading west to the site's driveway access only. Semi-trailers egressing the site will travel east along Waterville Road and turn right, heading south along Cowalla Road only.

Reason 2 of the refusal relates to the current road condition and design being unsafe to accommodate traffic and vehicles associated with the proposed development. It was also noted that the use of the road by heavy vehicles in wet conditions was unsuitable, given unsealed roads are typically only suitable for heavy vehicles in dry conditions due to damage in locations where braking and turning may occur.

To better understand the current situation, traffic counts were carried out by the Shire in September 2023. The traffic data was reviewed by Porter Engineering and is summarised below:

- Weekday Daily Traffic Volumes are 33 vehicles: 16 eastbound, 17 westbound.
- Up to 12.2% are heavy vehicles with 6.9% rigid trucks, 5.3% articulated vehicles and one B-Double during the survey period.
- Once heavy vehicles are converted to Passenger Car Equivalents (PCUs) the total daily weekday traffic is 40 PCUs.
- The proposed development has been estimated to generate 23-28 PCUs, which includes two heavy vehicles per day.
- In the event of approval, the total traffic volumes for Waterville Road would be 60-70 PCUs.

As part of the first mediation, the Shire outlined the standard of road and intersection upgrades it considered as being appropriate which included:

- Upgrading the unsealed portion of Waterville Road to widen and seal the road.

- Upgrading the existing sealed section of Waterville Road to cater for heavy vehicles.
- Upgrading the intersection between Cowalla Road and Waterville Road.

Typically sealing a road may be warranted when vehicle volumes reach 150 vehicles per day or PCUs (or when tonnage exceeds a certain threshold). As outlined above, the proposed development will not generate or increase usage of Waterville Road to the extent that it results in a requirement to undertake the works requested.

The officer reiterates that unsealed gravel roads are typically only suitable for heavy vehicles in dry conditions. When wet, the surface is easily damaged, particularly in locations where braking and turning occurs. It is likely that additional maintenance will be required to Waterville Road due to the proposed heavy vehicle usage, particularly in wet weather conditions, should damage occur.

The proponent must understand that, in wet weather conditions, the Shire may close the gravel road to usage by trucks, which may consequently impact their ability to transport produce at various times of the year irrespective of their harvesting period. While this may be a rare occurrence, it is nevertheless a risk.

The landowner and the Shire's Administration have negotiated a one off contribution (subject to Council ratification) to a future upgrade of the intersection between Waterville Road and Cowalla Road and an annual maintenance contribution. The Heads of Agreement that sets out the terms is provided (**see confidential appendix**).

(za) The comments or submissions received from any authority consulted under clause 66;

Officer Comment:

The officer has provided a response to submissions, however makes the following points:

- The locality is a rural area. The amenity of the locality is not urban or residential in nature. If you choose to live in a rural area, it is foreseeable that rural uses may arise as they are expected to take place in rural areas.
- Now that the proposal achieves the 500m separation distance, the validity of imposing a condition obliging the installation of vegetation and screening is significantly compromised.
- Local governments do not regulate water usage. Water extraction is regulated by the DWER through the *Rights in Water and Irrigation Act 1914*.

While it is appreciated that the surrounding owners/occupiers do not support the development, the proposal has been revised to a point of adherence to the planning framework. The officer cannot identify any valid grounds for refusing Stage 1 that will withstand the scrutiny of a SAT hearing.

Summary

In view of the above assessment, the officer notes that the reasons for refusal have largely fallen away as a result of the revised and additional information provided as part of the SAT process.

The separation distance is now compliant, the vehicle movements do not warrant the road upgrades initially requested by the Shire and the operational practices have been refined via preparation of an FMP by an appropriately qualified consultant.

On that basis, the officer supports the proposal subject to conditions.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development Act 2005

Planning and Development (Local Planning Scheme) Regulations 2015

Planning and Development Regulations 2009

Environmental Protection (Noise) Regulations 1997 (Noise Regulations).

Local Planning Scheme No 9

POLICY IMPLICATIONS

Local Planning Policy 1.6 - Agriculture Intensive

State Planning Policy 2.5 - Rural Planning

State Planning Policy 2.9 – Water Resource

Draft State Planning Policy 2.9 - Planning for Water

Environmental Protection Authority - Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses No. 3 (2005) (EPA Guidance Statement)

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Sorensen

That Council grant Development Approval for a proposed Agriculture Intensive (Annual Horticulture) use and associated structures on Lot 2 (182) Waterville Road, Wanerie subject to the following conditions:

1. The land use and development shall be in accordance with the approved plans (including any amendments marked in red) and accompanying documentation unless otherwise conditioned by this approval.
2. This approval is for an Agriculture Intensive (Annual Horticulture) use and associated structures only, as indicated on the approved plans and supporting information lodged with the application.
3. Prior to commencement of the approved use, a revised Farm Management Plan (to reflect Stage 1 only) is to be submitted to the Shire of Gingin for approval. The approved Farm Management Plan shall form part of this approval and is to be implemented and adhered to thereafter.
4. In the event that dust and/or spray drift is disseminating beyond the property boundary as a result of agricultural activity being undertaken, the offending activity shall cease forthwith and mitigation measures as per cl. 5.3.2 of the Farm Management Plan are to be fully implemented. In addition, the activity must not recommence until such time as there are favourable weather conditions, as agreed by the Shire of Gingin.
5. The landowner/operator shall maintain the existing crossover to Waterville Road in a good condition to the satisfaction of the Shire of Gingin.
6. Prior to the commencement of site works, the landowner/applicant shall enter into a Deed of Agreement for a contribution to the upgrade of the intersection between Waterville Road and Cowalla Road and a maintenance contribution to Waterville Road to the satisfaction of the Shire of Gingin, consistent with the Heads of Agreement. The applicant/operator shall be responsible for all costs associated with the preparation of the Deed (including all drafts).

7. Prior to the commencement of the approved use, the landscaping as detailed on the approved development plans shall be implemented and thereafter maintained to the satisfaction of the Shire of Gingin.
8. The area shall immediately be rehabilitated to pasture cover at the cessation of the approved use, to the satisfaction of the Shire of Gingin.

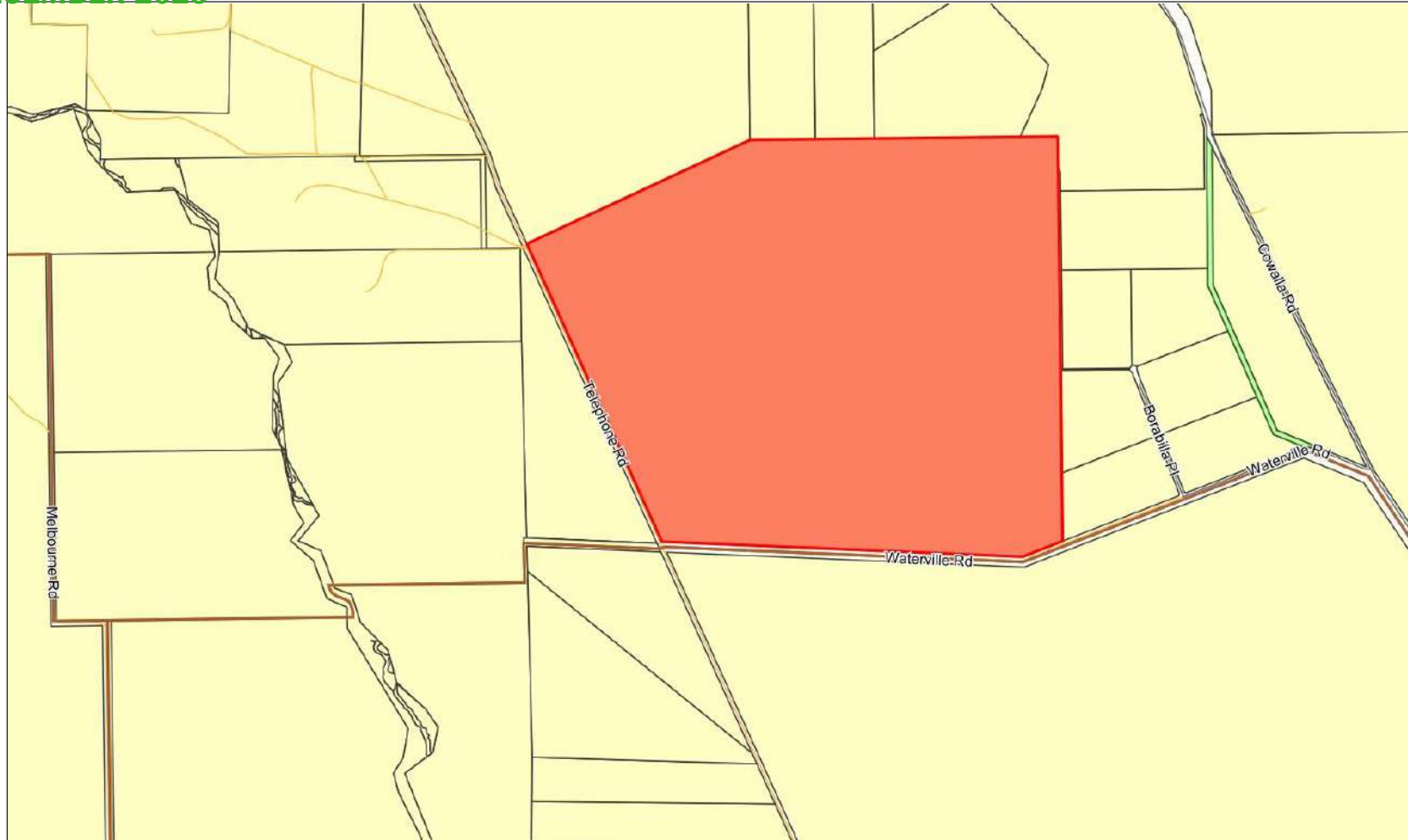
Advice Notes:



- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: Where an approval has lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.
- Note 3: In relation to Condition 2, please note that any alteration or extension to the existing Agriculture Intensive development on the property may require development approval.
- Note 4: All noise from the operation and associated equipment is required to comply with the *Environmental Protection (Noise) Regulations 1997*.
- Note 5: Please be advised that the property may be re-rated to reflect the change in intensification and use approved as part of this application.
- Note 6: The development may trigger a need to amend the existing water licence details. It will be necessary to contact the Department of Water and Environmental Regulation to obtain the necessary approvals.

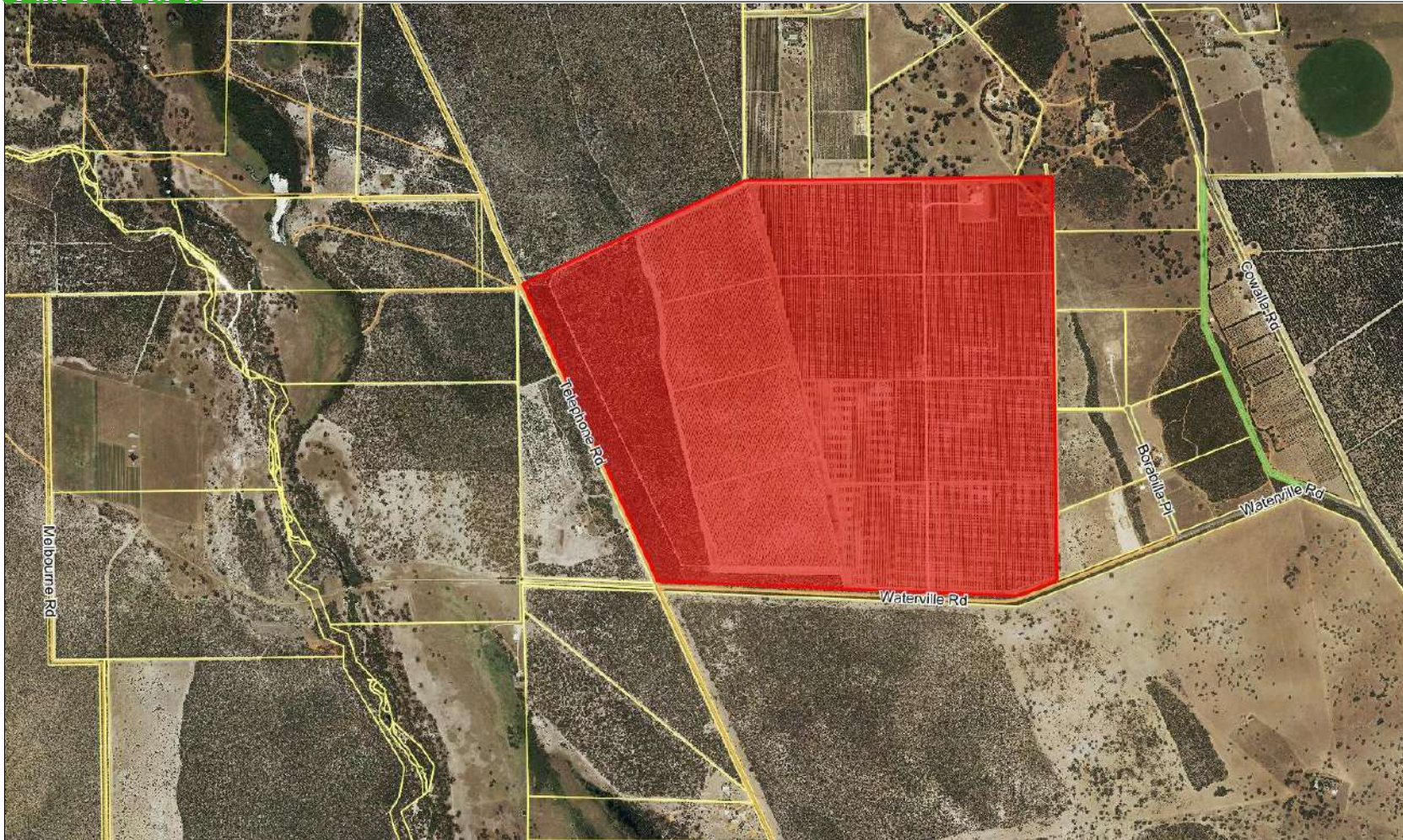
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FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*



	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Scale: 1:21327</p>	<p>Date: 08/06/2023</p>	
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 <p>SHIRE OF GINGIN <small>HISTORY BEAUTY PROSPERITY</small></p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Scale: 1:21327</p>	<p>Date: 08/06/2023</p>	
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**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.3.3

Job Ref: 9789
30 November 2023

Shire of Gingin c/o Altus Planning
68 Canning Highway
SOUTH PERTH WA 6151

Attention: Joe Algeri

Dear Sir

**DR123/2023 – Waterville Fresh Pty Ltd v Shire of Gingin
182 (Lot 2) Waterville Road Wanerie**

Further to the recent discussions with yourself and James Bayliss (Manager Planning and Building at the Shire of Gingin) we are seeking to provide a revised proposal to address what we understand to be the key concerns raised during referral of the Application to adjoining neighbours. Of particular note is that the irrigation areas identified as 'Stage 2' have been removed and no longer form part of the Application.

Accordingly, the revised proposal involves:

- ▲ The installation of five 16.75ha irrigation pivots and two 8.375ha irrigation pivots, installed as follows:

Pivots 4 to 8 will be installed to provide use of the full 360° arc; and

Pivots 2 and 3 will be installed to operate as a 180° arc.

The location of pivots described above are depicted on the Revised Site Plan, refer **Attachment 1 – Revised Site Plan**. All other components of the proposal (proposed packing shed buildings, proposed machinery workshop and storage building, vehicle access and traffic, hours of operation and use of the site) remain as described in our letter dated 2 November 2023.

We believe the above and attached plan provides sufficient detail to progress the application to Council with a favourable recommendation. Should you require any further information or clarification in relation to this matter, please contact David Maiorana on 9221 1991.

Yours faithfully,



David Maiorana

Rowe Group

Encl. Revised Development Plans

Cc. State Administrative Tribunal

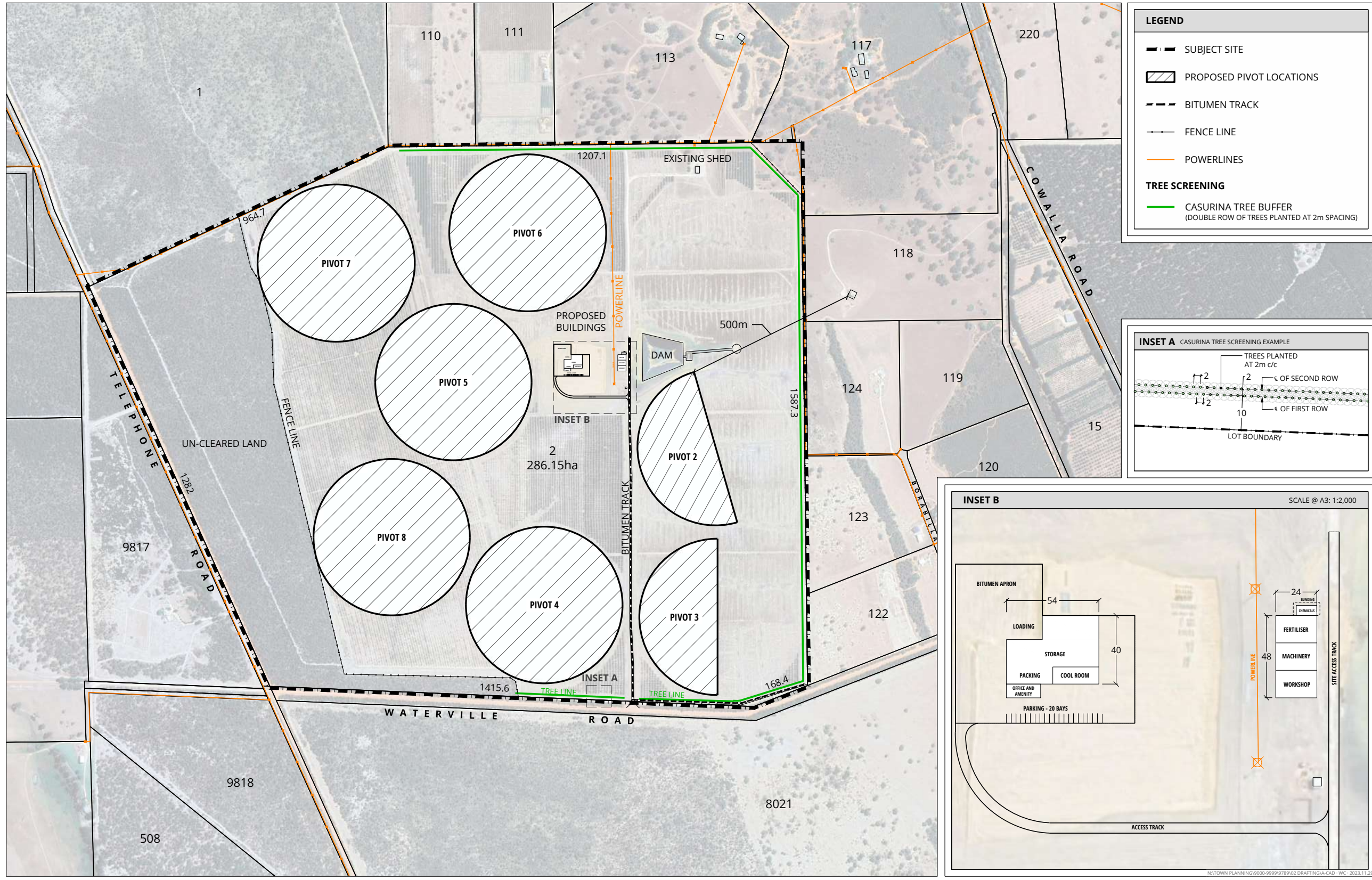


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Page 1
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Revised DA_am



SITE PLAN
LOT 2 (No. 182) WATERVILLE ROAD
WANERIE

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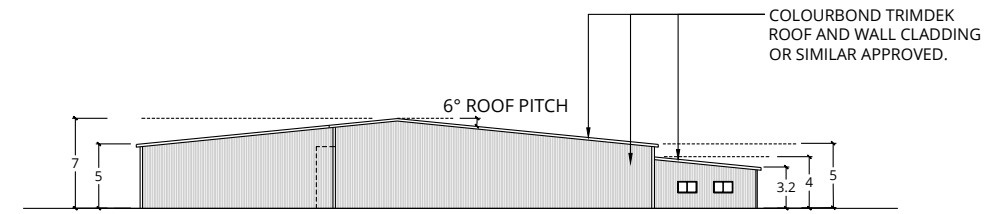
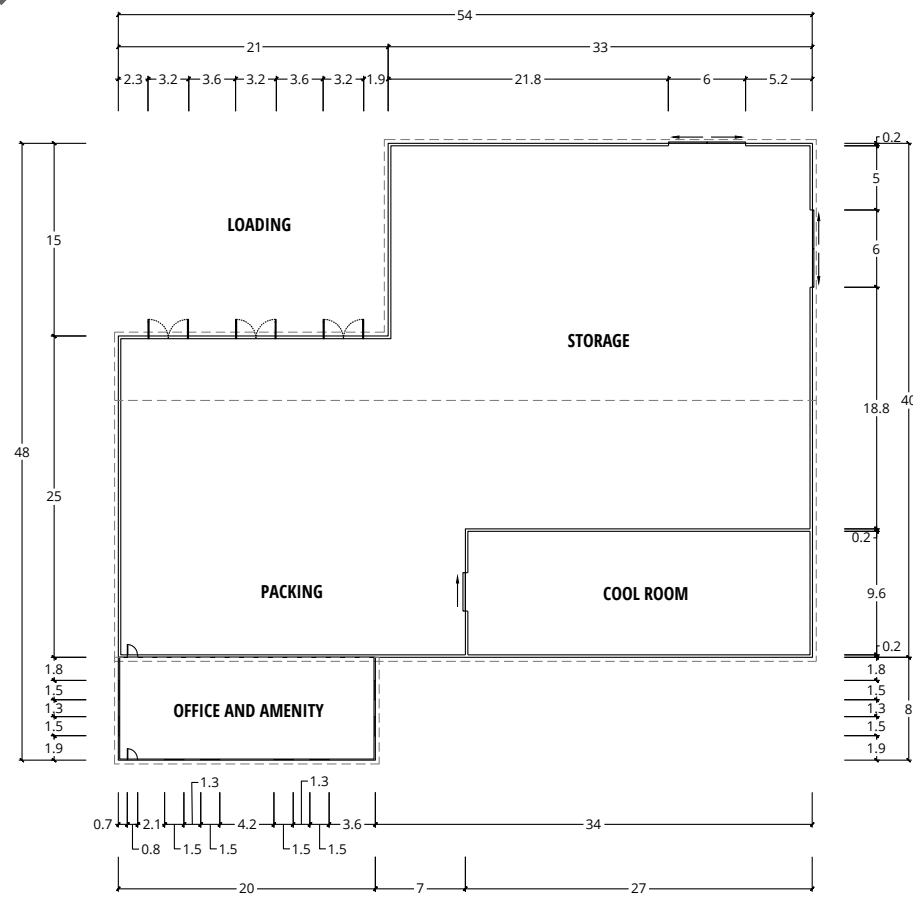


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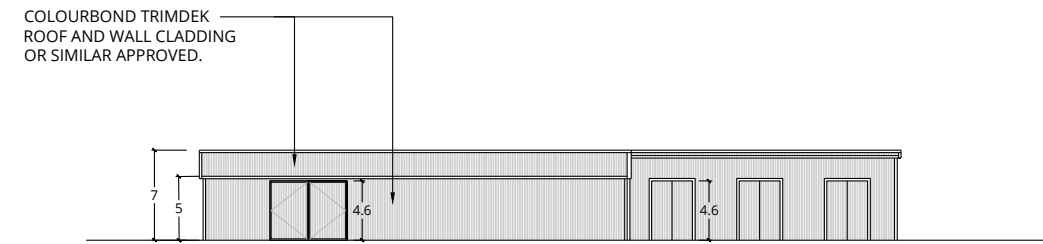
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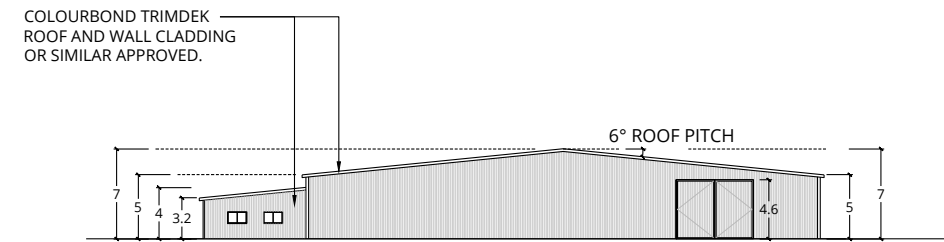
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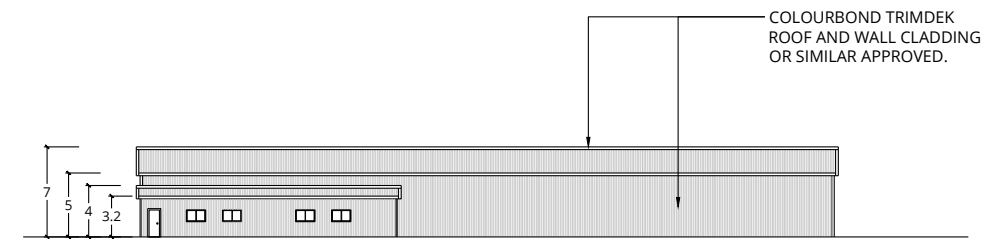
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ELEVATION 2 1:500



ELEVATION 3 1:500



ELEVATION 4 1:500

FLOOR PLAN AND ELEVATIONS - PACKING SHED

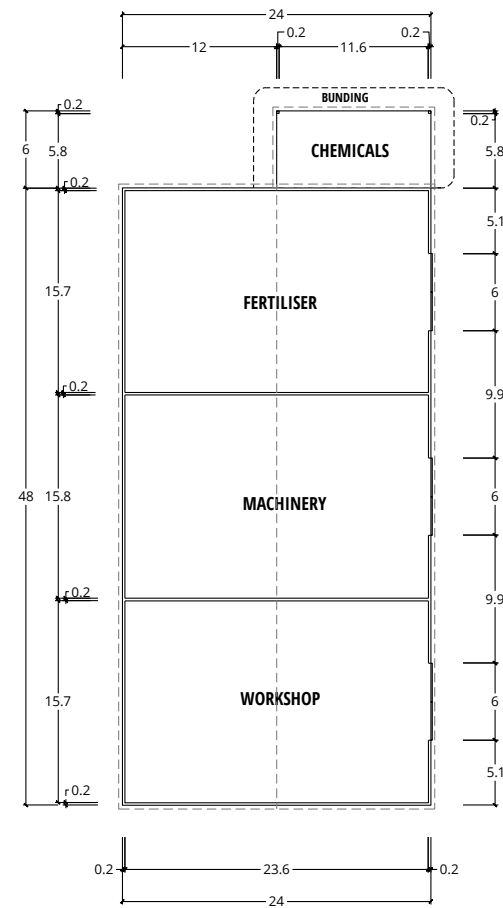
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WANERIE

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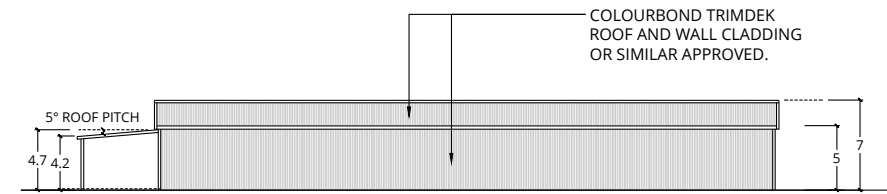


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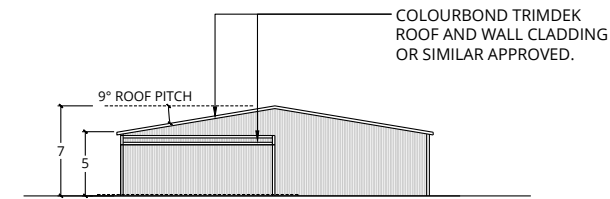




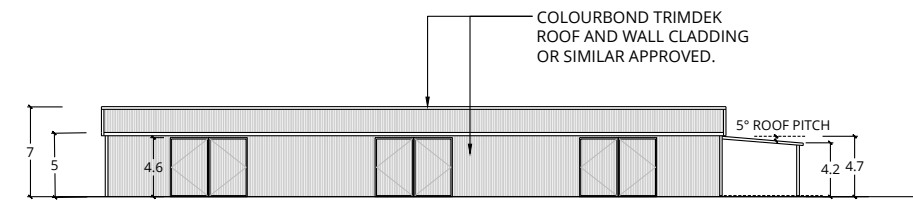
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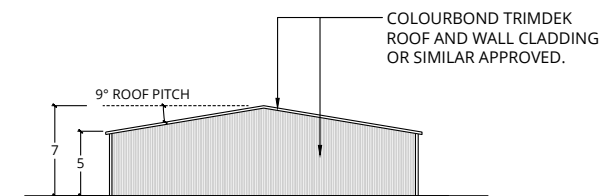
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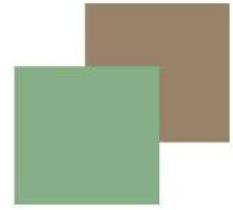
FLOOR PLAN AND ELEVATIONS - MACHINERY AND STORAGE
LOT 2 (No. 182) WATERVILLE ROAD
WANERIE

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COTERRA
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CALIBRE | COMMITMENT | COLLABORATION

This report was prepared by:	Coterra Pty Ltd trading as COTERRA ENVIRONMENT	This report was prepared for:
ABN:	ABN: 92 143 411 456	Waterville Fresh Pty Ltd
Our Ref:	GRAWRV01	C/o Rowe Group
Author(s):	C. Norman, K. Watts	Level 3, 369 Newcastle Street
Reviewer:	S Harley	Northbridge WA 6003
Report Version:	Rev 2	
Date:	November 2023	

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Contents

Executive Summary	7
1 Introduction.....	9
1.1 Background	9
1.2 Shire of Gingin Local Planning Scheme No. 9	9
1.3 Application for Development Approval.....	10
1.4 Purpose and Scope of this Document	11
1.5 Technical Input.....	11
2 Key Policies and Guidelines.....	12
2.1 EPA Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses (EPA, 2005)	12
2.2 Guidelines for Separation of Agricultural and Residential Land Uses (DoH, 2012).....	13
2.3 <i>Environmental Protection (Noise) Regulations 1997</i>	13
2.4 State Planning Policy 2.5 Rural Planning and Rural Planning Guidelines	14
2.5 State Planning Policy 2.9 (Water Resources) and Draft State Planning Policy 2.9 (Planning for Water)	14
2.6 Government Sewage Policy (2019)	15
2.7 Shire of Gingin Local Planning Policy 1.6 – Agriculture Intensive (Shire of Gingin, 2016).....	15
2.8 State Planning Policy 2.5 – Rural Planning and associated Rural Planning Guidelines (WAPC, 2016a; 2016b)	16
2.9 Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019 (WA Govt, 2019b)	16
3 Environmental Features of the Site and Surrounds	18
3.1 Climate	18
3.1.1 Temperature	18
3.1.2 Rainfall.....	18
3.1.3 Wind	19
3.2 Topography and Soils	20
3.3 Hydrology	21
3.3.1 Surface Water.....	21
3.3.2 Groundwater	22
3.4 Vegetation and Flora.....	24
3.4.1 Site Overview	24
3.4.2 Remnant vegetation outside of proposed horticultural areas.....	24
3.4.3 Environmentally Sensitive Areas	25
3.5 Fauna habitat	25
3.6 Surrounding Land Uses.....	25
4 Proposed Operations	26
4.1 Overview	26
4.2 Operations Summary	26
4.3 Farm Equipment.....	27
4.4 Power Supply.....	28
4.5 Screening Vegetation	28
4.6 Staging of Implementation.....	31
4.7 Water Requirements.....	31



182 Waterville Road, Wanerie – Farm Management Plan

4.8	Chemical Use and Storage.....	31
4.9	Waste Generation	33
5	Management	35
5.1	Water and Nutrient Management	35
5.1.1	Management Objective.....	35
5.1.2	Management Actions	35
5.2	Separation to nearby Sensitive Receptors	37
5.2.1	Management Objective.....	37
5.2.2	Management Actions	37
5.3	Dust, Spray Drift and Odour Management	39
5.3.1	Management Objective.....	39
5.3.2	Management Actions	39
5.4	Noise Management	41
5.4.1	Management Objective.....	41
5.4.2	Management Actions	41
5.5	Stable Fly Management.....	41
5.5.1	Management Objective.....	41
5.5.2	Management Actions	42
5.6	Waste Management.....	43
5.6.1	Management Objective.....	43
5.6.2	Management Actions	43
5.7	Complaints Management	43
5.7.1	Management Objective.....	43
5.7.2	Management Actions	44
5.8	Staff Amenities	44
5.8.1	Management Objective.....	44
5.8.2	Management Actions	44
5.9	Safe Vehicle Access	44
5.9.1	Management Objective.....	44
5.9.2	Management Actions	44
6	Future Environmental Approvals	46
6.1	Groundwater Operating Strategy.....	46
6.2	Onsite Effluent Disposal	46
7	Implementation Summary	47
8	References	50

Tables

Table 1-1: Relevant Land Uses permitted within the General Rural Zone.....	9
Table 1-2: Reasons for Refusal and location within this FMP.....	10
Table 2-1: DWER Recommended Separation Distances	12
Table 3-1: Land Systems	21
Table 3-2: Land degradation risk categories.....	21



182 Waterville Road, Wanerie – Farm Management Plan

Table 3-3: Bassendean 949 Vegetation Association Statistics	24
Table 3-4: Karrakatta Complex – North Vegetation Statistics	24
Table 4-1: Farming Practices Summary	26
Table 4-2: Farming Equipment	27
Table 4-3: Tuart and Casuarina characteristics	28
Table 4-4: Chemical usage and storage on site	31
Table 4-5: Waste management on site	34
Table 5-1: Vegetation Buffer Features	37
Table 5-2: Native Vegetation Clearing Permit – Crossover Exemption	44
Table 7-1: Management Actions Summary	47

Plates

Plate 3-1: Average temperature	18
Plate 3-2: Mean rainfall	19
Plate 3-3: January 9am wind rose	20
Plate 3-4: January 3pm wind rose	20
Plate 3-5: July 9am wind rose	20
Plate 3-6: July 3pm wind rose	20
Plate 3-7: Sewage Sensitive Area mapping	22
Plate 3-8: Groundwater Bores	22
Plate 3-9: Moore River Discharge and Recharge Zones	23
Plate 4-1: Example Tuart Tree Image	29
Plate 4-2: Example Tuart Tree Foliage	29
Plate 4-3: Example Casuarina Tree Image	29
Plate 4-4: Example Casuarina Tree Foliage	29
Plate 4-5: Juvenile Casuarina tree screen onsite (14 September 2023)	30
Plate 4-6: Juvenile Tuart tree screen onsite (14 September 2023)	30
Plate 4-7: Example of mature Casuarina tree screen (15 years of age)	30
Plate 4-8: Example of mature Tuart tree screen (15 years of age)	30
Plate 5-1: Stable Fly Trap Example	43



182 Waterville Road, Wanerie – Farm Management Plan

Figures

- Figure 1 Aerial Photograph
- Figure 2 Topography and Land Systems
- Figure 3 Hydrology
- Figure 4 Surrounding Land Uses

Appendices

- Appendix 1 Reasons for Refusal
- Appendix 2 Site Plan



Executive Summary

In August 1999, use of 182 Waterville Road was approved by the Shire of Gingin, for Agriculture Intensive (perennial horticulture). Under the approval, a 210 ha Olive Grove was established. An Application for Development Approval for a change in land use to Agriculture Intensive (annual horticulture) and associated shed, specifically to support a celery farm, was submitted to the Shire of Gingin by Waterville Fresh Pty Ltd in November 2022.

The proposal was presented to the Shire of Gingin Ordinary Council Meeting on 20 July 2023, with a recommendation for refusal. A Notice of Determination was issued to the applicant by the Shire and lists seven reasons for refusal. The applicant applied for the decision to be reviewed through the State Administrative Tribunal (SAT), where a mediation between the Shire and the applicant was scheduled for 10 August 2023. An outcome of the mediation was an agreement to prepare a Farm Management Plan (FMP) outlining the proposed management actions to ensure protection of the site and surrounds.

Key features of the site and surrounds include:

- Annual average rainfall in this location is 639.1 mm. Drier weather conditions are experienced in the summer months (December average 9.5 mm) and higher rainfall occurs throughout winter (July average 127.9 mm).
- The strongest winds occurring in this area are easterly in the summer morning and south westerly in the summer afternoons.
- The site is sloping with topographic elevations ranging from 24 mAHD to 104 mAHD.
- The underlying soils on site are mapped as sandy soils, which are predominately representative of the Spearwood land system, which is broadly described as:
 - Sand dunes and plains containing yellow deep sands, pale deep sands and yellow/brown shallow sands.
- No natural surface water features occur onsite. The closest natural surface water features are the Moore River located over 1 km to the west and associated wetland areas located approximately 650 m west of the site.
- Depth to groundwater onsite ranges from approximately 20 to 85 m below ground level, varying with topography.
- Native vegetation and fauna habitat has been cleared from the majority of the site and is not located in any areas proposed for cropping.
- A number of sensitive land uses are located in proximity to the site, including 4 residential dwellings within 500 m of the cropping areas.

The proposed site operations are summarised as follows:

- Installation of eight 16.75 ha pivot irrigation systems across two stages (totalling 134 ha), setback a minimum of 32 m from the property boundaries. The Stage 1 area covers 5 full and two half pivots and Stage 2 of this application covers the remaining full pivot and two half pivots (see Appendix 2).
- Planting and harvesting of 1 celery crop on each pivot each year. Possible installation of cover crops between celery crop cycles.
- Construction of a packing shed.
- Farming operations will occur 7 days per week, with the majority of the farming activities undertaken between 5am and 4pm Monday to Friday.
- Application of fertilisers and chemicals to support crop growth.



182 Waterville Road, Wanerie – Farm Management Plan

- Packing of produce within the packing shed operating Monday to Friday 6am to 5pm

Proposed management actions to minimise potential impacts to the environment and surrounding sensitive land uses broadly include:

- Implement appropriate fertiliser and irrigation regimes, to match watering and fertiliser application to crop demand and soil conditions
- Installation of vegetation screens
- Staging of pivot use along the eastern boundary, in line with requirements of vegetation screen growth
- Chemical storage and use to occur in accordance with manufacturers specifications
- Restricting fertilizer or chemical application when wind speeds are greater than 10 km/hr.
- Monitoring of water levels and water quality as per DWER requirements
- Offsite waste management for non-organic waste
- Crop waste to be incorporated back into soils on site
- Farm equipment to minimise activities in the early morning (before 6am Monday to Friday and 7am on Saturday and Sunday) and evening (after 5pm), where possible
- Farm equipment to be maintained as per manufacturer specifications
- Maintenance of a complaints register and undertaking of corrective actions, if required



1 Introduction

1.1 Background

The site is located at 182 Waterville Road, Wanerie (Lot 2 on Plan 17210, Certificate of Title Volume 1854 Folio 199) and is used for horticultural activities. The site extends over approximately 287 ha and contains various farm related infrastructure including sheds, bores, irrigation infrastructure and fencing. An aerial photograph of the site is provided in Figure 1.

In August 1999, use of the site for Irrigated Horticulture (perennial horticulture) was approved by the Shire of Gingin, after which a 210 ha Olive Grove was established. An Application for Development Approval for a change in land use to Irrigated Horticulture (annual horticulture), specifically to support a celery farm, was submitted to the Shire of Gingin by Waterville Fresh Pty Ltd in November 2022.

1.2 Shire of Gingin Local Planning Scheme No. 9

The site is zoned ‘General Rural’ under the Shire of Gingin Local Planning Scheme 9 (LPS 9) (Shire of Gingin, 2012). Areas to the immediate west and east of the site are zoned ‘General Rural – Coded’.

The objectives of the General Rural zone as outlined in TPS 9 are to:

- a. manage land use changes so that the specific local rural character of the zone is maintained or enhanced;
- b. encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;
- c. maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and
- d. provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.

Activities permissible in the General Rural zone as relevant to the site are noted on Table 1-1.

Table 1-1: Relevant Land Uses permitted within the General Rural Zone

Land Use Class	Status	Definition
Agriculture Extensive	P – use is permitted by the scheme providing the use complies with the relevant development standards and requirements of the scheme	Premises used for the raising of stock or crops but does not include agriculture – intensive or animal husbandry – intensive
Agriculture Intensive	D – use is not permitted unless the local government has exercised its discretion by granting development approval	Premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following – <ol style="list-style-type: none"> a. the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts; b. the establishment and operation of plant or fruit nurseries; c. the development of land for irrigated fodder production or irrigated pasture (including turf farms); or d. aquaculture.



182 Waterville Road, Wanerie – Farm Management Plan

1.3 Application for Development Approval

The 2022 Application for Development Approval proposed the following key uses to support a change in horticultural cropping from olive to celery production:

- Installation of 8 x 16.75 ha centre irrigation pivots
- Construction of a machinery and packing shed

The Shire of Gingin determined to refuse the development application based on a number of grounds as noted in Appendix 1.

The reasons for refusal which were associated with environmental matters are summarised on Table 1-2. This table also identifies the section within this report where further information in relation to these items is provided.

Table 1-2: Reasons for Refusal and location within this FMP

Shire of Gingin Identified Grounds for Refusal	Relevant Environmental Matters	Relevant section
1. The development has not demonstrated compliance with objective (ii) of Local Planning Policy 1.6 – Agriculture Intensive, as the development may have an adverse impact on surrounding properties.	Separation distance to nearby sensitive land uses related to potential dust, noise, spray drift, odour, waste and stable fly matters.	Sections 5.2, 5.3, 5.4, 5.5 and 5.6
3. The development has not demonstrated compliance with Clause 67(2)(n) of the Deemed Provisions, as the development has not demonstrated that adverse amenity impacts on the locality will not arise.	Separation distance to nearby sensitive land uses related to potential dust, noise, spray drift, odour, waste and stable fly matters. Visual screening of the development.	Sections 5.2, 5.3, 5.4, 5.5 and 5.6
4. The development has not demonstrated compliance with Clause 67(2)(c) of the Deemed Provisions, given clauses 5.8(c) and 5.8(d) (and related clauses of 5.12) of State Planning Policy 2.5 - Rural Planning have not been adequately addressed as technical analysis has not been provided in support of the proposed buffer distance to nearby sensitive land uses (dwellings) and the development may affect the nutrient loading of the Nullagine River	Separation distance to nearby sensitive land uses related to potential dust, noise, spray drift, odour, waste and stable fly matters. Potential for nutrient export to impact hydrological receptors.	Sections 5.1, 5.2, 5.3, 5.4, 5.5 and 5.6
5. The development has not demonstrated compliance with Clause 67(2)(d) of the Deemed Provisions, given the Environmental Protection Authority – Guidance for the Assessment of Environmental Factors; Separation Distances between Industrial and Sensitive Land Uses (June 2005) has not been adequately addressed in relation to buffers/separation distances from the development to sensitive land uses.	Separation distance to nearby sensitive land uses as identified as relevant to market gardening as outlined in EPA Guidance Statement No. 3 (EPA, 2005). The potential impacts are identified to relate to gaseous, noise, dust and odour emissions.	Section 5.2
6. The development has not demonstrated compliance with Clause 67(2)(c) of the Deemed Provisions, given State Planning Policy 2.9 – Water Resource and Draft State Planning Policy 2.9 - Planning for Water have not been addressed.	Potential nutrient loading of groundwater and impacts on hydrological receptors.	Section 5.1

The application was subsequently referred to the State Administrative Tribunal (SAT) for mediation. An outcome of the mediation was an agreement to prepare a Farm Management Plan (FMP) outlining the proposed management actions to ensure protection of the site and surrounds.



182 Waterville Road, Wanerie – Farm Management Plan

1.4 Purpose and Scope of this Document

This FMP was prepared to address the refusal items related to environmental matters as outlined in Table 1-2, to inform the SAT of the proposed management of environmental factors at the site as well as providing an ongoing resource which will guide the future farming operations.

1.5 Technical Input

This management plan has been prepared by Coterra Environment with technical input regarding hydrology, nutrient and irrigation management provided by specialist hydrologists from Pentium Water.



2 Key Policies and Guidelines

The following key documents have been identified as relevant to the development proposed at the site:

- EPA Guidance Statement No. 3 – Separation Distances between industrial and sensitive land use (EPA, 2005)
- Guidelines for Separation of Agricultural and Residential Land Uses (DoH, 2012)
- Environmental Protection (Noise) Regulations 1997 (Noise regulations) (EPA, 2005)
- State Planning Policy 2.5 Rural Planning and associated Rural Planning Guidelines (WAPC, 2016a)
- State Planning Policy 2.9 (Water Resources) and Draft State Planning Policy 2.9 (Planning for Water) (WAPC, 2021a; 2021b)
- Government Sewage Policy (WA Govt, 2019a)
- Shire of Gingin Local Planning Policy 1.6 – Agriculture Intensive (Shire of Gingin, 2016)
- State Planning Policy 2.5 – Rural Planning and associated Rural Planning Guidelines (WAPC, 2016a; 2016b)
- Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019 (WA Govt, 2019b)

2.1 EPA Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses (EPA, 2005)

The Environmental Protection Authority (EPA) has issued Guidance Statement No. 3 which provides advice on recommended separation distances between Industrial and Sensitive Land Uses (EPA, 2005).

General separation distances are based on emissions from the following sources that have been identified as potentially affecting the amenity of nearby sensitive land uses (EPA, 2005):

- Gaseous and particulate emissions
- Noise
- Dust
- Odour

Separation distances related to the proposed land uses at the site are outlined in Table 2-1.

Table 2-1: DWER Recommended Separation Distances

Industry	Description of Industry	Impacts					Buffer Distance
		Gaseous	Noise	Dust	Odour	Risk	
Market Gardens	Broad-scale operations	✓	✓	✓	✓	X	300-500 m depending on size
Chemicals Storage (Minor)	Non-bulk storage of chemicals	✓	X	X	✓	✓	200-300 m

Source: EPA, 2005



2.2 Guidelines for Separation of Agricultural and Residential Land Uses (DoH, 2012)

The Guidelines for Separation of Agricultural and Residential Land Uses (DoH, 2012) notes that the following minimum requirements will be considered suitable by the Department of Health (DoH):

1. A separation distance of 300m for to control spray drift, dust, smoke and ash.
2. Alternatively, a 40 m separation distance can be used where a vegetative buffer has been adequately designed, implemented and maintained in accordance with these guidelines.
3. Vegetative buffers will not be operational until trees reach the minimum effective height to control spray drift. Residential areas should not be developed within 300m until this time.

Natural geographical features (watercourses and ridge lines), public open spaces, road reserves etc. can be used to meet the required separation distances (DoH, 2012).

To be effective barriers to spray drift, the vegetated buffers need to meet the following criteria (DoH, 2012):

- Be located as close as practicable to the point of release of the spray.
- A minimum total width of 40 m made up of 10 m cleared fire break area either side of a 20 m wide planted area.
- Contain random plantings of a variety of tree and shrub species of differing growth habitats, at spacings of 4-5 m.
- Include species with long, thin (needle-like) and rough (furry/hairy) foliage which facilitates the more efficient capture of spray droplets and which are fast growing and hardy.
- Foliage should be from the base to the crown; mixed plantings of trees may be required to ensure there are no gaps in the lower canopy.
- Provide a permeable barrier which allows air to pass through the buffer. A porosity of 0.5 is acceptable (that is, approximately 50% of the screen should be air space).
- Have a mature tree height twice the height of the spray release height.
- Have mature height and width dimensions which do not detrimentally impact upon adjacent crop land.

Applications for development where vegetation buffers are proposed shall include a detailed landscaping plan indicating the extent of the buffer area, the location and spacing of trees and shrubs, and a list of tree and shrub species. The application shall also contain details concerning the proposed ownership of the buffer area and the means by which the effectiveness of the buffer is to be maintained (DoH, 2012).

2.3 Environmental Protection (Noise) Regulations 1997

The *Environmental Protection (Noise) Regulation 1997* identify the following which is relevant to the operation of agricultural premises:

- ‘Rural premises’, are defined as premises used primarily for pastoral or agricultural purposes on land classified or zoned for agricultural or rural use, or for rural lifestyle living, under a planning scheme
- A ‘farming vehicle’ means a motor vehicle which is used for, or in association with, soil preparation and cultivation, land drainage and water management, crop seeding and planting, crop spraying and fertilisation, pest management, produce harvesting or stock management.
- The noise regulations do not apply to a vehicle used for pumping water for crop or pasture irrigation, stock watering or land drainage.



- The assigned levels for noise do not apply to noise emitted from a farming vehicle on rural premises at any time between sunrise and sunset if the occupier of the premises shows that the vehicle, including its noise reduction system, has been maintained to a reasonable standard.
- The assigned levels for noise do not apply to noise emitted from a farming vehicle on rural premises at any time between sunset and sunrise if the occupier of the premises shows both that:
 - the vehicle, including its noise reduction system, has been maintained to a reasonable standard;
 - it was reasonably necessary for the vehicle to be operated at night-time (for example, work which may be reasonably necessary would be 24-hour seeding after rain).

2.4 State Planning Policy 2.5 Rural Planning and Rural Planning Guidelines

State Planning Policy (SPP) 2.5 – Rural Planning and the associated Rural Planning Guidelines has the following policy intent (WAPC, 2016a):

- The purpose of this policy is to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome.

Policy objectives are as follows:

- a. support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food
- b. provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses
- c. outside of the Perth and Peel planning regions, secure significant basic raw material resources and provide for their extraction
- d. provide a planning framework that comprehensively considers rural land and land uses, and facilitates consistent and timely decision-making
- e. avoid and minimise land use conflicts
- f. promote sustainable settlement in, and adjacent to, existing urban areas
- g. protect and sustainably manage environmental, landscape and water resource assets.

2.5 State Planning Policy 2.9 (Water Resources) and Draft State Planning Policy 2.9 (Planning for Water)

SPP 2.9 – Water Resources has the following objectives in relation to water resources and planning (WAPC, 2006):

1. Protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values
2. Assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources
3. Promote and assist in the management and sustainable use of water resources

A draft guidance statement was released for public comment with intention to supersede current SPP 2.1, SPP 2.2, SPP 2.3, SPP 2.7, SPP 2.9, SPP 2.10, the Government Sewerage Policy, Better Urban Water Management and the policy measures which address flooding within SPP 3.4.



182 Waterville Road, Wanerie – Farm Management Plan

SPP 2.9 – Planning for Water has the following objectives in relation to water resources and planning (WAPC, 2021a; 2021b):

- 5.1 Protect and improve the environmental, social, cultural and economic values of the State’s water resources
- 5.2 Protect public health and the long-term supply of good quality and affordable drinking water
- 5.3 Manage the risk of riverine flooding to people, property and infrastructure
- 5.4 Ensure the secure and sustainable supply, use and re-use of water resources
- 5.5 Ensure future development is resilient to the water related impacts of climate change
- 5.6 Minimise future costs and protect public health by ensuring that appropriate wastewater infrastructure is provided

2.6 Government Sewage Policy (2019)

This policy establishes the Western Australian Government’s position on the provision of sewerage services in the State through the planning and development of land.

Sewage sensitive areas are defined in the policy with the following being relevant to the site:

- estuary catchments on the Swan and Scott Coastal Plains (encompasses the entire site)
- within one kilometre up-groundwater-gradient and 250 metres down-groundwater-gradient of a significant wetland; or where the groundwater gradient is unknown or seasonably variable within one kilometre of the significant wetland (encompasses part of the site)

On-site effluent disposal within Sewage Sensitive Areas requires an assessment of all relevant constraints and the risks to public health and the environment of an on-site sewage system in accordance with *AS/NZS 1547 On-site domestic wastewater management* (WA Govt, 2019a).

2.7 Shire of Gingin Local Planning Policy 1.6 – Agriculture Intensive (Shire of Gingin, 2016)

Local Planning Policy (LPP) 1.6 provides standards for different forms of irrigated horticulture in order to prevent adverse impacts on the natural environment and surrounding properties. Key elements of this LPP which are relevant to the site include:

- All applicants shall clearly indicate areas of vegetation, wetlands and any other physical characteristics on the plans accompanying an application
- Waste material generated from the horticultural activity shall not be stored on the property in a manner that facilitates fly breeding or odour emissions, but shall be either buried, treated or removed off-site to Council’s satisfaction
- Horticultural waste to be trashed for soil improvement shall be turned into soil within two days of the removal of the crop or portion of the crop to Council’s satisfaction
- Proposals for Irrigated Horticulture located within 500 metres of an identified existing or future Residential or Rural Residential area shall only be considered where it can be demonstrated that effective vegetation buffers and other measures will satisfactorily minimise or avoid potential land use conflict
- All irrigated horticulture activity shall be set back 500 metres from any Rural Living, Residential, Tourist, Commercial or Urban Development zones. Applications for reduced setbacks shall be accompanied by comprehensive data and evidence that supports the proposed reduction



- All annual horticulture activities shall have a minimum distance of 200 metres from the highest known level of a waterway (riverine environment)

2.8 State Planning Policy 2.5 – Rural Planning and associated Rural Planning Guidelines (WAPC, 2016a; 2016b)

The purpose of this policy is to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome (WAPC, 2016a).

This policy applies to rural land and rural land uses in Western Australia (WAPC, 2016a).

Elements of this SPP which are relevant to the site include (WAPC, 2016a):

- The planning requirements for rural living precincts are that –
- (ii) the proposal will not conflict with the primary production of nearby land, or reduce its potential
 - (ix) the land is not subject to a separation distance or buffer from an adjoining land use, or if it is, that no sensitive land uses be permitted in the area of impact
- Intensive agriculture is generally supported and encouraged on rural land provided rural amenity and environmental impacts can be effectively managed
- In considering buffer distances between intensive agriculture and sensitive land uses, the requirements of clause 5.12 should be observed, and the following matters may also affect the buffer –
 - (i) types of chemicals used and their method of application;
 - (ii) the characteristics of the site/s, including vegetation, topography and prevailing winds;
 - (iii) potential mitigation approaches, including fencing, vegetation buffers, open space, road reserves and other compatible uses;
 - (iv) potential staging and/or expansion intention of the intensive agriculture operator;
- Where an intensive agriculture proposal may affect the nutrient load of a river, estuary or associated tributary and the system and/or its receiving water body has no further capacity to assimilate nutrients without an adverse impact on ecosystem health, a reduction in nutrient export is to be demonstrated

The Rural Planning Guidelines (WAPC, 2016b) explain the intent and interpretation of SPP 2.5.

2.9 Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019 (WA Govt, 2019b)

The purpose of this management plan is to provide for the control of Stable fly in each area to which this management plan relates (WA Govt, 2019b).

Elements of the management plan with potential relevance to the site include:

3. A crop of fruit or vegetables that has reached maturity must be either—
 - (a) harvested within 6 weeks; or
 - (b) dealt with in accordance with subclauses (4) and (5) as if harvesting had been completed.
4. Within 3 days after a crop of fruit or vegetables has been harvested, any part of the crop that remains in or on the soil must be—



- (a) incorporated into the soil by means of
 - (i) rotary hoeing on five consecutive days; or
 - (ii) a counter rotating rotary hoe (aka a stone burier), working to a depth of 20cm prior to compaction of the soil using a roller delivering five (5) tonnes per square metre; or
 - (iii) using a mouldboard plough, working to a depth of 30cm or more and compaction of the soil using a roller delivering five (5) tonnes per square metre; or
 - (b) treated in accordance with an approved measure
5. Fruit or vegetables that are not for human consumption, or are for any reason unsuitable for sale, must not remain on relevant land for more than 7 days after they are harvested unless they are
- (a) dealt with in accordance with subclause (4); or
 - (b) fed to stock in accordance with clause 10(2); or
 - (c) deep buried; or
 - (d) desiccated on fallow ground in accordance with the following—
 - (i) the waste produce must be spread evenly over the fallow ground in a surface layer that is no thicker than 30mm; and
 - (ii) the waste produce is to be allowed to desiccate for a minimum period of two weeks; and
 - (iii) the desiccated waste is to be incorporated into the soil by ploughing or rotary hoeing prior to that area being used again for waste disposal.
 - (iv) Whilst the waste produce is being allowed to desiccate—
 - the waste must be monitored on a weekly basis and if larvae or pupae likely to be stable fly are discovered, the waste must be sprayed to drenching with an approved pesticide;
 - the area on which the waste is spread must not receive irrigation; and
 - if the waste disposal area receives a rain event between 1 October and 30 April, the area must be sprayed to drenching with an approved pesticide within 7 days of the commencement of the rain event, and the site monitored each week for the presence of any stage of stable fly.
 - (v) Records must be kept of the destruction of waste produce by means of desiccation as described above.



182 Waterville Road, Wanerie – Farm Management Plan

3 Environmental Features of the Site and Surrounds

3.1 Climate

Wanerie experiences a Mediterranean climate with warm, dry summers and cooler, wet winters. The closest Bureau of Meteorology weather station to the site is the Gingin Aero Station (009178), approximately 40 km southeast of the site.

3.1.1 Temperature

Mean monthly temperature conditions for this area as recorded at the Gingin weather station are presented in Plate 3-1. As can be seen from this plate, highest temperatures occur in January and February, with coolest temperatures experience in July.

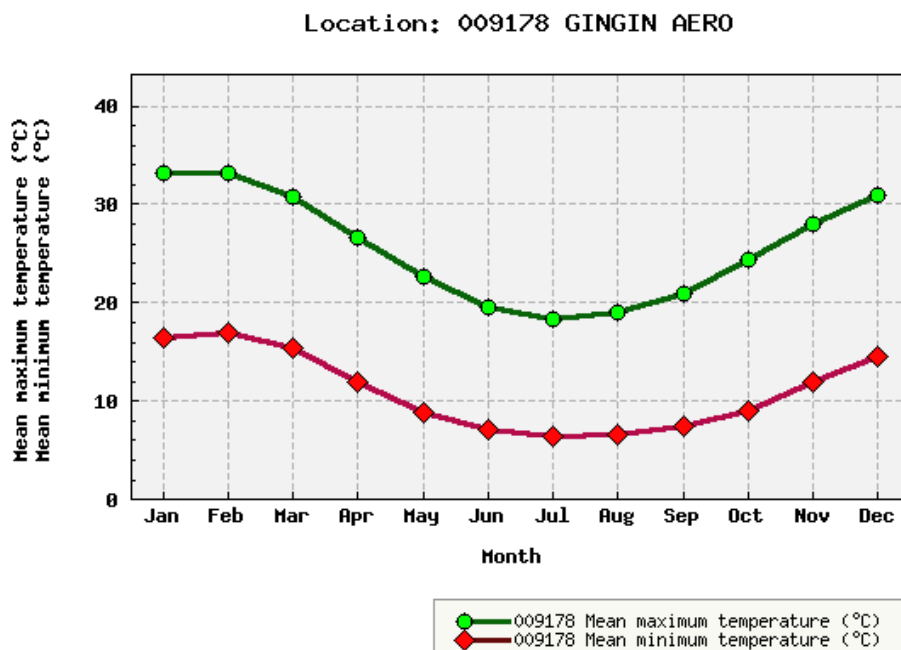


Plate 3-1: Average temperature

Source: BoM, 2023

3.1.2 Rainfall

Annual average rainfall records at the Gingin weather station is provided on Plate 3-2. Mean rainfall in this location is 639.1 mm annually. Drier weather conditions are experienced in the summer months (December average 9.5 mm) and higher rainfall occurs throughout winter (July average 127.9 mm) (BoM, 2023).



182 Waterville Road, Wanerie – Farm Management Plan

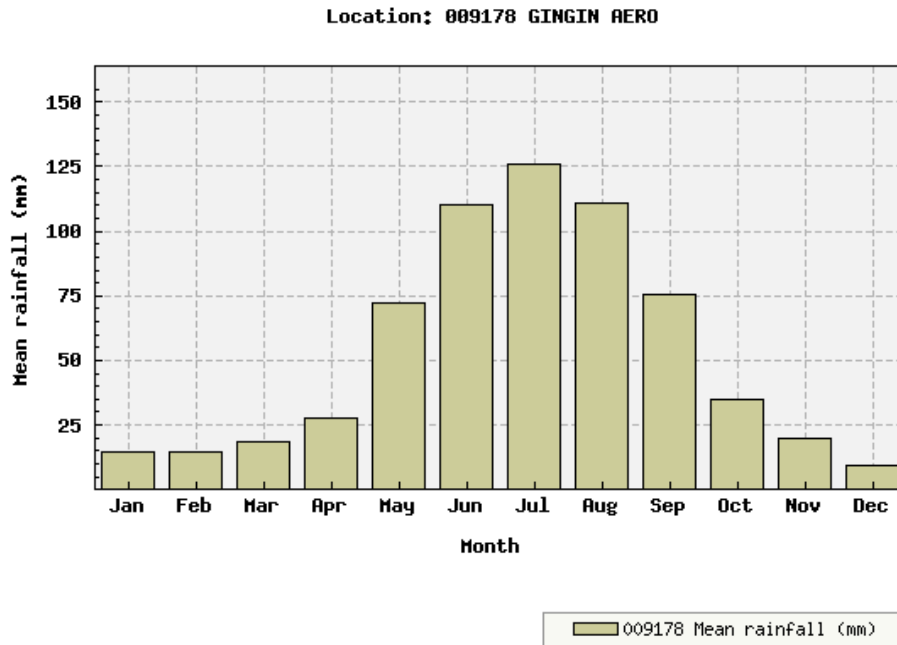


Plate 3-2: Mean rainfall

Source: BoM, 2023

3.1.3 Wind

Predominant wind conditions include morning easterly winds (Plate 3-3) and afternoon south-westerly winds during summer (Plate 3-4). Winter wind directions predominantly come from northerly direction on winter mornings (Plate 3-5) and an easterly direction in the afternoons (Plate 3-6) (BoM, 2023).



182 Waterville Road, Wanerie – Farm Management Plan

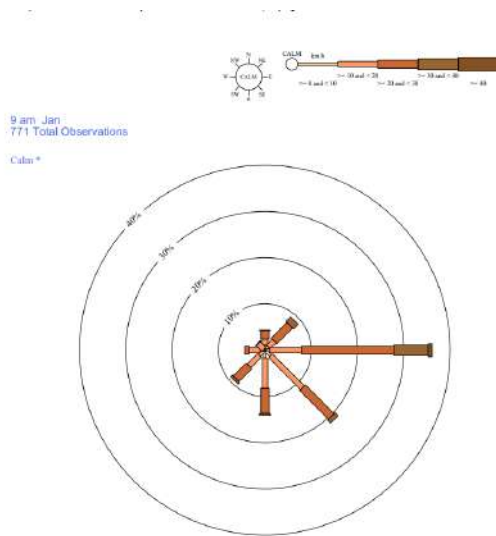


Plate 3-3: January 9am wind rose

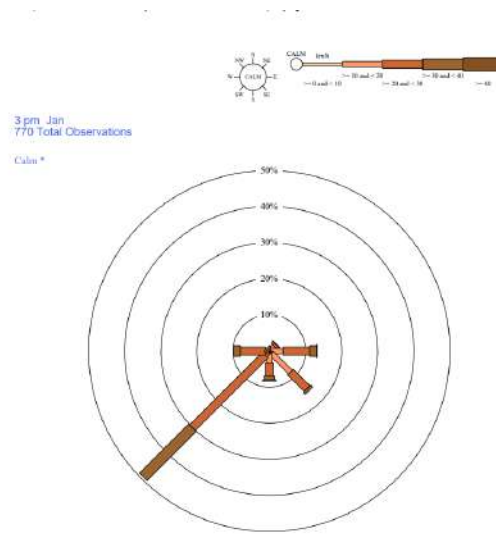


Plate 3-4: January 3pm wind rose

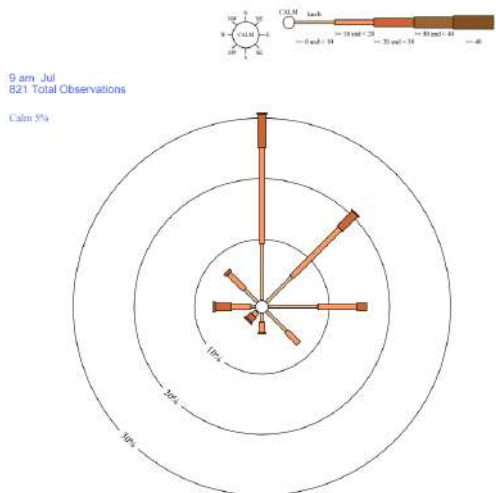


Plate 3-5: July 9am wind rose

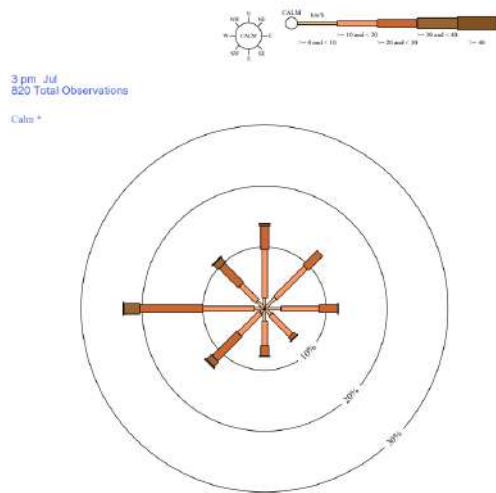


Plate 3-6: July 3pm wind rose

Source: BoM, 2023

3.2 Topography and Soils

The sites topography slopes from the lowest point on the western boundary (Telephone Road) at 24 m Australian Height Datum (AHD) to 104 mAHD on the eastern boundary (Figure 2).

The Department of Primary Industries and Regional Development (DPIRD) mapped land systems and soils onsite are shown in Figure 2 and described in Table 3-1, with risks for each soil type outlined in Table 3-2.



182 Waterville Road, Wanerie – Farm Management Plan

Table 3-1: Land Systems

Mapping Units	Land System	Description
211Sp_2	Spearwood, Phase 2	Brown weak clayey sand with limestone
211Sp_3	Spearwood, Phase 3	Yellowish brown weak clayey sand
211Sp_4+5	Spearwood, phase 4 + 5	Pale brown sand to 50 cm overlaying brownish-yellow weak clayey sand and pale brown to light grey sand to 90 cm depth overlaying brownish-yellow sand to weak clayey sand, co-dominant
212Bs_6 + 7	Bassendean, phase 6 + 7	Light grey sand to depth between 90-150 cm overlaying pale yellow to yellow sand and Bleached sands, co-dominant

Source: DPIRD, 2023a

Table 3-2: Land degradation risk categories

Land Degradation Risk Category	211Sp_2	211Sp_3	211Sp_4 + 5	212Bs_6 + 7
Water erosion	0% of map unit has a very high to extreme hazard	0% of map unit has a very high to extreme hazard	0% of map unit has a very high to extreme hazard	0% of map unit has a very high to extreme hazard
Wind Erosion	99% of map unit has a high to extreme hazard	100% of map unit has a high to extreme risk	100% of map unit has a high to extreme risk	40% of map unit has a high to extreme risk
Waterlogging and Inundation	0% of map unit has a very high to extreme risk	0% of map unit has a very high to extreme risk	0% of map unit has a very high to extreme risk	40% of map unit has a moderate to very high risk
Flood Hazard	0% of map unit has a very high to extreme hazard	0% of map unit has a very high to extreme hazard	0% of map unit has a very high to extreme hazard	0% of map unit has a very high to extreme hazard
Salinity Risk	0% of map unit has a moderate hazard	0% of map unit has a moderate hazard	0% of map unit has a moderate hazard	0% of map unit has a moderate hazard

Source: DPIRD, 2023a

As can be seen from the table above, the soils on-site can be prone to wind erosion if not appropriately managed.

The soils present at the site are not identified as posing an acid sulfate soil risk (Landgate, 2023).

3.3 Hydrology

3.3.1 Surface Water

There are no regionally mapped wetlands, streams or tributaries on site. The closest wetland is a Conservation Category Wetland (UFI 15,270) located approximately 650 m west of the site (Figure 3). This wetland is identified as part of the Moore River floodplain (Landgate, 2023).

The Moore River watercourse itself is located approximately 1.1km west of the site (Figure 3).

Construction of an onsite dam was approved by the Shire of Gingin on 8 September 2022.

The site is mapped as a Sewage Sensitive Area as it is located within the estuary catchment of the Swan Coastal Plain and partially within 1 km of a significant wetland (see Plate 3-7).



182 Waterville Road, Wanerie – Farm Management Plan

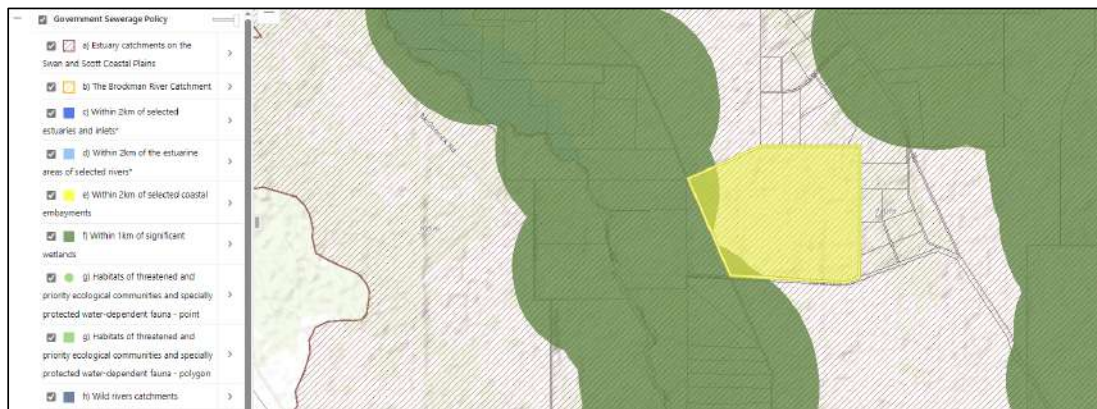


Plate 3-7: Sewage Sensitive Area mapping

Source: DPLH, 2023

3.3.2 Groundwater

Groundwater monitoring is undertaken from three on-site bores which are located as shown on Plate 3-8.

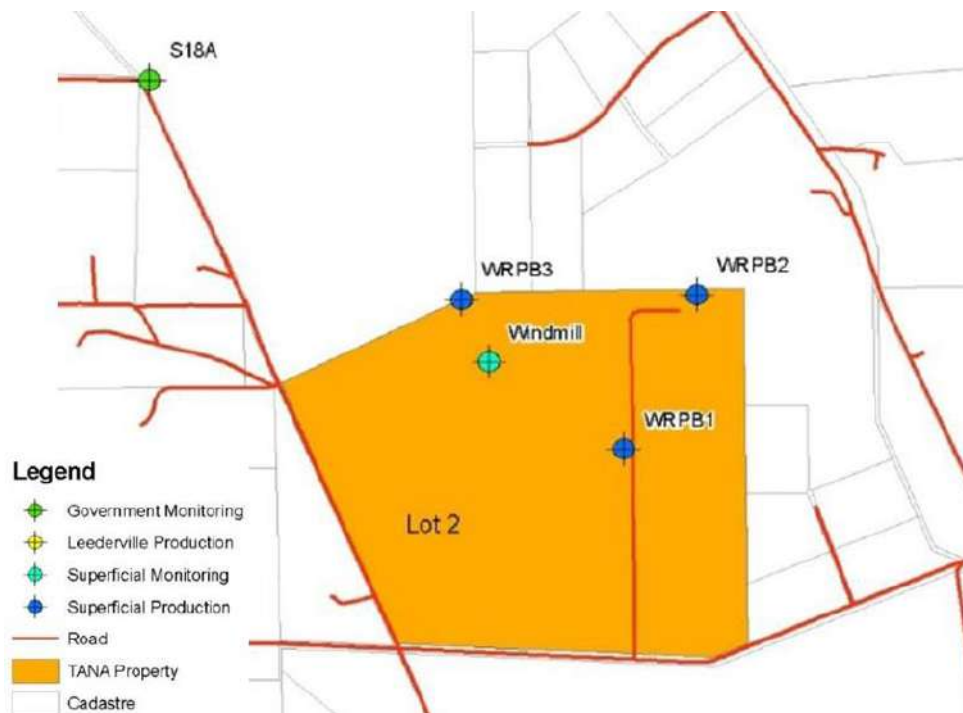


Plate 3-8: Groundwater Bores

Source: Pennington Scott, 2022

Groundwater levels recorded onsite range from approximately 20m (WRPB3) to 85m (WRPB2) below ground level.

Groundwater flow direction is westwards towards Moore River. There is potential for interaction between groundwater beneath the site and Moore River. Plate 3-9 presents estimated areas of groundwater discharge to the river and recharge from the river (DoW, 2009). The site location is adjacent to an area shown as a

“recharge to groundwater zone”, meaning that the watercourse is predominately above the groundwater table in this area. However, it is possible that groundwater flow from beneath the subject site interacts with Moore River or associated natural pools along the watercourse (i.e. making Moore River a potential environmental receptor for groundwater flow from the site).

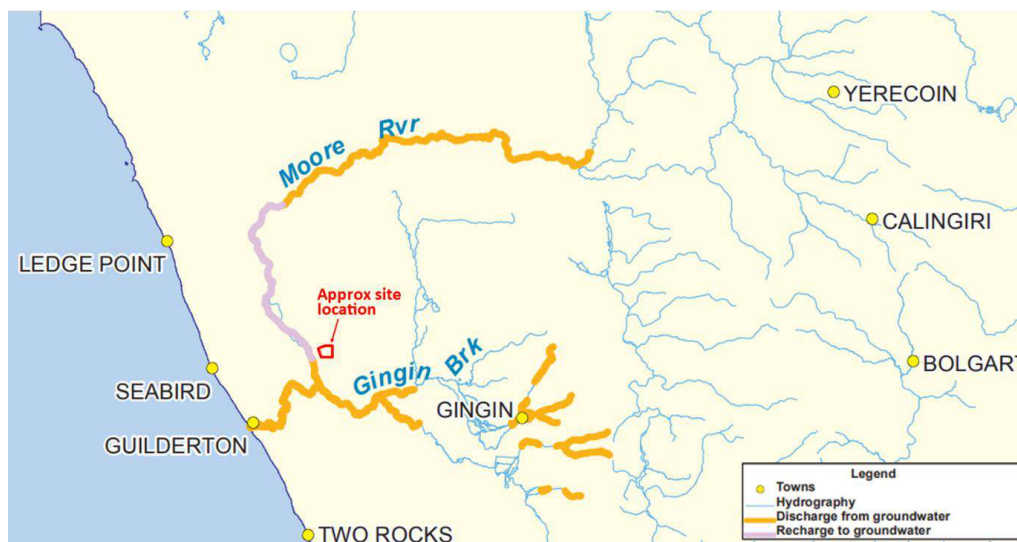


Plate 3-9: Moore River Discharge and Recharge Zones

Source: DoW, 2009

Water quality monitoring indicates the following:

- Field Electrical Conductivity (EC) levels varied between approximately 1010 and 1300 $\mu\text{S}/\text{cm}$ during the 2019-2022 monitoring period. Based on an indicative conversion factor of 0.65, this equates to a Total Dissolved Solids concentration of approximately 650 to 850 mg/L, indicating that groundwater is classified as moderately salty (DPIRD, 2023b).
- Field pH levels vary between approximately 5.9 to 8.3 during the 2019 to 2022 monitoring period

Ongoing water monitoring required at the site as outlined within the Groundwater Operating Strategy (Pennington Scott, 2013) includes:

- Monthly monitoring of abstraction volumes from production bores
- Monthly monitoring of water levels from production and monitor bores
- Quarterly field measurements of water quality (pH, EC and temperature) from production bores
- Annual (in March/April) laboratory analysis of water quality (EC, total dissolved solids, pH, total nitrogen, nitrite/nitrate as N, total phosphorus, sulphate and chloride) from production bores

Annual reports on the above are due to DWER by 30th September, with a triennial aquifer review to be completed every three years (Pennington Scott, 2013).

The site is not located within a Public Drinking Water Supply Area (PDWSA). The closest PDWSA is located approximately 3.3 km west of the site (Sovereign Hill Water Reserve) (Landgate, 2023).

The site currently holds a groundwater licence for abstraction of up to 1,782,500 kL/annum (GWL 87696) (DWER, 2023). This water is abstracted from the Perth – Superficial Swan aquifer.



182 Waterville Road, Wanerie – Farm Management Plan

3.4 Vegetation and Flora

3.4.1 Site Overview

Within the area proposed for horticultural activities, regional mapping and aerial photographs of the site indicates that there is no remaining native vegetation.

Native vegetation covers the western extent of Lot 2, and a thin strip of remnant vegetation comprising a buffer between Waterville Road and the site (Figure 1).

3.4.2 Remnant vegetation outside of proposed horticultural areas

3.4.2.1 Pre-European Vegetation

Regional scale mapping indicates the native vegetation remaining at the site contains the following broad vegetation type (Landgate, 2023):

- Bassendean 949: Low woodland or open low woodland containing other acacia, banksia, peppermint, cypress pine, casuarina, York gum

The current extent of this vegetation system compared to the pre-European extent is summarised on Table 3-3.

Table 3-3: Bassendean 949 Vegetation Association Statistics

Area	Pre-European Extent	Current Extent	Current Extent managed in DBCA lands (proportion of Pre-European Extent)
Western Australia (1b)	115,119.15 ha	69,992.31 ha (60.80%)	36,766.71 ha (31.94%)
Swan Coastal Plain (2b)	115,119.15 ha	69,992.31 ha (60.80%)	36,766.71 ha (31.94%)
Shire of Gingin (4b)	62,533.77 ha	39,872.59 ha (63.76%)	23,930.72 ha (60.025)

Source: GoWA, 2019c

3.4.2.2 Vegetation Complex

The vegetation complex identified to be present in this location is the Karrakatta Complex – North, which is described as (Hedde et. al, 1980):

- Predominantly low open forest and low woodland of *Banksia attenuata*, *B. menziesii* and coastal blackbutt (*Eucalyptus todtiana*) with the occasional *B. ilicifolia* on the lower slopes. Minor occurrences of open forest of tuart (*E. gomphocephala*), coastal blackbutt and Banksia spp. Common understorey species include *Conospermum triplinium*, *Hakea trifurcata* and *Mesomelaena stygia*.

The current extent of the Karrakatta Complex - North is summarised on Table 3-4.

Table 3-4: Karrakatta Complex – North Vegetation Statistics

Area	Pre-European Extent	Current Extent	Current Extent secure (EPA definition) for Conservation
Swan Coastal Plain	44,272.94 ha	19,976.32 ha (45.12%)	155.50 ha (0.35%)
Shire of Gingin	39,119.68	18,974.26 ha (48.50%)	-

Source: GoWA, 2019d



3.4.3 Environmentally Sensitive Areas

The site does not contain any Environmentally Sensitive Areas as mapped by the Department of Water and Environmental Regulation (DWER) (Landgate, 2023)

3.5 Fauna habitat

The lack of remnant vegetation within the horticultural areas onsite limits the potential fauna habitat opportunities.

The remnant vegetation within the western and southern ends of the site on site may provide some resources for fauna, including black cockatoos. Gingin is within the mapped breeding range for Carnaby's Black Cockatoo (*Zanda latirostris*) and is regionally mapped as an area where Forest Red-tailed Black Cockatoos (*Calyptorhynchus banksii naso*) may occur (Commonwealth of Australia, 2016a; 2016b).

3.6 Surrounding Land Uses

The site is located in a rural area and surrounded by rural properties which range in size from 10.97 ha to nearly 400 ha. Land uses within 1 km of the site are shown on Figure 4. This includes the following dwellings which are located within 500 m:

- Lot 118 (#661) Cowalla Road, Wanerie – approximately 144m east of the site
- Lot 124 Borabilla Place, Wanerie – approximately 227m east of the site
- Lot 123 Borabilla Place, Wanerie – approximately 323m east of the site
- Lot 120 (#22) Borabilla Place, Wanerie – approximately 405m east of the site
- Lot 117 (#711) Cowalla Road, Wanerie – located approximately 299m north east of the site, but approximately 485m from the closest Stage 2 pivot
- Lot 113 (#59) Caladenia Road, Wanerie – located approximately 303m north of the site, but approximately 400m from the closest Stage 2 pivot
- Lot 9817 (#445) Telephone Lane, Wanerie - located approximately 211m west of the site, with a separation to the horticultural area of approximately 460m across the western vegetated boundary of the site.

In addition, the following sensitive environmental land uses are also in proximity to the site:

- Moore River – approximately 1.1 km west
- Gngangara-Moore River State Forest – approximately 1.9 km west
- Moore River Nature Reserve – approximately 4.4 km northeast



4 Proposed Operations

4.1 Overview

It is proposed that the site will transition from Irrigated Horticulture (perennial horticulture) to Irrigated Horticulture (annual horticulture), to support celery farming. This will involve:

- Instillation of eight 16.75 ha irrigation pivots (totalling 134 ha). The pivots are setback a minimum of 32m from the property boundaries. The pivots will be installed in 2 stages, both included within this application (see Appendix 2):
 - Stage 1 – 5 full pivots and 2 half pivots
 - Stage 2 – 1 full pivot and 2 half pivots
- Construction of a packing shed, being 80 m in length and 60 m in width (total 4,800 m²)
- 10-12 Full Time Equivalent (FTE) employees
- Farming operations will occur 7 days per week, with the majority of the farming activities undertaken between 5am and 4pm Monday to Friday, with mainly irrigation activities being undertaken on weekends. There may be times where operations in the early morning, evening or night are required.
- Packing shed operations between 6am to 5pm Monday to Friday

A comparison of the historic farming practices undertaken onsite since 1999 for the olive grove to the proposed operation are summarised on Table 4-1.

Table 4-1: Farming Practices Summary

Item	Olive Grove Farming Practice	Proposed Farming Practice (Celery Cropping)
Area under production	210 ha	128 ha
Employees	5 FTE employees	10-12 FTE employees
General farming hours of operation	7 days/week; with the majority of farming activities between 5am to 4pm Monday to Friday	7 days/week; with the majority of farming activities between 5am to 4pm Monday to Friday
Harvesting hours of operation	24 hours per day, Monday to Sunday for approximately 6 weeks during April to June	5am to 4pm Monday to Friday
Packing shed hours of operation	n/a	6am to 5pm Monday to Friday
Water requirements	1,782,500 kL/annum	1,782,500 kL/annum

4.2 Operations Summary

Operations undertaken at the site are broadly summarised as follows:

- Horticultural areas will be used for 1 celery crop cycle per year, with staged planting to occur across the property
- Cropping rate will be 1-2 ha/week through the year to maintain a regular harvest
- Activities undertaken throughout a crop cycle include:



182 Waterville Road, Wanerie – Farm Management Plan

- Disc ploughing, ripping and hoeing of soil to prepare for planting (Note: this is done when soil is wet to avoid dust generation). Tractor speeds are low with maximum site speeds of between 15-30km/hr to avoid noise generation
- Planting of the celery crops
- Irrigation occurs at a frequency of 3-4 times per day during summer and 1-2 times per day during winter (Note: the pressure of the irrigation jets is 10-15 psi which will minimise noise generation)
- Fertilisation occur at a frequency of 3-4 times per week. Granular fertiliser will be banded (dropped in between the rows) and water-soluble fertiliser will be dissolved and injected through the pivots. (Note: spraying will be avoided when wind speeds are greater than 10km/hr)
- Pesticide application occurs at a frequency of 1-2 times per week (Note: spraying will not occur when wind speeds are greater than 10km/hr)
- Harvesting occurs approximately 10 week after planting during summer and 16 weeks after planting in winter.
- Harvesting is undertaken manually with farm workers cutting the product with knives before it is taken to the packing shed with a tractor
- A cover crop will be planted within 2 weeks of harvesting to provide a ground cover for dust suppression, typically barley or sorghum
- Cover crops will be incorporated into the soil to improve water holding capacity and to reduce fertiliser leaching

Activities which have been identified with lower noise emissions that may occur between 5pm and 6am on weekdays include application of fertiliser, pesticide, and other chemicals, with irrigation activities undertaken mostly on Saturday and Sunday. The trigger for these activities to occur at this time would relate to the presence of optimal weather conditions (i.e. low to no wind) to minimise potential for spray drift.

Ancillary actions to be undertaken at the site include:

- Packing of the produce within the packing shed
- Chemical and machinery storage in purpose built sheds
- Operation of an irrigation dam
- Onsite weather station to monitor wind speed

A site layout plan showing the location of the proposed pivots and ancillary areas onsite is provided in Appendix 2.

4.3 Farm Equipment

The following equipment will be utilised on the farm:

Table 4-2: Farming Equipment

Equipment	Comments	Noise emission (dB)	Use
Tractor: Fendt MI76SE	Fitted with GPS for precision farming	89.7	Disc ploughing, ripping and hoeing soils
Tractor: Massey Ferguson 6613s	Fitted with GPS for precision farming	85	Planting



182 Waterville Road, Wanerie – Farm Management Plan

Equipment	Comments	Noise emission (dB)	Use
Tractor: John Deere 6155MH High-Crop Tractor	Exceptionally high ground clearance – facilitates spray application immediately over crops	85	Spraying
Tractor: John Deere 5090EH	Speciality tractor – high ground clearance	85	Harvesting
Tractor: Kubota M9540DH	Specialty tractor – high ground clearance	84	Harvesting

All tractors are fitted with high quality exhaust mufflers to reduce noise emissions.

4.4 Power Supply

Power supply to the pivots is via underground cables from the pump shed.

A generator will be based at the bottom of the dam. This will only be used in the event of a power failure on the property due to the time sensitive nature of the product being grown to heat and wind stress. The generator is housed in a fully enclosed noise reduction chamber and will only be used in these emergency situations.

4.5 Screening Vegetation

Vegetation has been planted onsite to create a buffer and facilitate screening of horticultural areas from the adjacent land uses. The vegetation also acts as a windbreak to alleviate wind erosion. The planted screens consist of:

- Two rows of Casuarina (*Casuarina cunninghamiana*) trees along the western and southern boundaries of the site. This has been offset 10m from the property fence to allow for firebreak maintenance. Spacing between the planted trees is 2m. This casuarina typically grows to a maximum height of 30m, with a width of 12m (Benara nurseries, 2023)
- Two to twelve rows of Tuart (*Eucalyptus gomphocephala*) trees surrounding the pivots. The spacing between the planted trees is 8m and there is up to 12 rows planted on the outside of pivots. Tuarts typically grow to a height of approximately 25m with a width of 15m (Arborwest Tree Farm, 2023) so some thinning may be needed in the future.

Vegetative form and characteristics of these two tree species are summarised on Table 4-3. Example images of mature Tuart and Casuarina trees and their foliage are provided in Plate 4-1 to Plate 4-4.

Table 4-3: Tuart and Casuarina characteristics

Characteristics	Tuart (<i>Eucalyptus gomphocephala</i>)	Casuarina (<i>Casuarina cunninghamiana</i>)
Height at maturity	10-40m	10-30m
Width at maturity	15m	12m
Foliage description	Leaves are often curved, 90 to 160 millimetres long, and are a shiny light green above and paler below	Fine needle-like foliage. Green acicular, needle-shaped leaves.
Bark	Rought fibrous grey bark	Rough bark

Information Sources:

182 Waterville Road, Wanerie – Farm Management Plan

- *DBCA, 2023. Florabase.*
- *Arborwest Tree Farm, 2023. Tuart tree information*
- *Friends of Trigg Bushland, undated*
- *Benara Nurseries, 2023. Casuarina cunninghamiana – River Sheoak*



Plate 4-1: Example Tuart Tree Image



Plate 4-2: Example Tuart Tree Foliage



Plate 4-3: Example Casuarina Tree Image



Plate 4-4: Example Casuarina Tree Foliage

Image Sources:

- *DBCA, 2023. Florabase*



182 Waterville Road, Wanerie – Farm Management Plan

- *Arborwest Tree Farm, 2023. Tuart tree information*
- *Merri-Bek City Council, undated. Casuarina cunninghamiana – River Sheoak*
- *Leafland NZ, undated. Casuarina cunninghamiana – River Sheoak*

The vegetation screen locations are shown in Appendix 2. Casuarina trees were planted in March 2022 and the Tuart trees were planted in June 2023. 4,000 screening trees have been planted on the site to date, with a further 2,000 trees ordered for future planting.

Photographs of the installed vegetation taken in September 2023 are provided in Plate 4-5 and Plate 4-6. Images of mature tree screens comprising the same species on other properties owned by Waterville Fresh Pty Ltd are provided on Plate 4-7 and Plate 4-8.



Plate 4-5: Juvenile Casuarina tree screen onsite (14 September 2023)



Plate 4-6: Juvenile Tuart tree screen onsite (14 September 2023)



Plate 4-7: Example of mature Casuarina tree screen (15 years of age)



Plate 4-8: Example of mature Tuart tree screen (15 years of age)

Irrigation drip lines have been installed to the Casuarina screen locations to promote growth. The Tuart trees have been planted to maximise seasonal conditions to promote growth and are not irrigated.



182 Waterville Road, Wanerie – Farm Management Plan

4.6 Staging of Implementation

In order to allow for additional time for screening vegetation establishment, the two of the eastern most pivots will initially commence operation on a 180° arc, utilising half of the pivot only with operation of the entire northeastern pivot deferred at this time. Use of the full 360° arc of these three pivots will only occur once screening vegetation has established to the satisfaction of the Shire of Gingin. Expansion to the full 360° cropping area on these pivots will be subject to meeting conditions as agreed on in the Development Approval.

The location of the first stage of pivots, and the second stage are shown in Appendix 2.

4.7 Water Requirements

The site currently holds a groundwater licence for abstraction of up to 1,782,500 kL/annum (GWL 87696) (DWER, 2023). No additional groundwater allocation is required to operate the proposed celery cropping.

4.8 Chemical Use and Storage

Chemicals required and usage as part of regular farming activities have been identified in Table 4-4. These chemicals will be stored in a purpose built and lockable shed in line with the relevant Safety Data Sheets (SDS). The storage shed is located approximately 515m from the property’s eastern boundary and 625m from the northern boundary at its closest point.

Table 4-4: Chemical usage and storage on site

Product	Active Chemical concentration	Usage	SDS Storage requirements
Adjuvant			
Designer	<ul style="list-style-type: none"> 385g/L Organosilicone surfactant fluid 255g/L Synthetic latex 	For use with low volume application to enhance the spreading and foliage deposition of fungicides, insecticides, plant growth regulators and foliar nutrients.	Do not store with seed, fertilisers or foodstuffs.
SpreadWet	<ul style="list-style-type: none"> 1000g/L Alkoxylated Alcohols 	To improve herbicide performance by better wetting and absorption and improved spray coverage.	Store in a cool, dry, well-ventilated area away from sources of ignition, oxidizing agents, strong acids, foodstuffs and clothing.
Fumigant			
Metham Sodium	<ul style="list-style-type: none"> 423 g/L metham present as the sodium salt 	Pre-planting treatment for control of soil-borne pests in ornamentals, food and fibre crops, tobacco and control of certain weeds nematodes, symphylids and fungus diseases and Onion weed (WA only).	Keep container tightly closed in a cool, dry place. Do not store near acids.
Fungicide/Bactericide			
Bravo	<ul style="list-style-type: none"> 720g/L Chlorothalonil 	For control of Septoria Leaf Spot (<i>Septoria apiicola</i>) and	Store in the closed, original container in a cool, well-



182 Waterville Road, Wanerie – Farm Management Plan

Product	Active Chemical concentration	Usage	SDS Storage requirements
		Cercospora Early Blight (<i>Cercospora apii</i>).	ventilated area. Do not store for prolonged periods in direct sunlight.
Coppox Wettable Granules	<ul style="list-style-type: none"> 500g/kg Copper Oxychloride 	Forms a protective barrier on the plant surface to inhibit spore germination.	Store in a cool, dry and well-ventilated area. Protect from heat, sparks, open flames and other sources of ignition. Keep away from oxidising agents, acids and mercury compounds.
Digger	<ul style="list-style-type: none"> 250g/L Difenoconazole 	Control of Cercospora leaf spot and Septoria spots	Store in the closed original container in a cool, well-ventilated area. Do not store in direct sunlight for prolonged periods.
Dithane	<ul style="list-style-type: none"> 750 g/kg mancozeb 	For control of fungal diseases.	Store in a dry place. Store in original container. Do not store near food, foodstuffs, drugs or potable water supplies.
Filan	<ul style="list-style-type: none"> 500 g/kg Boscalid 	Control of Sclerotinia rot in celery.	Store in the closed, original container in a dry, cool, well-ventilated area out of direct sunlight.
Fontelis	<ul style="list-style-type: none"> 200 g/L Penthiopyrad 	Stops the growth of plant pathogenic fungi by blocking respiration, depriving the fungus of the energy needed to survive.	Store in the closed, original container in a cool, well-ventilated area. Do not store for prolonged periods in direct sunlight.
Rovral	<ul style="list-style-type: none"> 250 g/L Iprodione 	Control of Sclerotinia rot (pink rot) (<i>Sclerotinia sclerotiorum</i>).	Store in the closed, original container in a cool, secure well-ventilated area. Do not store for prolonged periods in direct sunlight. Protect from frost.
Herbicide			
Roundup	<ul style="list-style-type: none"> 320mg/L Glyphosate 	General weedkiller applied as required.	Store in a cool, dry, well-ventilated area, out of direct sunlight. Store in suitable, labelled containers. Keep containers tightly closed. Store away from incompatible materials. Protect from freezing.
Prometryn	<ul style="list-style-type: none"> 900g/kg Prometryn 	Control of competing weeds.	Store in the closed, original container in a dry, cool well-ventilated area out of direct sunlight.
Insecticide			
Lannate	<ul style="list-style-type: none"> 225g/L methomyl 	Control of insect pests.	Store in a well-ventilated place. Keep cool. Store locked up.



182 Waterville Road, Wanerie – Farm Management Plan

Product	Active Chemical concentration	Usage	SDS Storage requirements
Movento	<ul style="list-style-type: none"> 240 g/L Spirotetramat 	Control of sucking pests including silverleaf whitefly, various aphid, scale and thrips pests.	Store in original container. Keep containers tightly closed in a dry, cool and well-ventilated place. Store in a place accessible by authorized persons only. Keep away from direct sunlight. Protect from frost.
Success Neo	<ul style="list-style-type: none"> 120 g/L Spinetoram 	Control of insect pests. In celery, Helicoverpa is the target species	Spray mix should be used immediately after preparation but may be stored up to 72 hours. Store in the closed, original container in a cool well-ventilated area. Do not store for prolonged periods in direct sunlight. Do not store near food, feedstuffs, fertilisers, or seed.
Sumi Alpha	<ul style="list-style-type: none"> 50 g/L Esfenvalerate 	Control of insect pests.	Store in the close original contained in a cool, well-ventilated area. Do not store for long periods in direct sunlight.
Tranform Isoclast	<ul style="list-style-type: none"> 240 g/L Sulfoxaflor 	Control of aphids and other insect pests.	Store in the closed, original container in a cool well-ventilated area. Do not store for prolonged periods in direct sunlight. Do not store near food, feedstuffs, fertiliser, ort seed.
Versys	<ul style="list-style-type: none"> 100g/L Afidopyropen 	Control of aphids and suppression of silverleaf white fly.	Store in the closed, original container in a dry, cool, well-ventilated area out of direct sunlight.

Information sources::

- BASF Australia (<https://www.basf.com/au/en.html>)
- Bayer Australia (<https://www.crop.bayer.com.au/>)
- Corteva Agriscience (<https://www.corteva.com.au/>)
- FMC (<https://www.fmccrop.com.au/>)
- Grochem Australia (<https://www.grochem.com.au>)
- Nufarm Australia (<https://nufarm.com/au/>)
- Oasis Turf (<https://www.oasisturf.com.au/>)
- Pest Genie (<https://www.pestgenie.com.au/>)

4.9 Waste Generation

Waste generation on site is not predicted to be beyond standard measures produced by general rural farming activities. Table 4-5 outlines the potential waste generation on site and the appropriate management solution.



182 Waterville Road, Wanerie – Farm Management Plan

Table 4-5: Waste management on site

Item	Waste Management/Disposal
Empty Chemical Drums	Thorough cleaning aligned with requirements of the chemical and recycling through Drum Muster where appropriate.
Plastic, wood and paper waste	Recycled where possible or disposed offsite (generally to Shire of Gingin waste management facility located on Cockram Road, Gingin – Class II putrescible landfill site)
Organic matter waste	Any remaining crop in the ground or waste from the packing operations will be incorporated back into soil onsite.
Other waste	Recycled where possible or disposed offsite (generally to Shire of Gingin waste management facility located on Cockram Road, Gingin – Class II putrescible landfill site)



5 Management

Management objectives and actions relating to environmental aspects of the site are outlined below in Sections 5.1 to 5.9.

5.1 Water and Nutrient Management

5.1.1 Management Objective

To conserve water resources, protect the long-term sustainability and productivity of the soil and to protect downstream waterways and environmental receptors.

5.1.2 Management Actions

Irrigation and Fertiliser Management

The Spearwood Sands underlying the site are relatively infertile and with only low to moderate nutrient retention capacity. Celery is a shallow-rooted crop with high fertiliser requirement. The fertiliser program will aim to maximise yield and quality with minimum fertiliser input and cost, while minimising adverse off-site effects such as leaching, wind drift or overspray.

The phosphorus retention capacity of Spearwood Sand is higher than that of other sandy geological units of the Swan Coastal Plain. That, coupled with appropriate fertiliser practices and the significant separation to the groundwater table, means that phosphorus leaching to the groundwater system and downstream receptors (e.g. Moore River) is considered low.

Nitrate leaching is of more potential concern for the site operations given its mobility through the soil profile. The nitrate leaching risk will be managed through appropriate fertiliser and irrigation regimes, the key principle of which is matching watering and fertiliser application to crop demand and soil conditions. This includes consideration of the three phases of growth (establishment, rapid growth and maturation) and optimising the amount and method (i.e. banding or fertigation) of fertiliser application during each.

Irrigation scheduling will focus on matching plant growth requirements and will be governed by weather and soil moisture conditions. Irrigation systems will be well maintained and operated to provide a high degree of uniformity. Irrigation application rates and timing (e.g. early to mid-morning and mid-afternoon) will be optimised to minimise leaching of water and nutrients through the sandy soil profile. For example, irrigation of young crops with shallow root zones will occur in shorter durations to keep soil moisture in the root zone.

The fertiliser and irrigation regimes will also be guided by periodic monitoring and testing including:

- Soil and soil water testing to measure nutrient concentrations
- Plant tissue analysis to measure nutrient and trace element concentrations
- Irrigation water testing to monitor fertiliser application rates

Separation to Water Resources

The site has significant horizontal and vertical separation from potential environmental receptors, being the underlying superficial aquifer and the Moore River.

Direct runoff of stormwater or irrigation water to Moore River will not occur given the approximately 1,300 metres setback from the watercourse to the proposed irrigation areas, the highly permeable sandy soils and the well vegetated land and riparian zone between the site and Moore River.

The most likely pathway for the transport of water and nutrients or other contaminants from the site to Moore River would be via the superficial aquifer. The moderate phosphorus retention capacity of the natural soils in combination with the significant depth to the water table makes it unlikely that phosphorus will migrate through the unsaturated zone to the superficial aquifer. Nitrate is more mobile and has the potential



to move through the soil profile, to the superficial aquifer and ultimately to Moore River via groundwater flow. However, with appropriate fertiliser and irrigation practices this is considered low risk given the vertical and horizontal separation distances between the site and those receptors. It is also noted that nitrate concentration monitoring of groundwater production bores is a requirement of the Groundwater Operating Strategy to identify groundwater quality impacts from the site activities.

Water Quality Protection Note No. 22 (DoW, 2008) provides guidance on irrigation schemes utilising nutrient-rich wastewater, including fertigation with recycled runoff from agricultural land. Whilst the guidance is not directly applicable to the site (which will not irrigate with wastewater), it has general relevance as it relates to the management of water and nutrient application to land with nearby sensitive water receptors. The proposal is consistent with the guidance, in the following aspects:

- Separation to the water table is more than 2 metres
- The land being irrigated is not subject to seasonal flooding
- Whilst the slope of the land exceeds the recommended 1 in 20 in the guidance, the crop rows will mitigate the effective slope / runoff potential
- Appropriate buffers are retained to sensitive water resources.

In regard to buffer / separation distances, Water Quality Protection Note No. 22 states that any proposal within 500 metres of a sensitive water resource should be referred to the Department of Water and Environmental Regulation (DWER) for assessment. The site has more than 1 kilometre horizontal separation from the Moore River. This distance exceeds any typical wetland buffer or foreshore setback distance that would be expected for protection of a watercourse and its existing foreshore attributes. It also exceeds the 300-500 metre buffer distance recommended between market gardens and sensitive water resources under Separation Distances between Industrial and Sensitive Land Uses (EPA, 2005).

In terms of groundwater separation, the depth to groundwater (>20 metres) far exceeds the minimum 2m separation suggested in Water Quality Protection Note No. 22 as well as Water Quality Protection Note No. 6 Vegetation buffers to sensitive water resources (DoW, 2006).

In summary, the site is considered to have adequate separation distance from environmental receptors to support the proposed activities. The potential contaminant and pathway of concern is nitrate leaching and migration via the groundwater system to Moore River. However, it is considered that this potential impact can be adequately managed through appropriate irrigation and fertiliser practices as well as ongoing monitoring to identify any impacts (as required under the Groundwater Operating Strategy) which includes:

- Monthly monitoring of abstraction volumes from production bores
- Monthly monitoring of water levels from production and monitor bores
- Quarterly field measurements of water quality (pH, EC and temperature) from production bores
- Annual (in March/April) laboratory analysis of water quality (EC, total dissolved solids, pH, total nitrogen, nitrite/nitrate as N, total phosphorus, sulphate and chloride) from production bores.

Contingency measures identified in response to water level or water quality exceedances beyond the trigger levels identified within the Groundwater Operating Strategy (Pennington Scott, 2013) include:

Water Levels

- Investigate likely reasons for the trigger level exceedance and potential offsite impacts (if any)
- Consider the need to potentially reconfigure the groundwater abstraction location, timing and volumes
- Discuss the exceedance and propose actions as part of the annual monitoring report submissions to the DWER, with any required changes to be implemented by the start of the next water year.



182 Waterville Road, Wanerie – Farm Management Plan

Water Quality

- Review fertilisation practices to determine what adjustment is required to reduce leaching (e.g. additional soil moisture probes, change in fertiliser type, timing, amount, etc.
- Review the monthly field salinity data to determine whether there is a seasonal pattern or trend to the leaching
- Advise the DWER within 30 days of the test results and of the revised nutrient management strategy, and get DWER feedback and signoff
- Implement the revised plan immediately following signoff

5.2 Separation to nearby Sensitive Receptors

5.2.1 Management Objective

To protect surrounding sensitive land uses from potential emissions generated from the site operations.

5.2.2 Management Actions

The location of nearby sensitive land uses is identified in Section 3.6 and shown on Figure 4. It is noted that all residential dwellings aside from the house located on Lot 118 Cowalla Road, Wanerie have a vegetated buffer separating the dwelling from site.

EPA Guidance Statement No. 3 identifies a recommended buffer distance of between 300m to 500m between market gardens and sensitive land uses (EPA, 2005).

The Department of Health (DoH, 2012) recommends a separation distance of 300m for to control spray drift, dust, smoke and ash, or alternatively a 40 m separation distance can be used where a vegetative buffer has been adequately designed, implemented and maintained in accordance with these guidelines.

The features recommended by DoH for this vegetation buffer and their incorporation into the site design are summarised on Table 5-1.

Table 5-1: Vegetation Buffer Features

DoH Recommended Features	Onsite Buffer Design
Be located as close as practicable to the point of release of the spray.	A screen of Tuart trees has been planted around the edges of each pivot which within 25m of the crops and associated spray area.
A minimum total width of 40 m made up of 10 m cleared fire break area either side of a 20 m wide planted area.	<p>The vegetation screens provided onsite comprise a two to twelve row Tuart screen around the edges of the pivots as well as a two row Casuarina screen around the property boundary.</p> <p>Based on the mature tree diameter of Tuarts (i.e. 15m) and the separation distance between the rows (8m) this screen will have a width at maturity of approximately 16m per row with between 2 and 12 rows planted around pivots.</p> <p>The casuarinas trees planted onsite have a mature width of approximately 3m, which combined with the 2m separation between planted rows provides for a 5m wide vegetated screen.</p> <p>Based on the combined width of both screening layer the requirements for a minimising 20m wide planted area is exceeded.</p> <p>It is further noted that a 10m wide fire break is provided between the casuarina screen and the property boundary and a 7m setback is also provided between the Tuart screen and the cropping extent.</p> <p>The location of the vegetation screens is shown in Appendix 2.</p>



182 Waterville Road, Wanerie – Farm Management Plan

DoH Recommended Features	Onsite Buffer Design
Contain random plantings of a variety of tree and shrub species of differing growth habitats, at spacings of 4-5 m.	The tree screen will incorporate both Tuart and Casuarina trees planted at in two rows at spacings of 8m for Tuarts and 2m for Casuarina. This spacing has been selected so that at maturity these trees will form a continuous vegetative screen along the screen alignments.
Include species with long, thin (needle-like) and rough (furry/hairy) foliage which facilitates the more efficient capture of spray droplets and which are fast growing and hardy.	Tuart and casuarina trees have different foliage characteristics as noted in Table 4-3. As described above the Tuarts will be planted in rows surrounding the pivots and Casuarinas will be along the property boundary. Casuarina have long, thin foliage which will assist to more efficiently capture any spray droplets which come into contact with this vegetation screen. Tuart trees have more broader foliage and are a larger tree incorporated into the screening layers.
Foliage should be from the base to the crown; mixed plantings of trees may be required to ensure there are no gaps in the lower canopy.	Tuart foliage will predominantly occur in the upper half to two thirds of the mature tree height (Arborwest Tree Farm, 2023) as evident Plate 4-1. Casuarina trees have branches can start near the base of the trunk (Leafland NZ, 2023).
Provide a permeable barrier which allows air to pass through the buffer. A porosity of 0.5 is acceptable (that is, approximately 50% of the screen should be air space).	The planted screens will provide a permeable barrier to facilitate air flow. Examples of the mature screens of these species are provided in Plate 4-7 and Plate 4-8.
Have a mature tree height twice the height of the spray release height.	The maximum height of spray release will be 1m. The height of the tree screens at maturity will be approximately 25m for the Tuart trees and 8m for the casuarina trees (see Table 4-3). As such the mature tree height will easily exceed twice the height of the spray release.
Have mature height and width dimensions which do not detrimentally impact upon adjacent crop land.	The setback of the planted Tuart screen of 25m from the outer extent of the pivots will ensure that the mature dimensions of this vegetation screen do not impact upon the crop land.

As identified in Section 3.1.3, the dominant wind directions in this location are easterly in summer mornings and south westerly in summer afternoons. On this basis the dwelling located at Lot 118 Cowalla Road has been identified as having the most potential to be impacted by activities onsite, based on the location being directly east of the site and the absence of a mature natural vegetation screen between the property and the cropping areas. All other nearby surrounding dwellings have a greater setback to the cropping areas and have mature native vegetation downgradient of the predominant wind direction between the dwellings and the cropping areas.

In order to reduce potential disturbance to surrounding land uses from the activities onsite, the following measures will be put in place in relation to the screening vegetation:

- The casuarina screen will be irrigated to promote rapid growth
- Cropping within the three eastern most pivots will be restricted as shown on Appendix 2 until the tree screen has met the following criteria:
 - Minimum casuarina height of 3m (i.e., three times the height of chemical/fertiliser application height)
 - Minimum casuarina foliage cover of 50% of the screen alignment



182 Waterville Road, Wanerie – Farm Management Plan

- Prior to extending cropping over the full 360° extent of the eastern pivots, approval will be sought from the Shire to confirm satisfaction of DA conditions. A summary report identifying the tree growth parameters in relation to the above requirements will also be provided.
- Should trees deaths occur within the casuarina or tuart screen leading to gaps greater than 3m wide within the mature tree screen zone, new trees will be planted in these locations to repair the screen integrity.
- Vegetation health and growth within the tree screens will be visually assessed on a regular basis. Photographs documenting the vegetation growth will be collected from a minimum of five locations along the eastern site boundary at least twice per year (i.e., six monthly intervals). These photographic records will be maintained and will be available for provision to the Shire upon request.

In addition to provision of vegetated screens onsite, additional management measures have been proposed in relation to dust, spray direct, odour, noise, stable fly and waste management. Further detail on each of these matters is provided below.

5.3 Dust, Spray Drift and Odour Management

5.3.1 Management Objective

The management objectives relevant to these matters include:

- To ensure that construction activities and farm operations minimise the generation of dust on site, and to minimise dust movement off-site.
- To ensure that farm operations do not produce odours that unreasonably impact neighbours.
- To avoid spray drift occurring beyond the site boundary.

5.3.2 Management Actions

Key potential sources of dust, spray drift and odour emission include:

- Fertilisation application
- Chemical application
- Vehicles movement generating dust
- Ploughing, ripping or hoeing of the irrigation areas
- Decomposition or organic matter
- Windblown dust from disturbed ground

The following actions will be undertaken to manage potential dust, spray drift and odour emissions onsite:

Dust Management

- The main driveway will comprise a bitumen surface to prevent dust emissions
- Trucks delivering material to or from the site will have their load inside a Pantech or with tarpaulin covers
- Vegetation screens will be established and maintained within the site as described in Section 5.2.2.
- Cover crops (e.g. barley or sorghum) will be planted within two weeks of harvesting the celery, when pastures are not being immediately re-used for celery production to reduce risk of soil becoming windborne
- Irrigation rates will be maintained to provide sufficient soil moisture levels for plant growth. These soil conditions impede dust generation



- Maximum speed of tractors operating within pivots will be 15km/hr
- Maximum speed of tractors on farm roads will be 30km/hr
- Ploughing, ripping and hoeing will occur when soil moisture levels are sufficient to prevent dust generation

It is noted that soil protection is an important element of the site management as loss of surface soils would reduce nutrient availability and reduce site productivity. As such dust management is a critical item to successful and profitable production.

Spray Drift Management

- Fertilisers and chemicals will be applied at rates as per manufacture specifications
- Fertilisation and chemical application through the irrigation system incorporates the following features to reduce odour and spray drift emissions:
 - The height of the irrigation water outlets is 1.2m above ground level and spray downwards minimising the distance between crop height and solution release
 - Fertiliser and chemical application through the system would not occur in wind conditions exceeding 10km/hr
- The John Deere 6155MH High-Crop Tractor will be used for application of chemicals which are not suitable for incorporation into the irrigation system. This specialty tractor is raised in height to allow movement over the crops so that chemicals can be released directly onto the plants at a reduced height of 0.5 to 1m (depending on the height of the crop above ground level) reducing potential for spray drift.
- The onsite weather station will be used to assess wind conditions prior to chemical application. chemicals would not be applied where wind speeds exceed 10km/hr
- Vegetation screens will be established and maintained within the site as described in Section 5.2.2.

Odour Management

- Waste organic matter will be incorporated back into soil within 3 days of harvesting or waste generation at the packing shed
- The proposed chemical storage shed will be located approximately 515m from the property's eastern boundary and 625m from the northern boundary at its closest point. This exceeds the recommended 300m separation distance to nearby sensitive land uses as outlined in EPA Guidance Statement No. 3 for minor chemical storage.

If dust, spray drift or odour was to occur and result in an unreasonable impact to neighbours the following contingency actions would be implemented:

- Liaise with the neighbour to understand the details relating to the issue
- Discuss the matter with the Shire, including any proposed management actions required to address the risk of an unreasonable impact occurring going forward
- Implement any revised management actions as agreed resulting from landowner and Shire consultation.



5.4 Noise Management

5.4.1 Management Objective

To ensure that construction activities and farm operations do not produce noise that unreasonably impacts neighbours.

5.4.2 Management Actions

The most likely noise emission from the property relate to the use of vehicles and machinery onsite. It is noted that the *Environmental Protection (Noise) Regulation 1997* do not apply to farming vehicles so long as the vehicle has a noise reduction system, that has been maintained to a reasonable standard and the works undertaken are reasonably necessary (see Section 2.3).

Irrespective of the requirements of the noise regulations, the proponent strives to avoid potential noise disturbance offsite, particularly in early morning, evening and nighttime periods.

In order to minimise the change of disturbance to surrounding residents the following management actions are to be implemented onsite:

- General farming machinery will operate only during the day whenever possible
- Scenarios where machinery may operate in the early morning, evening or night include:
 - Where chemical application is required at these times to avoid spray drift (i.e., avoid predicted high wind conditions)
 - Droplet size can be adjusted to minimize drift
 - Addition of coadjuvant/stickers to minimise drift
- The proposed packing shed is located within the centre of the site, distant to nearby dwellings (i.e., the closest dwelling to the proposed packing shed is located approximately 725 m east). The hours of operation at the packing shed will not commence prior to 6am and will conclude at 5pm.
- Farm equipment will be maintained to the manufacturer's specifications (see Section 4.3 for equipment details). All vehicles will contain mufflers to reduce noise emissions.
- The irrigation system has jet nozzles which operate at 10 to 15 psi which limits noise generation
- Use of machinery within pivots 1 to 3 will be avoided prior to 7am whenever possible, with early operations focusing on the pivots with a greater distance to the eastern site boundary.

If unreasonable noise emissions were to occur from operations onsite the following contingency actions would be implemented:

- Liaise with the party concerned by the emission to understand the details relating to the issue
- Discuss the matter and with Shire, including any proposed management actions required to address the risk of an unreasonable impact occurring going forward
- Implement any revised management actions as agreed resulting from landowner and Shire consultation.

5.5 Stable Fly Management

5.5.1 Management Objective

To ensure that the potential for stable fly breeding on site is minimised.



5.5.2 Management Actions

Stable fly (*Stomoxys calcitrans*) is a declared pest under the *Biosecurity and Agriculture Management Act 2007*, that has become an aggravating pest in Western Australia, particularly on the Swan Coastal Plain, north and south of Perth. The *Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019* which manages stable fly has an area of jurisdiction that includes the Shire of Gingin where the site is located (DPIRD, 2023c).

Stable fly can attack humans, domestic pets and livestock, seeking to draw blood which is essential to complete its life cycle. Stable fly is primarily a pest of livestock, especially cattle and horses but also affects humans, dogs and other animal pets. Stable flies typically occur in large numbers from late spring through to late autumn and can cause economic losses and in extreme cases, stock losses (DPIRD, 2023c).

The main way to limit stable fly numbers is to ensure that a site does not provide habitat for the full breeding cycle of the fly. Rejected produce can produce the ideal environment for stable fly breeding if not appropriately processed before reburial.

Aligned with the *Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019* (WA Govt, 2019b), the proponent will:

- Harvest crops within 6 weeks of reaching maturity
- Following harvest, any remaining crop in the ground will be incorporated back into soil within 3 days as prescribed
- All organic waste from packing operations (including produce not fit for sale) will be incorporated back into the soil within 3 days as prescribed
- Rejected produce and waste is to be buried at least 30 cm under soil, or sprayed with a high-volume pesticide
- Production levels will be managed to ensure ongoing compliance with the *Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019*
- All chemical and fertilizer containers will be disposed of through approved channels

Contingency measures proposed in the event that a Stable Fly outbreak was to occur include:

- Apply control measures, such as:
 - Install fly traps which target biting flies. The simplest form of a biting fly trap uses a white board or panel with a non-drying glue painted onto the surface to catch the flies. These traps are specific to biting flies and will catch very little else, so they are very effective. Secure the white board to a star picket or along a fence line with cable ties at 1m from the ground to avoid getting dirt and dust on the board. Paint one or both sides of the board with the non-drying glue, which must be heated on a hot plate first until it has thinned and can be painted on more easily. Once the white boards are covered with flies, remove with a paint scraper then repaint on the glue. Multiple boards cleared daily and re-painted with gel can remove several thousand stable flies (Shire of Toodyay, undated). Images of these traps are provided in Plate 5-1.



Plate 5-1: Stable Fly Trap Example

Source: Shire of Toodyay, undated

- Chemical control in the form of insecticides application. Residual sprays should be applied where the flies rest (e.g. shady surfaces, fences, walls) so the insecticide residue can be absorbed, killing them. These are effective for about 1-2 weeks, but rain, high temperatures and sunlight all reduce the residual effect. A list of insecticides which are approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) for the treatment of Stable Fly can be accessed via the APVMA PubCRIS database: <https://portal.apvma.gov.au/pubcris>
- Report the stable fly outbreak to the Department of Primary Industries and Regional Development through the online reporting system available at <https://www.agric.wa.gov.au/pests-weeds-diseases/mypestguide>

5.6 Waste Management

5.6.1 Management Objective

To ensure that the potential for off-site impacts regarding waste is minimised.

5.6.2 Management Actions

The potential wastes which may be generated at the site are described in Section 0. The following waste disposal and management actions will be undertaken onsite:

- Recycling of used chemical drums through Drum Muster
- Recycling of plastic and wood products, if possible. Where not possible these will be disposed offsite to the Shire of Gingin waste management facility
- Any remaining crop in the ground or waste from the packing operations will be incorporated back into soil onsite. Further details in relation to organic material management are provided in Section 5.5.2.
- Disposal of other waste at the Shire of Gingin waste transfer facility

5.7 Complaints Management

5.7.1 Management Objective

Effective handling of and accurate record keeping of complaints so that potential for complaints re-occurring is minimised.



182 Waterville Road, Wanerie – Farm Management Plan

5.7.2 Management Actions

A sign is to be erected at front gate providing contact details for the premises. A complaints register will be established in order to maintain accurate records of any complaints from the general public or otherwise.

The Managing Director is responsible for identifying and executing corrective actions or changes in relation to any complaints received, including liaising with external parties (if required) and complaint investigation.

The site complaints register will be made available to the Shire of Gingin upon request.

5.8 Staff Amenities

5.8.1 Management Objective

To ensure that additional staff amenities provided onsite do not adversely impact nearby sensitive environmental receptors or nearby sensitive land uses.

5.8.2 Management Actions

The following additional staff amenities are proposed to be provided onsite, within the new packing shed:

- Toilet facilities
- Showers
- Lunch room
- Approval will be sought from the Department of Health for installation of new sewage treatment system apparatus.

5.9 Safe Vehicle Access

5.9.1 Management Objective

To ensure safe vehicle access to and from the site, including ensuring suitable sight lines are present.

5.9.2 Management Actions

To ensure safe vehicle access entering and leaving the site vegetation management within the road reserve may be undertaken to ensure safe sight lines are provided in accordance with specialist traffic safety advice. Any vegetation removal will utilise the following Native Vegetation Clearing Permit exemption as identified under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Table 5-2: Native Vegetation Clearing Permit – Crossover Exemption

Item No.	Wording of Exemption	DWER Comment / Explanation
Regulation 5, Item 21A A Clearing for a crossover Clearing must be done by or with the authority of: The person with the authority to construct the crossover.	Clearing that is the result of constructing a crossover from a road to a property adjacent to the road, and any associated sight line areas, if the construction is within the scope of the authority to construct the crossover.	This exemption allows for the creation of a crossover between a road and a property, to enable access to that property through the road reserve. “Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles. This exemption does not apply in an environmentally sensitive area.



182 Waterville Road, Wanerie – Farm Management Plan

Based on the setback of the onsite vegetation screens from the road reserve (i.e. at least 10m), tree growth in these locations is not anticipate to impact sight lines. Should any concerns in this regard be identified in the future pruning of the onsite vegetation would be undertaken to facilitate safe site entry and egress.



6 Future Environmental Approvals

6.1 Groundwater Operating Strategy

The Groundwater Operating Strategy currently in place for the site is:

- Tana Group Moore River Olive Properties – Groundwater Operating Strategy (Pennington Scott, 2013)

The operating strategy will be updated following confirmation of the future site use to ensure that management and monitoring actions are updated, as appropriate.

The updated operating strategy will be submitted to the Department of Water and Environmental Regulation for approval. a copy of the approved strategy can be provided to the Shire of Gingin, if requested.

6.2 Onsite Effluent Disposal

As the site is within a Sewage Sensitive Area, any new sewage treatment systems will be provided in accordance with *AS/NZS 1547 On-site domestic wastewater management* (WA Govt, 2019a). This will include the preparation of a Site and Soil Evaluation report.



182 Waterville Road, Wanerie – Farm Management Plan

7 Implementation Summary

A summary of the farm management actions which will be undertaken onsite is provided in Table 7-1.

Table 7-1: Management Actions Summary

Topic	Action
Water and Nutrient Management	Implement appropriate fertiliser and irrigation regimes, to match watering and fertiliser application to crop demand and soil conditions.
	Irrigation systems will be well maintained and operated to provide a high degree of uniformity. Irrigation application rates and timing will be optimised to minimise leaching of water and nutrients through the sandy soil profile
	Monitoring and testing to include: <ul style="list-style-type: none"> • Soil and soil water testing to measure nutrient concentrations • Plant tissue analysis to measure nutrient and trace element concentrations • Irrigation water testing to monitor fertiliser application rates
	Groundwater monitoring to be undertaken including: <ul style="list-style-type: none"> • Monthly monitoring of abstraction volumes from production bores • Monthly monitoring of water levels from production and monitor bores • Quarterly field measurements of water quality (pH, EC and temperature) from production bores • Annual (in March/April) laboratory analysis of water quality (EC, total dissolved solids, pH, total nitrogen, nitrite/nitrate as N, total phosphorus, sulphate and chloride) from production bores
Separation to nearby sensitive receptors	Installation and maintenance of a Tuart screen at a setback of 25m from the pivot boundaries. Tuarts to be planted at 8m spacings in 2 to 12 rows.
	Installation and maintenance of a Casuarina screen along property boundaries adjacent to rural residential land uses. Casuarina trees to be planted at 2m spacing in 2 rows Casuarina trees are to be irrigated to promote rapid growth
	Cropping within the three eastern most pivots will be restricted as shown on the site plan (Appendix 2) until the tree screen has met the following criteria: <ul style="list-style-type: none"> • Minimum casuarina height of 3m (i.e., three times the height of chemical/fertiliser application height) • Minimum casuarina foliage cover of 50% of the screen alignment Prior to extending cropping over the full 360° extent of the eastern pivots, confirmation of conditions being met will be sought from the Shire.
	Should trees deaths occur within the casuarina or tuart screen leading to gaps greater than 3m wide within the mature tree screen zone, new trees will be planted in these locations to repair the screen integrity.
	Vegetation health and growth within the tree screens will be visually assessed on a regular basis. Photographs documenting the vegetation growth will be collected from a minimum of five locations along the eastern site boundary at least twice per year (i.e., six monthly intervals). These photographic records will be maintained and will be available for provision to the Shire upon request.
Dust, Spray Drift and Odour	Dust Management to include: <ul style="list-style-type: none"> • The main driveway will comprise a bitumen surface • Trucks delivering material to or from the site will have their load within a Pantech or covered with tarpaulins



182 Waterville Road, Wanerie – Farm Management Plan

Topic	Action
	<ul style="list-style-type: none"> Vegetation screens will be established and maintained within the site Cover crops (e.g. barley or sorghum) will be planted within two weeks of harvesting the celery, when pastures are not being immediately re-used for celery production Irrigation rates will be maintained to provide sufficient soil moisture levels for plant growth. Maximum speed of tractors operating onsite will be 15km/hr within pivots and 30km/hr on sealed farm roads/internal tracks Ploughing, ripping and hoeing will occur when soil moisture levels are sufficient to prevent dust generation
	<p>Spray Drift Management to include:</p> <ul style="list-style-type: none"> Fertilisers and chemicals will be applied at rates as per manufacture specifications Fertilisation and chemical application through the irrigation system incorporates the following features to reduce odour and spray drift emissions: <ul style="list-style-type: none"> The height of the irrigation water outlets are 0.5 to 1m above ground level and spray downwards Fertiliser and chemical application through the system would not occur in wind conditions exceeding 10km/hr The John Deere 6155MH High-Crop Tractor, which allow for spray application at a height of 0.5 to 1m will be used for application of chemicals which are not suitable for incorporation into the irrigation system. The onsite weather station will be used to assess wind conditions prior to chemical application. chemicals would not be applied where wind speeds exceed 10km/hr Vegetation screens will be established and maintained within the site
	<p>Odour Management to include:</p> <ul style="list-style-type: none"> Granular fertiliser will be banded or broadcast at manufacturer recommended levels Waste organic matter will be incorporated back into soil within 3 days of harvesting or waste generation at the packing shed
Noise Emissions	General farming machinery will operate only during the day whenever possible
	The hours of operation at the packing shed will not commence prior to 6am.
	Farm equipment will be maintained to the manufacturer’s specifications (see Section 4.3 for equipment details). All vehicles will contain mufflers to reduce noise emissions.
	The irrigation system has jet nozzles which operate at 10 to 15 psi which limits noise generation.
	Use of machinery within pivots 1 to 3 will be avoided prior to 7am whenever possible, with early operations focusing on the pivots with a greater distance to the eastern site boundary.
Stable Fly Prevention	Crops will be harvested within 6 weeks of reaching maturity
	Following harvest, any remaining crop in the ground will be incorporated back into soil within 3 days as prescribed
	All organic waste from packing operations (including produce not fit for sale) will be incorporated back into the soil within 3 days as prescribed
	Rejected produce and waste is to be buried at least 30 cm under soil, or sprayed with a high-volume pesticide
	All chemical and fertilizer containers will be disposed of through approved channels
Waste Management	Recycling of used chemical drums through Drum Muster.
	Recycling of plastic and wood products, if possible. Where not possible these will be disposed offsite to the Shire of Gingin waste management facility.



182 Waterville Road, Wanerie – Farm Management Plan

Topic	Action
	Any remaining crop in the ground or waste from the packing operations will be incorporated back into soil onsite.
	Disposal of other waste at the Shire of Gingin waste transfer facility.
Complaints Management	A sign is to be erected at front gate providing contact details for the premises. A complaints register will be established in order to maintain accurate records of any complaints from the general public or otherwise.
	The managing director is responsible for identifying and executing corrective actions or changes in relation to any complaints received, including liaising with external parties (if required) and complaint investigation.
	The site complaints register will be made available to the Shire of Gingin upon request.



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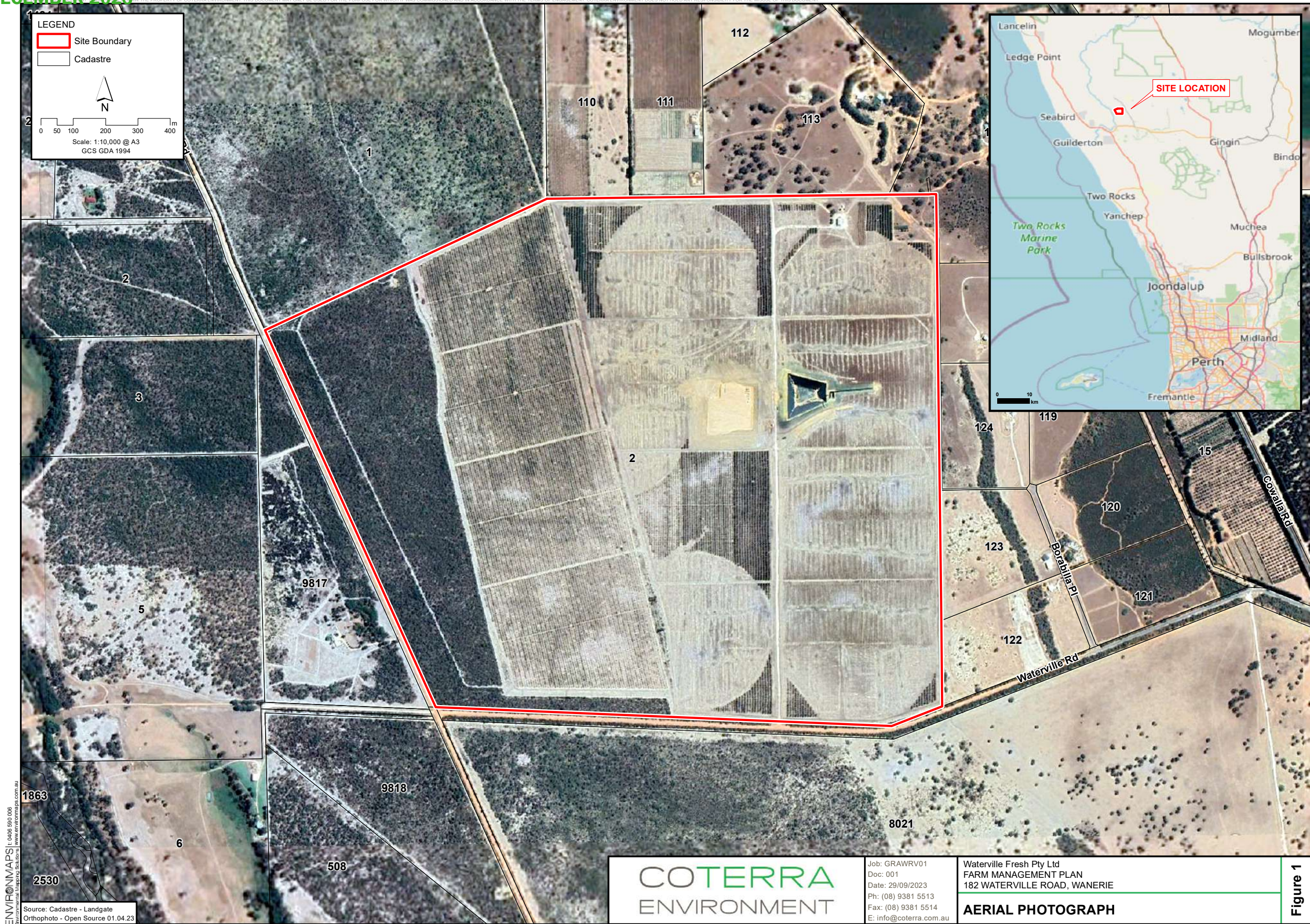
182 Waterville Road, Wanerie – Farm Management Plan

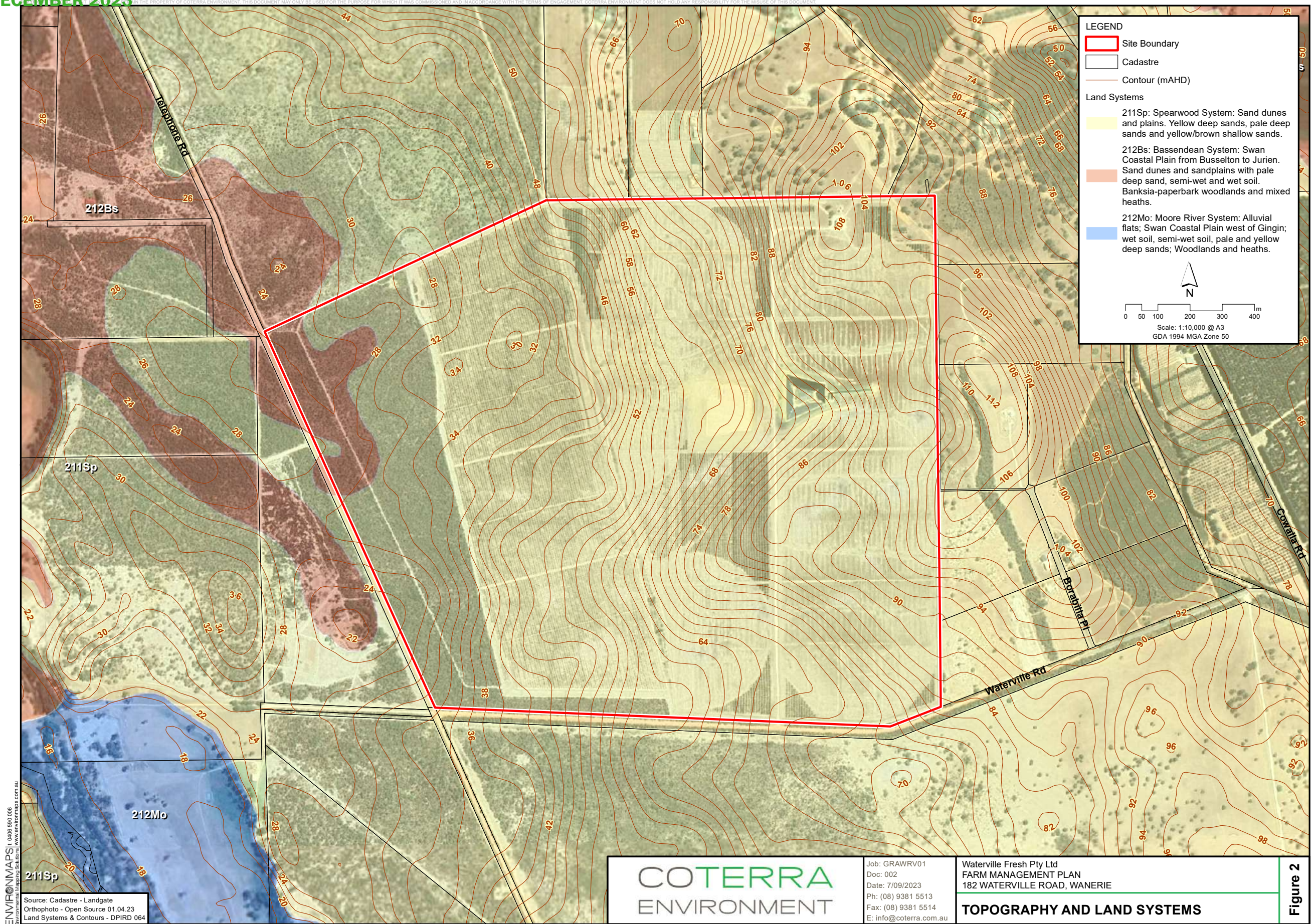
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182 Waterville Road, Wanerie – Farm Management Plan

Figures





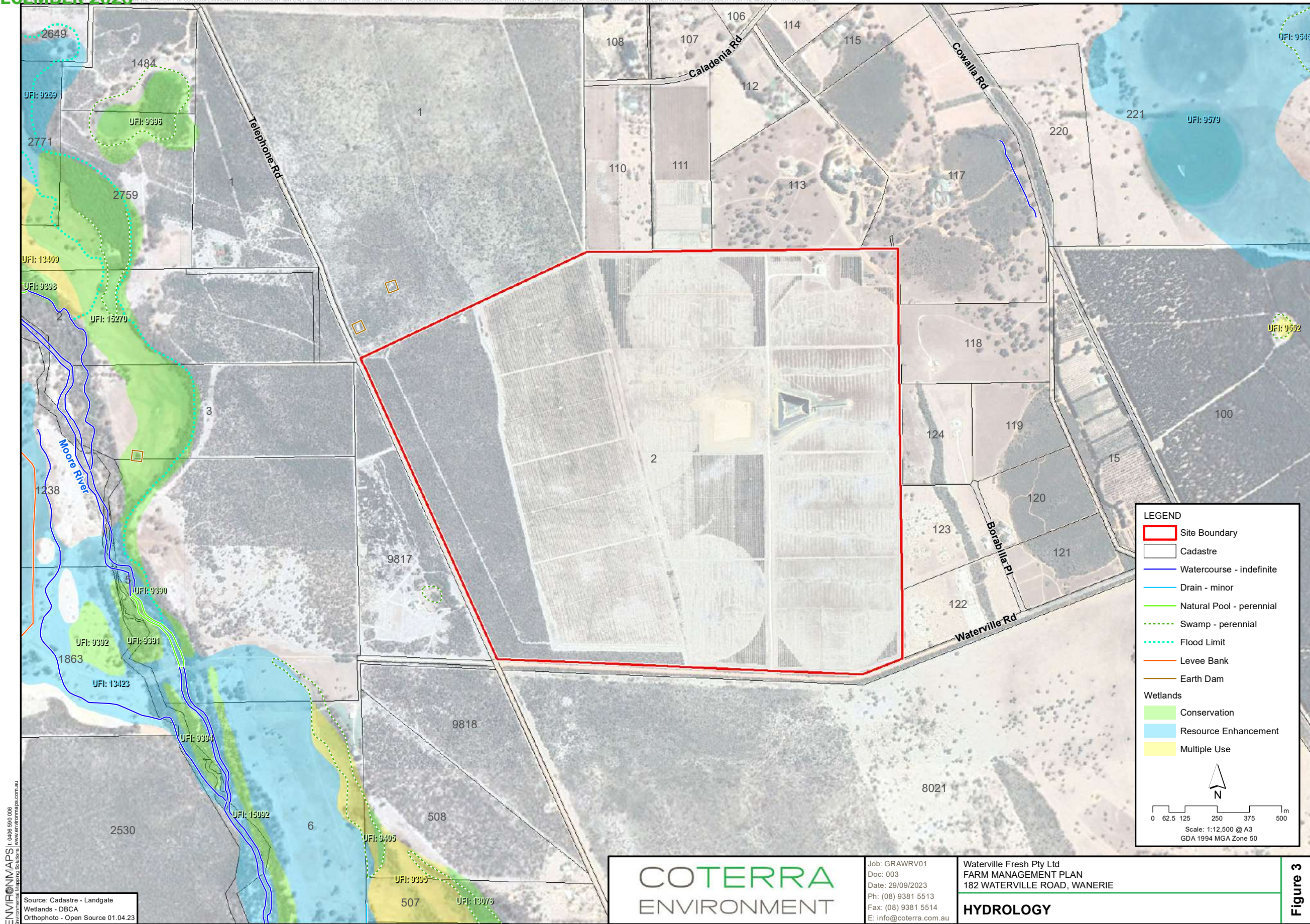
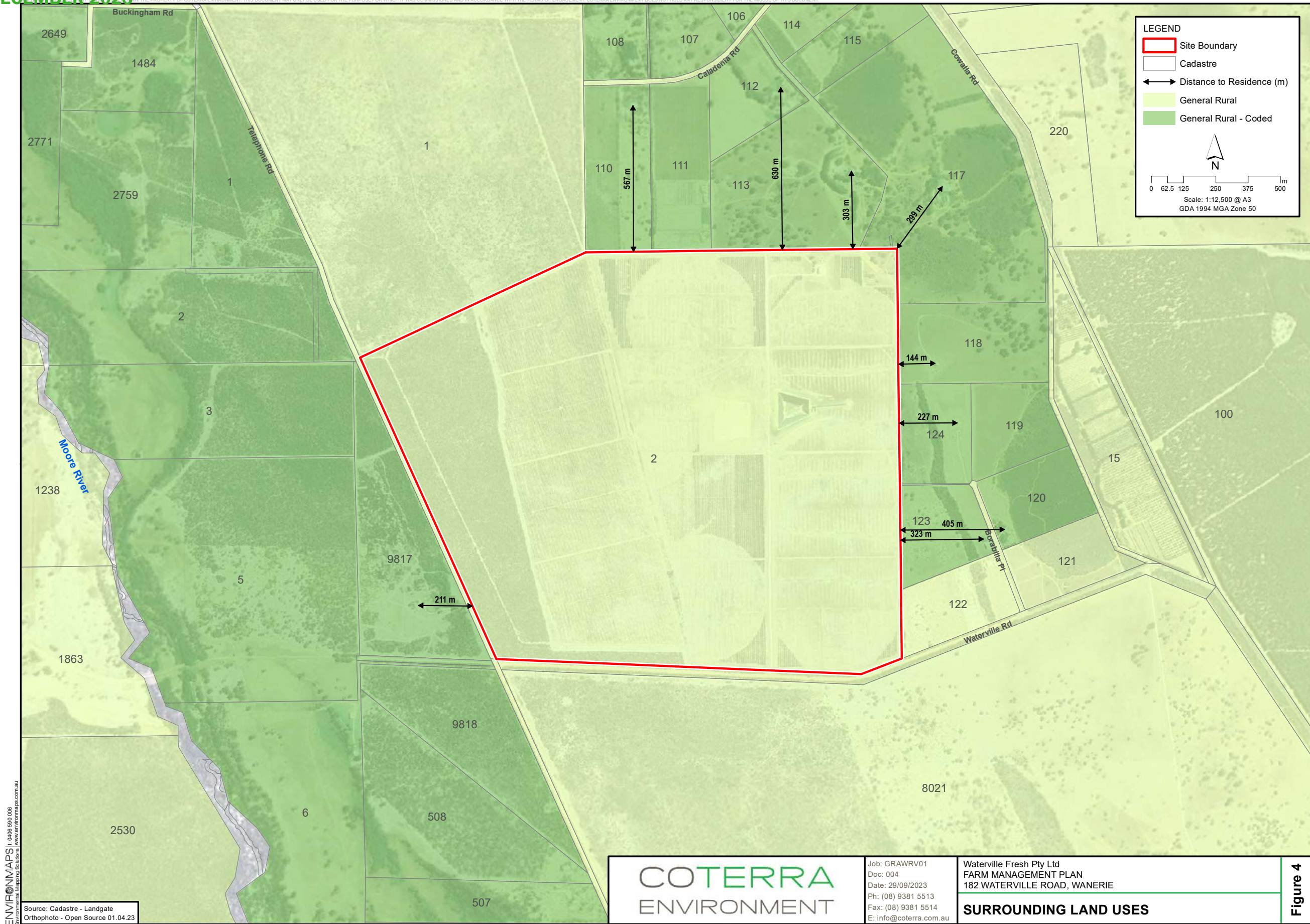


Figure 3





Appendix 1 Reasons for Refusal



27 June 2023

Lisa Tana - Waterville Fresh Pty Ltd
PO Box 63
Tuart Hill WA 6060

Via email: lisa@nee.com.au and vincent@nee.com.au

Dear Sir/Madam,

**DEVELOPMENT APPLICATION: CHANGE OF USE FROM AGRICULTURE INTENSIVE (PERENNIAL HORTICULTURE) TO AGRICULTURE INTENSIVE (ANNUAL HORTICULTURE) AND ASSOCIATED SHED
ADDRESS: LOT 2 (182) WATERVILLE ROAD, WANERIE**

I refer to your Application for Development Approval accepted by the Shire on 22 March 2023 for the abovementioned development.

Council considered your proposal at its Meeting on 20 June 2023. Please be advised that your Application has been refused, for the reasons outlined on the attached Notice of Determination, provided in accordance with the Clause 68 Clause of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

If you are aggrieved with the reasons for refusal, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*. A review application must be lodged to SAT within 28 days of the Shires determination. Enquiries or review applications should be made to SAT on (08) 9219 311 or visit www.sat.justice.wa.gov.au.

Should you require any further information on this matter, please contact the Planning Department on (08) 9575 5100 or email mail@gingin.wa.gov.au.

Yours sincerely,

**JAMES BAYLISS
COORDINATOR STATUTORY PLANNING**

JB/SS
Our Ref: BLD/5091 P2532
Enc: Notice of Determination & Approved Plans



A: PO Box 510, Gingin WA 6503
T: (08) 9575 5100
E: mail@gingin.wa.gov.au
ABN: 85 697 704 946
W: www.gingin.wa.gov.au



**NOTICE OF DETERMINATION ON APPLICATION FOR
DEVELOPMENT APPROVAL**

**SHIRE OF GINGIN
Local Planning Scheme No. 9**

Name and Address of Owner:

BRSF Pty Ltd
PO Box 63
Tuart Hill WA 6060

Name and Address of Applicant:

Lisa Tana
Waterville Fresh Pty Ltd
PO Box 63
Tuart Hill WA 6060

Location:

182 Waterville Road, Wanerie

Lot: 2

Plan/Diagram: P017210

Vol. No: 1854

Folio No: 199

Application Date: 5 November 2022

Received Date: 22 March 2023

Description of Proposed Development:

CHANGE OF USE FROM AGRICULTURE INTENSIVE (PERENNIAL HORTICULTURE) TO AGRICULTURE INTENSIVE (ANNUAL HORTICULTURE) AND ASSOCIATED SHED

The Application for Development Approval is:

REFUSED for the following reasons:

REASONS:

1. The development has not demonstrated compliance with objective (ii) of Local Planning Policy 1.6 - Agriculture Intensive, as the development may have an adverse impact on surrounding properties.
2. The development is inconsistent with Clauses 67(2)(s) and 67(2)(t) of the Deemed Provisions, as the road system in its current condition and design is unsafe to accommodate traffic and vehicles associated with the proposed development.
3. The development has not demonstrated compliance with Clause 67(2)(n) of the Deemed Provisions, as the development has not demonstrated that adverse amenity impacts on the locality will not arise.
4. The development has not demonstrated compliance with Clause 67(2)(c) of the Deemed Provisions, given clauses 5.8(c) and 58(d) (and related clauses of 5.12) of State Planning Policy 2.5 - Rural Planning have not been adequately addressed as technical analysis has not been provided in support of the proposed buffer distance to nearby sensitive land uses (dwellings) and the development may affect the nutrient loading of the Nullagine River.

5. The development has not demonstrated compliance with Clause 67(2)(d) of the Deemed Provisions, given the Environmental Protection Authority – Guidance for the Assessment of Environmental Factors; Separation Distances between Industrial and Sensitive Land Uses (June 2005) has not been adequately addressed in relation to buffers/separation distances from the development to sensitive land uses.
6. The development has not demonstrated compliance with Clause 67(2)(c) of the Deemed Provisions, given State Planning Policy 2.9 – Water Resource and Draft State Planning Policy 2.9 - Planning for Water have not been addressed.
7. The development has not demonstrated compliance with Clause 67(2)(b) of the Deemed Provisions, as approval of the development is inconsistent with the principles of orderly and proper planning, in that adequate development plans in relation to the proposed shed (or any associated facilities for employees) have not been provided.

Advice Notes

Note 1: If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.

Note 2: The Shire reserves the right to pursue enforcement action against the landowner in relation to alleged unauthorised works that have occurred, which may constitute an offence under Section 218 of the *Planning and Development Act 2005*

Signed:

Dated: 27 June 2023

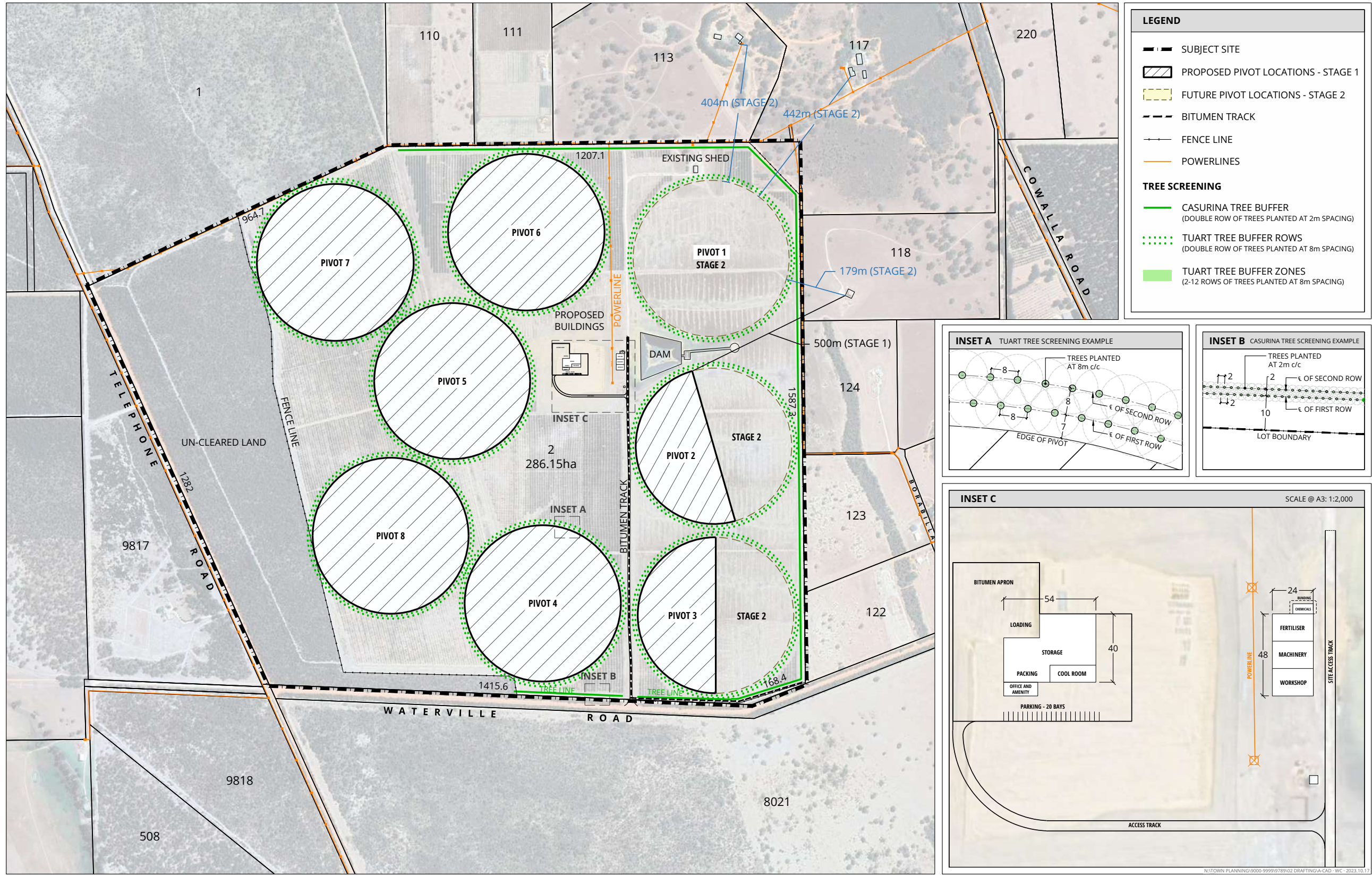


**JAMES BAYLISS
COORDINATOR STATUTORY PLANNING
For and on behalf of the Shire of Gingin**



182 Waterville Road, Wanerie – Farm Management Plan

Appendix 2 Site Plan

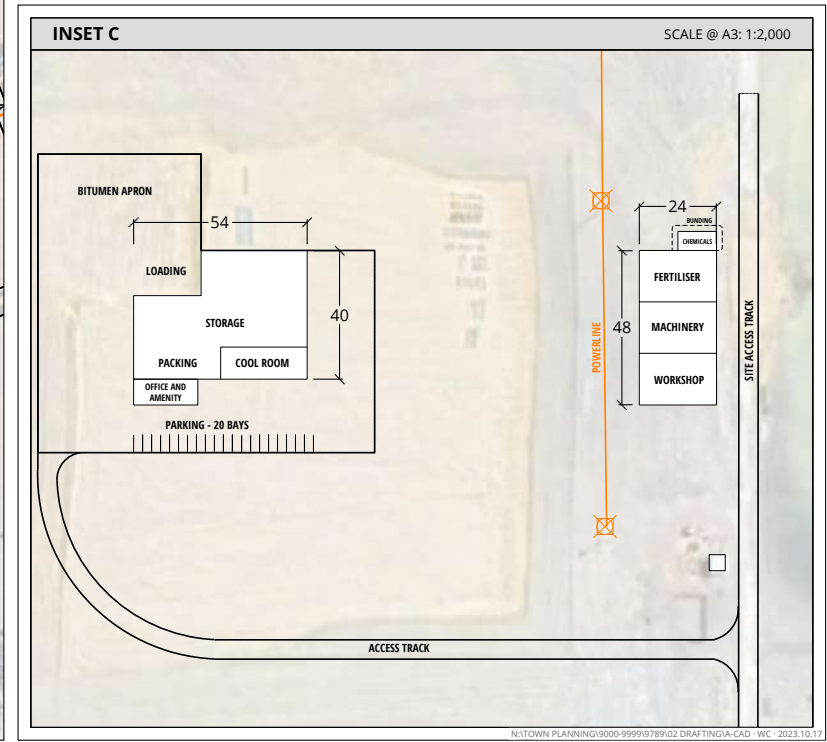
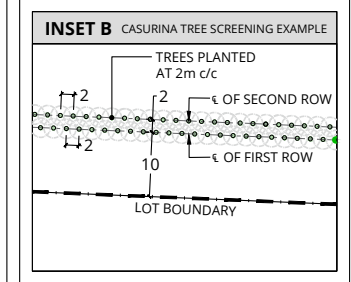
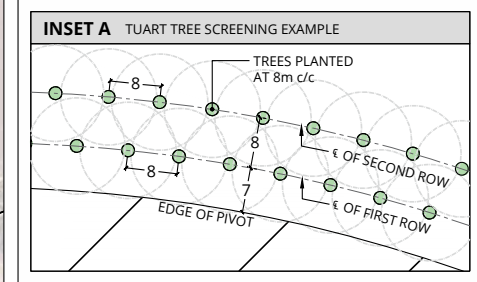


LEGEND

- SUBJECT SITE
- PROPOSED PIVOT LOCATIONS - STAGE 1
- FUTURE PIVOT LOCATIONS - STAGE 2
- BITUMEN TRACK
- FENCE LINE
- POWERLINES

TREE SCREENING

- CASURINA TREE BUFFER (DOUBLE ROW OF TREES PLANTED AT 2m SPACING)
- TUART TREE BUFFER ROWS (DOUBLE ROW OF TREES PLANTED AT 8m SPACING)
- TUART TREE BUFFER ZONES (2-12 ROWS OF TREES PLANTED AT 8m SPACING)



SITE PLAN
LOT 2 (No. 182) WATERVILLE ROAD
WANERIE

DRAFT

0 250 m
SCALE @ A3: 1:10,000
9789-FIG-01-E

DRAWN: WC
DATE CREATED: 2023.10.17
PROJECTION: MGA50 GDA94
CADASTRE: LANDGATE
AERIAL: GOOGLE EARTH 2023
This document may not be reproduced without the written consent of Rowe Group. All areas and dimensions are subject to survey.

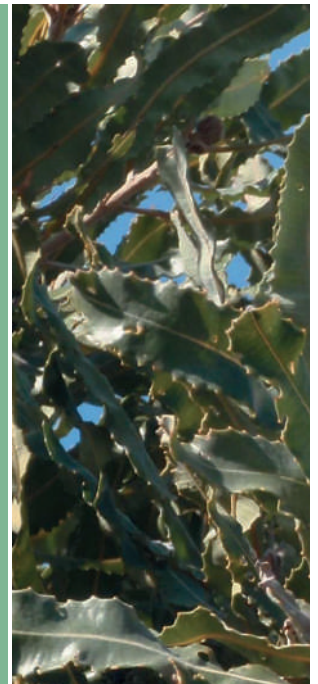
ROWE GROUP

**COTERRA
ENVIRONMENT**

Level 1, 98 Colin Street
West Perth WA 6005

T (08) 9381 5513

www.coterra.com.au
info@coterra.com.au



SCHEDULE OF SUBMISSIONS

DEVELOPMENT APPLICATION: PROPOSED AGRICULTURE INTENSIVE ON LOT 2 (182) WATERVILLE ROAD, WANERIE

No.	Submitter	Submission details	response
1.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <p><i>Having read the revised information, we still oppose this application on the following grounds.</i></p> <ol style="list-style-type: none"> <i>Spray Drift –The Department of Health Guidelines, EPA Guidelines and Shire of Gingin Policy state that this type of farming should not be allowed near residential properties. Given that this property is positioned in a particularly high wind area, spray drift can travel about one kilometre away. If applications such as this are to be considered near residential properties, then a buffer zone of 300 – 500 meters needs to be in place to protect the adjoining residents and their properties. In a high wind area, such as Waterville Rd, a 500-metre buffer should be the minimum requirement.</i> <p><i>The applicant has acknowledged the wind issues as their submission confirms that the applicant property is subject to a land degradation risk from wind erosion in the high to extreme hazard rating. The location of this property not only increases the risk of land degradation to an extreme level, but also increases the risk of spray drift. With this in mind, we do not believe that the 2 rows of small trees will have much bearing on the amount of spray drift. The EPA Guidelines define separation distance as "the shortest distance between the boundary of the area that may potentially be used by an industrial land use, and the boundary of the area that may be used by a sensitive land use". Therefore, for the safety of residents and their livestock, the closest pivot perimeter should be no less than 500 metres from adjoining resident's boundary fence, these proposed pivots are 32 meters from our property. It is not for neighbouring properties to be burdened to provide the buffer zone for this applicant. The expense of the 500-metre buffer zone needs to be at the cost of the applicant and within the applicant's property. Any government body who overrules the Department of Health requirements will be liable for legal action in the future should neighbouring properties suffer from spray drift.</i></p>	<p>Noted. The revised proposal provides a 500m separation distance to nearby sensitive receptors.</p>

	<p>2. <i>Inappropriate vegetative buffer – The Department of Health Guidelines for Separation of Agricultural and Residential land uses states that in some cases a vegetative buffer may be an effective barrier to spray drift. The criteria for effective vegetative barriers are;</i></p> <ul style="list-style-type: none"> • <i>Located as close as practicable to the point of release of the spray. (Given the size of this development and the few trees provided, the vegetative buffer will often not be very close to the spray point. Factoring in the wind issues and the land placement of the side of a hill, the vegetative buffer might be very ineffective.</i> • <i>A minimum total width of 40 metres made up of 10 metres cleared fire break either side of a 20 metres wide planted area. The majority of my property line has 2 rows of Casurina trees planted 8 metres apart, hardly the required 40 metre buffer, particularly as the proposed pivots are only 32 metres from my property boundary.</i> • <i>Contain random plantings of a variety of tree and shrub species of differing growth habits and spacings of 4-5 metres. Applicants have only planted 2 types of trees and no shrubs, therefore not meeting the criteria for a vegetative buffer. The Casurina trees are 8 metres apart, not the required 4 – 5 metres.</i> • <i>Foliage should be from the base to the crown; mixed plantings of trees may be required to ensure there are no gaps in the lower canopy. The closest trees planted to the spray point are approximately 25 metres tall and have their growth in the top two thirds of the canopy. This will do little to stop the low-level drift of spray. The second row of trees, further from spray point are only 8 metres high, so at the 8.5 metres mark there is basically no vegetative barrier.</i> • <i>Details concerning the maintenance of the buffer. There is very little information regarding maintenance of the buffer. It is acknowledged that the Tuart trees do not have any reticulation to provide water and it is stated in the application that any trees that die will be replaced. However, this will impede the effectiveness of the barrier.</i> <p><i>We are not of the opinion that the current vegetative buffer meets the criteria to be designated as a vegetative buffer and no spraying should commence until a mature buffer that meets criteria is established.</i></p>	<p>Given the separation distance has been adhered to, the nexus for needing to install a vegetation buffer may well fall away. Notwithstanding this, the officer understands that a vegetated screening buffer will nevertheless be planted.</p>
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		<p>3. <i>Spraying time - Spray when winds are less than 10kms per hour. This is something that cannot be monitored, and the applicant so far has shown such little regard for the adjoining properties that we question this statement. The eastern side of the applicant property is subjected to strong winds daily and we query what will happen if spraying needs to take place, but the winds are over 10kms every day and evening?</i></p> <p>4. <i>Hours of operation – Anyone in a rural environment understands that farmers need to work at unusual hours, however 7 days a week 5am to 5pm, adjoining residential properties is extreme. This application is just over 30 metres from our fence line which means that on our property we will be subjected to high levels of noise and dust pollution. Without the appropriate 500 metre buffer in place, the applicants' hours of operation should be reduced to Monday to Friday 7am to 5pm and Saturday 8am to 2pm. Residents are losing the amenity of our properties Monday to Saturday so they should have the right to enjoy their properties on a Sunday without all of the noise and dust a few metres away.</i></p> <p>5. <i>Roads –This application is dramatically changing the use of our roads, some of which are currently gravel. The constant use of the gravel section of Waterville Rd, particularly by trucks, is going to cover surrounding homes in gravel dust for the duration of the summer. During the winter, this level of traffic could render the road unusable due to the amount of mud on the road. Furthermore, residents may endure even more noise pollution as trucks try to navigate a boggy road. We do not want this application approved until Waterville Rd had been completely upgraded to bitumen at the cost of the applicant. Very few residents use this section of Waterville Rd so we don't believe that the residents should have to pay for the road upgrade.</i></p>	<p>Noted. It is unclear what other avenue can be implemented other than to secure this commitment with the security of a planning condition. In the event the operators breach this commitment, it is viewed as an offence.</p> <p>The proposal is a rural use, in a rural area, that adheres to the required separation distances stipulated by the EPA. The operating hours are viewed as being appropriate in this context.</p> <p>The development does not generate an increase in vehicle movements numbers that warrants a sealed upgrade as previously foreshadowed by the Shire.</p>
2.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <ul style="list-style-type: none"> • <i>Firstly, I don't agree with the initial change of land usage from the Olive Grove to Intensive Agriculture when residential dwelling and people's lives are involved without consultation process.</i> • <i>I am upset that according to the initial proposal, trees, were meant to be left almost the entire length of my boundary but none were retained, not one single tree. So, if they have not complied with the first proposal, why</i> 	<p>Noted. The Shire has undertaken two phases of consultation, hence this response.</p> <p>Whether the operator is a good corporate citizen is not a planning consideration.</p>

	<p><i>should anyone believe they will be honourable in the future. They say one thing and do another.</i></p> <ul style="list-style-type: none"> • <i>The proposed Pivot number one is only 179 METRES from my house! How does that fall within the stated 500 metres buffer mentioned on page one from the Rowe Group, pertinent to nearby sensitive land uses? My land and my existence are both sensitive and the setback of the pivots are way too close. Looking at the plan I dispute the distances shown, the pivot circle is way too close to the fence line. Imagine this was your property, would you be happy with the proposal?</i> • <i>Several of the affected residents have bores, that come at a great expense, and we are collectively worried that the use of 1,782,500KL/annum of water pumped will leave us without adequate water, reduced flows and probable contamination from all the toxic chemicals they will be applying.</i> • <i>I have researched the chemical agents that will likely be used, and I feel the risk to my environment due to wind drift is unacceptably high. They may give me assurances about the conditions under which they intend to spray but as can be predicted by their previous lack of adherence to their own proposals means that they will spray whenever they want.</i> • <i>We catch water from our roofs and capture it in tanks; the toxic chemicals proposed to be used, will contaminate our water supplies! Would you offer a glass of water to your grandchildren knowing this?</i> • <i>I ask myself the question why, with all their wealth and landholdings, would they inconvenience the obviously chosen lifestyles of their neighbours in such a manner, being intrusive and impactful, when they had plenty of other options and had a productive Olive Grove there anyway?</i> • <i>The construction of the Packaging Shed, Office and Amenities, Cool Room and Storage with Associated Loading Bays will create plenty of noise, the beeping of reversing vehicles is already an annoying problem, they have a massive shed already on top of the hill that houses farming machinery. Can you imagine that delightful sound every day at 5am each morning? Noise is carried on the wind, and it blows from the west a lot and I am due east. I have already noticed a sharp increase in traffic up and down their adjoining firebreak and I hate to imagine the impact of</i> 	<p>This has been removed from the proposal.</p> <p>Water extraction is regulated by the DWER through the <i>Rights in Water and Irrigation Act 1914</i>. This is a separate process that is not regulated by local government.</p> <p>Noted. The separation distance satisfies the EPA Guidance Statement.</p> <p>Noted. The separation distance satisfies the EPA Guidance Statement. The farm also provides food for consumption, so it is unclear what toxin is being referred to.</p> <p>This site is located internal to the property. It is also a rural use expected to occur in the rural area.</p>
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		<p><i>12 full time employees, their vehicles, and the farm machinery on a quiet neighbourhood.</i></p> <ul style="list-style-type: none"> <i>The increased traffic noise cannot be understated with the employees and the produce truck movements mentioned, that is if, the proposed limits are adhered to, and so far, my confidence in their compliance has been damaged. Not to mention the additional wear and tear on Cowalla Road, which we know is, itself, in need of repair already.</i> <i>As a general comment I would like to mention the unfair allocation of time in order to complete this Revised Development Application. It was posted on the 13th November 2023 from the council in Gingin but arrive in Carramar only on 17th November 2023, limiting the time including return postage to just a couple of days, which seems way rushed.</i> <i>Please inform me, who will be monitoring compliance with the Farm Management Plan, when all the details are agreed upon? Who will ensure they do plant the Tuart Trees mentioned, or spray when the conditions are right?</i> <i>I doubt that one Celery crop per year will be harvested, when Celery only needs 3-4 Months to grow. Who will monitor this and the use of cover crops and what species are they, and what is their fate? More harvesting, more vehicle movement, people, and noise.</i> <i>I find it impossible to support this proposal because its effects on me are enormous and will have ongoing and lasting negative effects, upon my lifestyle and my property value will also be impacted. Collectively the affected neighbours are offered no compensation for the destruction of their lifestyles and fall in the price of their properties, this is not a fair or decent development and should not proceed in its present revised form.</i> 	<p>Noted.</p> <p>Noted.</p> <p>The Shire of Gingin.</p> <p>The Shire of Gingin.</p> <p>Noted.</p>
3.	Ratepayer	<p><i>The submitter does not support the application and provides the following general comment:</i></p> <p><i>When the subdivision and subsequent establishment of rural dwellings on both Cowalla Road and Borabilla Place was approved by Gingin Shire, an Olive Grove (est. 1999) was situated on the Western boundary of these properties. It was harvested approximately 6 weeks annually with little farming activity taking place outside of the harvest period.</i></p>	<p>Noted.</p>

	<p><i>A 210h Olive Grove was nearly completely cleared by Waterville Fresh in 2022, including mature trees on their Eastern boundary that could have served as a buffer between themselves and nearby sensitive land uses. Waterville Fresh submitted an application for change of use to Celery Cropping which property owners from rural dwellings believe will compromise the sensitive land use, subjecting residents', flora and fauna to hazards and adverse health impacts.</i></p> <p><i>Reasons for not supporting the application:</i></p> <p>3.1.3 Wind <i>Pgs. 19-20 of the Rowe Group report: Summer am. Easterly /pm. South-Westerly Winter am. Northerly/pm. Easterly</i></p> <p>Stakeholder comments:</p> <ul style="list-style-type: none"> <i>• Firstly Plates 3-3 through to 3-6 of the report are too small and we were unable to read the key.</i> <i>• In addition, through omission, this wind information is misleading. For example, with less than a week until summer, today at 12.45pm we have a Westerly blowing at 25kmh with gusts up to 39kmh.</i> <i>• In the last 72hrs according to the BOM, wind direction has frequently blown from West South West (directly from the pivot sight to our dwelling) in addition to the South-Westerly. With the exception of the middle of the night, the wind is nearly always well above the recommended up to 10kmh speed for spraying during farm working hours.</i> <p>5.2 Separation to nearby Sensitive Receptors</p> <ul style="list-style-type: none"> <i>• 5.2.2 The Rowe Group report notes that all residential dwellings aside from the house on Lot 118 Cowalla Rd have vegetated buffer separating the dwelling from the site.</i> <p>Stakeholder comments:</p> <ul style="list-style-type: none"> <i>• This is referring to a band of established native bush that runs through the residential properties with the exception of Lot 118. Our understanding is that this bush is protected and we, the owners of</i> 	<p>The exiting native vegetation does contribute to the provision of a vegetated buffer.</p>
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	<p><i>the land, cannot remove it. The native bush on our property is only 8m wide at its narrowest. Is the report suggesting that the bush, which is habitat to a range of flora and fauna including endangered Carnaby's Black Cockatoos finding high food and shelter, serves as a buffer to our dwelling and will protect our water supply and health? What about the environment - impact to the flora and fauna? Please see article from the Victorian Government below re spray drift: https://www.betterhealth.vic.gov.au/health/healthyiving/chemicals-and-spray-drift-as-of-20/11/23</i></p> <p><i>Chemical spray drift cannot always be contained or controlled completely, despite correct application. Chemical sprays may drift over neighbouring properties or waterways and can affect human health, animals or the environment. Spray drift can affect household and farm water supplies, including tank water.</i></p> <p><i>Please see exerts below on Carnabys Black Cockatoo https://www.australiongeographic.com.au/fact-file/carnabvs-black-cockatoo/ 20/11/23</i></p> <p><i>Now the species is endangered and only seen in pairs or small flocks. Since the middle of last century its population is thought to have fallen by more than 50 per cent and there are now fewer than 20,000 surviving in the wild.</i></p> <p><i>The main cause behind the decline has been the clearing of the species' preferred habitats, mostly for agriculture across the WA wheatbelt.</i></p> <ul style="list-style-type: none"> <i>Management Actions in the Rowe Group report also refer to the Department of Health recommending a separation distance of 300m for control of spray drift, dust, smoke and ash or alternatively a 40m separation distance can be used where a vegetative buffer has been adequately designed, implemented and maintained in accordance with the Separation of Agricultural and Residential Land Uses Guidelines (DOH 2012 largely adopted the best practice standards described by the Queensland Department of National Resources in their Planning guidelines: separating agricultural and residential land uses – August 1997 and supported by CSIRO (2002).)</i> <p><i>Stakeholder comments:</i></p>	<p>Victorian Guidelines do not apply to Western Australia.</p> <p>The proposal does seek to remove any vegetation related to the habitat or foraging of the Carnaby Black Cockatoo.</p> <p>Noted.</p>
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	<ul style="list-style-type: none"> • <i>We strongly object to a reduction of the separation distance from EPA recommended 300500m buffer to 40metres (DOH) as we do not believe the proposed vegetative buffer to be adequate. Table 7-1 Separation to nearby sensitive receptors (intended to support a huge reduction to a possible 40m separation distance) relies solely on installation and maintenance of Tuart and Casuarina screen, both which are immature. In addition, what was not mentioned in the report was that the DOH Guidelines also state the 'Limitations'—see below, excerpts only:</i> <p style="text-align: center;"><i>Separation of agricultural and residential land uses Considering the complexity in determining a safe buffer distance applicable to multiple situations it is important that the design of buffer areas is based on the best possible evidence and is conservative in its approach. Vegetative buffers may not be suitable where the chemicals in use may result in vapour drift for example soil fumigants) or where herbicide spray drift would impact on the vegetative buffer. In these circumstances a 300 m buffer distance would apply.</i></p> <p><i>See Rowe Group report Table 4-4: Metham Sodium is a Fumigant and Herbicides to be used are Roundup and Prometryn to control weeds.</i></p> <p><i>Chemical spray drift could impact our mature native bush and most importantly our water supplies derived off our roofs into rain water tanks as there is no access to scheme water. This week we are having our tank water tested by a NATA complying laboratory for a baseline, with results accepted by the DOH and prior to any pivots being operational.</i></p> <ul style="list-style-type: none"> • <i>Pg 40 of the report states that vegetation screens will be established and maintained within the site as described in Section 5.2.2.</i> <p><i>Waterville Fresh Onsite Buffer Design in Section 5.2.2 states that a screen of Tuart trees has been planted around the edges of each pivot and refers to the width at maturity. We sought advise from Arborwest Tree Farm who were referenced in the report for information on Tuart Trees, who stated that Tuarts take 10-15 years to reach maturity and 20-30 years to be full grown which means that</i></p>	<p>The proposal has been revised to provide a 500m separation distance. Given this, the applicant may well rescind their intention to plant a vegetative buffer, as the statutory basis to do so falls away.</p> <p>Refer to comment above.</p>
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	<p><i>they will have no impact on the vegetative buffer for some time to come.</i></p> <p><i>Table 5-1 Pg 38 of the report alludes to the three eastern most pivots which are within approximately 227m of our residential dwelling, being unrestricted once the casuarina trees reach 3m with minimum foliage cover of 50% of screen alignment. It says that based on the combined width of both screening layer the requirements for a minimising 20m wide planted area is exceeded.</i></p> <p><i>Again, this is at maturity and we suggest that a 3m high immature Casuarina tree provides little protection against spray drift, with a topography that rises towards the Eastern boundary and with the regular Westerly or West-South-Westerly winds that are typically over the 10kmh recommended wind speed for use of fertiliser or chemical application.</i></p> <p><i>In short, the report states that at maturity these trees will form a continuous vegetative screen along the screen alignments but this will not be for some years to come.</i></p> <p><i>We also have concerns over the increased likelihood of Stable Fly which is already a problem in the area and celery cropping is known to attract Stable Fly. Who will be monitor for Stable Fly outbreak and determine when to apply the proposed control measures?</i></p> <p><i>The use of ambiguous language is consistent in the Rowe Group Report. It does not define the terms unreasonable/reasonably/whenever possible. Whenever possible is used when referring to machinery only operating during the day and machinery within pivots 1 to 3 avoided prior to 7am. We do not have confidence in Waterville Fresh complying with these actions 'whenever possible'.</i></p> <p><i>Waterville Fresh proposes to reduce the recommended separation distance considerably without adequately addressing an appropriate buffer from sensitive land uses, namely rural dwellings. This issue could have been addressed with a little foresight on the behalf of Waterville Fresh if they had retained some of the Olive Grove on the Eastern boundary. Now they wish to rush through a change of use, greatly impacting residents, local flora and fauna through an increased risk to health by reducing the buffer distance.</i></p>	<p>The Farm Management Plan commits the development to adhering to the <i>Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019</i>. It is generally not appropriate for the Shire to impose any additional restrictions beyond those outlined under the specialist subsidiary legislation.</p> <p>The proposal no longer seeks to reduce the separation distance.</p>
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		<p><i>We the property owners question why the following wasn't considered when initially planning for the subdivision of rural land that resulted in the lots located in Cowalla Road and Borabilla Place. These factors should also be considered carefully now on receipt of the application to change land use:</i></p> <ul style="list-style-type: none"> <i>potential conflict between local agriculture and residents in existing dwellings in regard to noise, spray drift, odour, dust, waste and stable fly. Residents purchased these properties when an Olive Grove was abutting them, not the intensive operation of Celery Cropping with pivots in operation all year round and an increase in traffic flow on both bitumen and dirt roads, including semi-trailers.</i> <i>the provision of water supply and risk of contamination through uncontained spray drift</i> <i>loss of opportunity to ever sub divide our properties through future rezoning due to the requirement to provide the recommended buffer zone between agriculture and sensitive land use.</i> 	<p>The matters would have been considered. Submitters should not expect an 'urban' or residential amenity, it is a rural area. Rural amenity is anticipated to experience some level of impact from primary production occurring within the rural area.</p> <p>The separation distance satisfies the EPA and Department of Health criteria.</p>
4.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <ol style="list-style-type: none"> <i>We respect all property owners to live their life on their land as they choose, however in regard to our own expected way of using our land, we wish to submit our ADAMANT REFUSAL regarding the above application. We live directly East of Waterville Fresh on the corner of Waterville Rd and Borabilla Place. Following are our concerns and comments regarding this.</i> <i>It is disappointing that after going to SAT and mediation with Shire that the Waterville Fresh application is not significantly changed. There is no environmental report or traffic/ road report included, despite previous recommendation by shire.</i> <i>WATER USEAGE - Use of center pivot irrigation uses copious amounts of water, with celery needing even higher amounts compared to other vegetables. This second proposal suggests 1.78 million kilolitres of annual water useage. We are very concerned about the impact this will have on the underground aquifer systems below ours and neighbouring properties. There is no town water supply here, we rely on bore and rainwater for our livestock, gardening and personal use. Recent bore water tests on our property show it to be of good quality and suitable for livestock and personal</i> 	<p>Noted.</p> <p>The traffic volumes did not warrant further lodgement of a TIA, notwithstanding the Shire's desire for a sealed road upgrade. The FMP responds to environmental concerns.</p> <p>Water usage and monitoring is not a matter for local government. Water extraction is regulated by the DWER through the <i>Rights in Water and Irrigation Act 1914</i>.</p>

	<p><i>use. Our concern is for our bore water supply and increased soil salinity with ground water reduction as a direct impact of so much water use from Waterville Fresh. How will these issues be addressed? Will we be compensated for this should our bore run dry and soil unusable due to high salinity? And if so, how?</i></p> <p>4. <i>CHEMICAL USE – products used for fertilizing and pest control of celery growing are commercially made with multiple poisons warnings about intoxication and application PPE required. Celery is a shallow rooted crop requiring high fertilizer and water and slightly acidic soils. When these chemicals are applied to the plants by the pivot irrigation, which are high and wide with large sprayers, there is a high risk of overspray. Our soil in this area is predominantly sandy, allowing for easy drainage of chemical fertilizers and pesticides into the water table.</i></p> <p>A. <i>The layout of the pivots is too close to our property boundary to not have chemical overspray. The Trees planted as buffers are still seedlings now, and only 2 trees wide. It will be some years before these could be an effective buffer. The proposal refers to recommended tree buffer to include varied bushes for undergrowth to prevent chemical overspray from escaping, but Waterville Fresh does not include this in their application as an intent to plant. As we are uphill from Waterville Fresh, and the area is quite windy with winds often coming from WSW and will therefore blow the spray over the trees and our property, even if they trees reach 3m high. The application suggests they wont spray if wind speed is over 10km/hr, but winds below this is not a regular occurrence so how will they achieve their chemical applications without spraying when wind speed is over 10 km/hr? And who will monitor whether they are in fact spraying only when wind speed is less than 10 km/hr?</i></p> <p>B. <i>Waterville Fresh states chemical spray would not be higher than 1m, but pivot sprayers are much higher than that, and have stated some would be sprayed with pivot sprayers.</i></p> <p>C. <i>The planting of tuart trees around the pivots will not provide good lower screening and are not irrigated so won't grow at great speed. There also does not seem enough distance between pivots for up to 12 rows of tuarts as suggested should be planted. And again, will take some years to reach adequate growth to be a suitable buffer.</i></p> <p>D. <i>We have been working towards achieving organic status for our property with future organic farming of our livestock and land. We have paid extra expenses in providing organic feed for our livestock</i></p>	<p>Noted.</p> <p>Refer to comments above.</p>
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	<p><i>and extra time in eradicating weeds without chemicals. This will be a useless enterprise with chemical spray drift over our land, and water pollution in the ground water and soils.</i></p> <p><i>E. Chemical overspray could also pollute our rainwater tanks by chemicals settling on the roof with rain washing it off roof into tanks. This is our drinking water so could directly affect our s and our sons health.</i></p> <p><i>F. The bush line on our property which extends north over four blocks of land is protected as a Banksia Woodland of Swan Coastal plains. An environmental scientist who has seen our bushland described it as 'ancient woodlands' with the 'biggest grass trees' he has ever seen, outlining many species of plants, trees and fungi, including the endangered Banksia attenuata, Banksia menziesii and WA Christmas tree species. Endangered Carnaby Black Cockatoos rest and feed on this bushland. Chemical pollution to soil and water could damage the protected bush areas and also reduce habitats for the Carnaby's. I spoke to Department of Environment who advised the shire needs to request an assessment for an environmental report to determine if the market garden would impact the protected bushlands. Furthermore, the application indicates they are utilizing the woodlands as a buffer for chemical overspray to residences. This is unacceptable. Not only does this put the woodlands at risk of damage, it would suggest that all vegetation and soils west of the woodlands will be exposed to overspray also.</i></p> <p><i>G. Waterville Fresh outline the chemical overspray risk in their application as "low risk". In our opinion, this is not an acceptable risk to the health of ourselves, our son and our animals.</i></p> <p><i>H. The application also states that the buffer is 150m to the nearest house, however we have already begun plans to build central to our block, putting our residence closer than that. And besides we should not be encumbered by where we build or how we use our entire block based on Waterville Fresh chemical overspray, and 40m is too close. It is my understanding that a 500m buffer from property boundary should be enforced. If this application is approved, will this affect where and how we can use our property? If we want to build on our west side of our property, we currently only need a 20m distance from building to our boundary fence.</i></p> <p><i>5. NOISE - An increase in traffic flow and use of regular semi trailers will increase road noise. Increase use of machinery will cause significant noise pollution, especially without sufficient trees as buffer to reduce noise. The</i></p>	<p>You are able to erect a dwelling 20m from the lot boundary, however you will be doing so knowing the adjoining use.</p> <p>It is a rural area. It is not uncommon that trucks may drive on rural roads or that a rural use may involve tractors. The intensity of vehicles</p>
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5.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <p><i>I refer to the application BLD/5091 P2532 and my meeting with Mr Bayliss on the 21st November 2023.</i></p>	

	<p><i>The applicant is well known to me. We have worked together over many years. Accordingly, I had access to Mr Tana and an opportunity to discuss the proposal in a less formal environment.</i></p> <p><i>I do accept in good faith the assurances that I have been given, but, in time, the management or ownership may change. For that reason, it is appropriate to have these assurances recorded as obligations if approval is granted.</i></p> <p><i>These are the matters that concern my wife and I.</i></p> <p>SHELTER FROM WIND BLOWN DUST AND CHEMICALS</p> <p><i>The irrigated area that creates most concern for us is Pivot 6 in Stage 1 and Pivot 1 Stage 2.</i></p> <p><i>Quoting the department of health regulation a separation distance of 300 metres to control spray drift, dust, smoke and ash is clearly only a guideline. As you can see from the photo's that I have provided. On the 18th November 2023 on an average afternoon south westerly wind and on the 22nd November 2023 on a moderate easterly wind. You can clearly see the height and distance the dust will travel. These are of 2 local vegetable gardens all within 5 minutes of our property. This dust was blowing multiple kilometres away on farms with tree shelters in place. Also in the photo's are pictures of our boundary with the applicant. That show our water tank and the sand drift, opposite their existing shed. This occurred while the olive trees were growing. Some of these properties are about 60 metres above sea level. The development next to us is 108 metres above sea level. As I stated to Mr Bayliss at our meeting we are the only properties in the Gingin shire that are located this close, on the north side of a large scale vegetable garden.</i></p> <p><i>The applicant intends to plant Tuart and Casuarina trees between the cropping area and our boundary. He is agreeable to planting a mixture of trees thus providing a dense shelter at the lower levels. I would like to suggest coastal Mort's as one variety but there will be other trees that would help build the lower density of the shelter belt. As you can see in the photos they provided, Casuarina and Tuart trees lose their lower density the older they get. So low, thick growing foliage needs to be planted prior to that area coming into use.</i></p> <p>THE EXISTING SHED</p>	<p>The Shire can only assess development within the parameters of the planning framework. If the separation distance recommended by the various stage agencies (being 500m) is adhered to, it is inappropriate for the Shire to create a new larger distance without any scientific basis.</p>
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		<p><i>This shed is so close to our home that we have concerns about vehicle noise out of hours. The applicant has said this shed would rarely be used. When used it would only be for long term storage of farm sundries and equipment. We would be satisfied by this assurance being included in any conditions attached to an approval.</i></p> <p><i>STABLE FLIES</i></p> <p><i>We have lived and had livestock on this property for over 45 years and we have worked close to vegetable gardens for over 30 years. So we know how irritating these flies can be to humans and livestock.</i></p> <p><i>At the moment we have no stable fly problem on this property. So strict conditions in following the latest techniques on stable fly reduction need to be adhered to and regular inspections by the local stable fly officer need to be made.</i></p> <p><i>HOUSE WATER</i></p> <p><i>The applicant has assured us that during the development he will provide a source of potable drinking water to our boundary. We would draw on this supply if our existing groundwater bore fails because of the extra consumption in the area.</i></p> <p><i>IN SUMMARY</i></p> <p><i>We have no doubt that in the future this development will decrease our land value. Our house is only 292 metres from the boundary fence of this development. So, it will restrict where we can build any new dwelling on our own property. To be more than 500 metres from the pivots we will be limited to approximately 7.6 hectares out of our 30.42 hectares to build on.</i></p> <p><i>Our plan was to live and work in the area and to retire on our property, with general farming around us. Not large-scale horticulture.</i></p>	<p>Noted. This is an existing shed that does not form part of the proposal. It is not proposed to be used for anything other than storage.</p> <p>Refer to comments above regarding stable fly.</p> <p>Noted.</p>
6.	Ratepayer	<p>The submitter provides the following general comment:</p> <p><i>Stage 1 does not concern me as I hope they stick to the rules and what they say they'll do as per the proposal. Stage 2 pivot 1 concerns me as it's close to my home and I am Northeast of it in line with the SW wind direction so shelter</i></p>	<p>Noted.</p>

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.3.7

	<p><i>from dust and chemicals. I live on rainwater tanks and do not want chemicals in my water. I would like to see an even better tree screening between us.</i></p> <p><i>It's a farm so I understand Stage 1 that's fine.</i></p> <p><i>I would like to see pivot 1 Stage 2 removed as it's too close, and ground water levels maintained.</i></p>	
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SCHEDULE OF SUBMISSIONS

DEVELOPMENT APPLICATION: PROPOSED AGRICULTURE INTENSIVE ON LOT 2 (182) WATERVILLE ROAD, WANERIE

No.	Submitter	Submission details	response
1.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <p><i>Having read the revised information, we still oppose this application on the following grounds.</i></p> <p><i>1. Spray Drift –The Department of Health Guidelines, EPA Guidelines and Shire of Gingin Policy state that this type of farming should not be allowed near residential properties. Given that this property is positioned in a particularly high wind area, spray drift can travel about one kilometre away. If applications such as this are to be considered near residential properties, then a buffer zone of 300 – 500 meters needs to be in place to protect the adjoining residents and their properties. In a high wind area, such as Waterville Rd, a 500-metre buffer should be the minimum requirement.</i></p> <p><i>The applicant has acknowledged the wind issues as their submission confirms that the applicant property is subject to a land degradation risk from wind erosion in the high to extreme hazard rating. The location of this property not only increases the risk of land degradation to an extreme level, but also increases the risk of spray drift. With this in mind, we do not believe that the 2 rows of small trees will have much bearing on the amount of spray drift. The EPA Guidelines define separation distance as "the shortest distance between the boundary of the area that may potentially be used by an industrial land use, and the boundary of the area that may be used by a sensitive land use". Therefore, for the safety of residents and their livestock, the closest pivot perimeter should be no less than 500 metres from adjoining resident's boundary fence, these proposed pivots are 32 meters from our property. It is not for neighbouring properties to be burdened to provide the buffer zone for this applicant. The expense of the 500-metre buffer zone needs to be at the cost of the applicant and within the applicant's property. Any government body who overrules the Department of Health requirements will be liable for legal action in the future should neighbouring properties suffer from spray drift.</i></p>	<p>The proposal has been modified to remove the entire Stage 2, providing a 500m separation of pivots to the nearest sensitive land use. The 500m separation between pivots and sensitive land uses is compliant with the separation distance specified within the Environmental Protection Authority's Guidance for the Assessment of Environmental Factors – Separation Distances Between Industrial and Sensitive Land Uses (EPA Guidance Statement).</p> <p>The EPA Guidance Statement identifies that impacts on the environment decrease with the increasing distance from the source of emission. The Guidance Statement specifies that the separation distance is measured from the source of emission (in this instance the pivots) to the area used by a sensitive land use (ie. the dwelling), not the property boundary. If the separation distance can be achieved, further mitigation measures, including vegetative buffers or screening are not required. Notwithstanding, a Farm Management Plan (FMP) has been prepared in support of the proposal. The intent of the FMP is to provide active management and contingency actions to ensure any environmental</p>

		<p>2. <i>Inappropriate vegetative buffer – The Department of Health Guidelines for Separation of Agricultural and Residential land uses states that in some cases a vegetative buffer may be an effective barrier to spray drift. The criteria for effective vegetative barriers are;</i></p> <ul style="list-style-type: none"> • <i>Located as close as practicable to the point of release of the spray. (Given the size of this development and the few trees provided, the vegetative buffer will often not be very close to the spray point. Factoring in the wind issues and the land placement of the side of a hill, the vegetative buffer might be very ineffective.</i> • <i>A minimum total width of 40 metres made up of 10 metres cleared fire break either side of a 20 metres wide planted area. The majority of my property line has 2 rows of Casurina trees planted 8 metres apart, hardly the required 40 metre buffer, particularly as the proposed pivots are only 32 metres from my property boundary.</i> • <i>Contain random plantings of a variety of tree and shrub species of differing growth habits and spacings of 4-5 metres. Applicants have only planted 2 types of trees and no shrubs, therefore not meeting the criteria for a vegetative buffer. The Casurina trees are 8 metres apart, not the required 4 – 5 metres.</i> • <i>Foliage should be from the base to the crown; mixed plantings of trees may be required to ensure there are no gaps in the lower canopy. The closest trees planted to the spray point are approximately 25 metres tall and have their growth in the top two thirds of the canopy. This will do little to stop the low-level drift of spray. The second row of trees, further from spray point are only 8 metres high, so at the 8.5 metres mark there is basically no vegetative barrier.</i> 	<p>impacts associated with the proposal are managed. In the event the application is approved, it is expected that the implementation of the FMP will be imposed as a condition of approval to ensure this is carried through for the life of the development.</p> <p>Refer to response provided to point 1 above. The proposal has been revised and no longer requires a vegetative buffer to be provided in accordance with Department of Health Guidelines.</p>
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	<ul style="list-style-type: none"> • <i>Details concerning the maintenance of the buffer. There is very little information regarding maintenance of the buffer. It is acknowledged that the Tuart trees do not have any reticulation to provide water and it is stated in the application that any trees that die will be replaced. However, this will impede the effectiveness of the barrier.</i> <p><i>We are not of the opinion that the current vegetative buffer meets the criteria to be designated as a vegetative buffer and no spraying should commence until a mature buffer that meets criteria is established.</i></p> <p><i>3. Spraying time - Spray when winds are less than 10kms per hour. This is something that cannot be monitored, and the applicant so far has shown such little regard for the adjoining properties that we question this statement. The eastern side of the applicant property is subjected to strong winds daily and we query what will happen if spraying needs to take place, but the winds are over 10kms every day and evening?</i></p> <p><i>4. Hours of operation – Anyone in a rural environment understands that farmers need to work at unusual hours, however 7 days a week 5am to 5pm, adjoining residential properties is extreme. This application is just over 30 metres from our fence line which means that on our property we will be subjected to high levels of noise and dust pollution. Without the appropriate 500 metre buffer in place, the applicants' hours of operation</i></p>	<p>The FMP outlines ancillary actions to be undertaken, including the installation of an onsite weather station to ensure localised monitoring of wind speed can occur. This informs the management and contingency actions within the FMP in relation to conditions required for spraying. Further the management and contingency actions include consultation with the Shire to address any concerns should they arise. Notwithstanding the environmental management actions required of the proponent, it is in the proponents' best interests to ensure the economical operation of the farm occurs, including minimising spray drift, reducing fertiliser waste as a result, and managing wind erosion to topsoil. Both the environmental and economic impacts are important management consideration of the operator.</p> <p>Refer to response to point 1 above, the proposal has been revised to provide a greater separation between the proposed pivots and the nearest sensitive land use. The FMP includes detail in relation to hours of</p>
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		<p><i>should be reduced to Monday to Friday 7am to 5pm and Saturday 8am to 2pm. Residents are losing the amenity of our properties Monday to Saturday so they should have the right to enjoy their properties on a Sunday without all of the noise and dust a few metres away.</i></p> <p>5. <i>Roads –This application is dramatically changing the use of our roads, some of which are currently gravel. The constant use of the gravel section of Waterville Rd, particularly by trucks, is going to cover surrounding homes in gravel dust for the duration of the summer. During the winter, this level of traffic could render the road unusable due to the amount of mud on the road. Furthermore, residents may endure even more noise pollution as trucks try to navigate a boggy road. We do not want this application approved until Waterville Rd had been completely upgraded to bitumen at the cost of the applicant. Very few residents use this section of Waterville Rd so we don't believe that the residents should have to pay for the road upgrade.</i></p>	<p>operation and mitigation measures are identified to comply with the requirements of the Environmental Protection (Noise) Regulations 1997. It is expected that a condition may be imposed in the event of approval requiring the FMP be updated to reflect current proposal.</p> <p>The application has been modified to remove the second stage of pivots and therefore the number of vehicles expected to use the road as part of the proposal is less than originally anticipated. The amended proposal contributes less than the previously stated 28 vehicle movements per day to the road (including less than 2 heavy vehicle movements), representing only a minor increase in vehicles. Notwithstanding, should the Council consider this to be a concern, the Council can impose a condition in the event of approval requiring contributions towards road upgrades.</p>
2.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <ul style="list-style-type: none"> <i>Firstly, I don't agree with the initial change of land usage from the Olive Grove to Intensive Agriculture when residential dwelling and people's lives are involved without consultation process.</i> 	<p>Two objectives of the General Rural zone, provided by the Shire of Gingin's Local Planning Scheme No. 9 (LPS 9) are to "<i>encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the</i></p>

		<ul style="list-style-type: none"> • <i>I am upset that according to the initial proposal, trees, were meant to be left almost the entire length of my boundary but none were retained, not one single tree. So, if they have not complied with the first proposal, why should anyone believe they will be honourable in the future. They say one thing and do another.</i> • <i>The proposed Pivot number one is only 179 METRES from my house! How does that fall within the stated 500 metres buffer mentioned on page one from the Rowe Group, pertinent to nearby sensitive land uses? My land and my existence are both sensitive and the setback of the pivots are way too close. Looking at the plan I dispute the distances shown, the pivot</i> 	<p><i>primary use” and “provide for the operation and development of existing future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.” Both the subject site and properties containing residential dwellings to the north and east (that were consulted) are within the General Rural zone, which, are subject to the same objective to protect and encourage this sort of use and limit the introduction of sensitive land uses. Further, an Agriculture – Intensive land use is a discretionary use in the General Rural zone, with the objectives of the zone clearly identifying such uses as being the main uses (or primary) within the zone.</i></p> <p>As provided in response to Submission 1 Point 1, above, the original proposal was revised. The Shire is required to consider the merits of the proposal before it, including any revisions made during the assessment process. The principle of land use proposals being underpinned by management conditions is standard practice for planning applications in Western Australia. This ensures the proposed development operates to the standards required by the Shire.</p> <p>Refer to response to Submission 1 Point 1, above.</p>
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	<p><i>circle is way too close to the fence line. Imagine this was your property, would you be happy with the proposal?</i></p> <ul style="list-style-type: none"> • <i>Several of the affected residents have bores, that come at a great expense, and we are collectively worried that the use of 1,782,500KL/annum of water pumped will leave us without adequate water, reduced flows and probable contamination from all the toxic chemicals they will be applying.</i> • <i>I have researched the chemical agents that will likely be used, and I feel the risk to my environment due to wind drift is unacceptably high. They may give me assurances about the conditions under which they intend to spray but as can be predicted by their previous lack of adherence to their own proposals means that they will spray whenever they want.</i> • <i>We catch water from our roofs and capture it in tanks; the toxic chemicals proposed to be used, will contaminate our water supplies! Would you offer a glass of water to your grandchildren knowing this?</i> • <i>I ask myself the question why, with all their wealth and landholdings, would they inconvenience the obviously chosen lifestyles of their neighbours in such a manner, being intrusive and impactful, when they</i> 	<p>The site currently holds a groundwater license for abstraction of up to 1,782,500kL/annum. No additional groundwater allocation is required to operate the proposal. Further, the existing licensing requirements include monitoring of groundwater production bores for nitrate concentration in order to identify groundwater quality impacts from the site activities. The Department of Water provides guidance on the management of water and nutrient application to land with nearby sensitive receptors and provides the requirement for a 2m separation to the water table. In this regard, the depth to groundwater far exceeds the required 2m separation (greater than 20m is achieved).</p> <p>Refer to response to Submission 1 Points 1 and 3, above. In addition, should the Council consider approving the application, it is expected a condition will be imposed requiring the implementation of the FMP.</p> <p>Refer to response to Submission 1 Points 1 and 3, above, as well as responses to this Submission at Points 4 and 5, above.</p> <p>The land is zoned General Rural and a Horticulture – Intensive is a discretionary use in the General</p>
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	<p><i>had plenty of other options and had a productive Olive Grove there anyway?</i></p> <ul style="list-style-type: none"> <i>The construction of the Packaging Shed, Office and Amenities, Cool Room and Storage with Associated Loading Bays will create plenty of noise, the beeping of reversing vehicles is already an annoying problem, they have a massive shed already on top of the hill that houses farming machinery. Can you imagine that delightful sound every day at 5am each morning? Noise is carried on the wind, and it blows from the west a lot and I am due east. I have already noticed a sharp increase in traffic up and down their adjoining firebreak and I hate to imagine the impact of 12 full time employees, their vehicles, and the farm machinery on a quiet neighbourhood.</i> <i>The increased traffic noise cannot be understated with the employees and the produce truck movements mentioned, that is if, the proposed limits are adhered to, and so far, my confidence in their compliance has been damaged. Not to mention the additional wear and tear on Cowalla Road, which we know is, itself, in need of repair already.</i> 	<p>Rural zone. Any potential for off-site impacts is addressed through the FMP. Compliance with the FMP requirements can be imposed as a condition in the event of approval.</p> <p>The proposed packaging shed, office and amenities, cool room and storage and loading bays are located over 725m from the closest nearby sensitive land use. These structures are located at a low point on site, approximately 30m lower than the site's northern and eastern boundary. This level difference will assist in mitigating any off-site noise impacts. It is therefore considered to have negligible noise impacts. Management measures to ensure any noise impacts to nearby sensitive land uses are included in the FMP which can be imposed as a condition in the event of approval.</p> <p>Traffic noise is not considered to cause an adverse impact on amenity given the low numbers of vehicles travelling to and from the site each day. In the event the development is approved, Cowalla Road can adequately accommodate the additional traffic generated by this proposal and it will continue to operate well below its design capacity. If the road currently requires upgrades, without the traffic generated by this proposal, this is a pre-existing issue that is up to the Shire to resolve and should not be a burden carried by the proponent.</p>
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		<ul style="list-style-type: none"> • <i>As a general comment I would like to mention the unfair allocation of time in order to complete this Revised Development Application. It was posted on the 13th November 2023 from the council in Gingin but arrive in Carramar only on 17th November 2023, limiting the time including return postage to just a couple of days, which seems way rushed.</i> • <i>Please inform me, who will be monitoring compliance with the Farm Management Plan, when all the details are agreed upon? Who will ensure they do plant the Tuart Trees mentioned, or spray when the conditions are right?</i> • <i>I doubt that one Celery crop per year will be harvested, when Celery only needs 3-4 Months to grow. Who will monitor this and the use of cover crops and what species are they, and what is their fate? More harvesting, more vehicle movement, people, and noise.</i> • <i>I find it impossible to support this proposal because its effects on me are enormous and will have ongoing and lasting negative effects, upon my lifestyle and my property value will also be impacted. Collectively the affected neighbours are offered no compensation for the destruction of their lifestyles and fall in the price of their properties, this is not a fair or decent development and should not proceed in its present revised form.</i> 	<p>The proposal was advertised in accordance with statutory timeframes required by the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions. It is understood the delay stands with postal delays associated with Australia Post.</p> <p>The proponent is responsible for complying with any conditions set by the Shire on Development Approval, in the event of approval. This includes complying with a potential condition to comply with the Farm Management Plan. The Shire’s Planning Compliance Officer can ensure compliance with relevant conditions is achieved.</p> <p>Refer to response above, to Point 11 within this Submission (Submission 2).</p> <p>The revised proposal to remove stage 2 and include only pivots located outside a 500m separation to nearby sensitive land uses achieves the requirement for separation distances to sensitive land uses and therefore impacts are considered to be minimal when this separation is achieved. Impact on property values is not a relevant planning consideration,</p>
3.	Ratepayer	<p><i>The submitter does not support the application and provides the following general comment:</i></p> <p><i>When the subdivision and subsequent establishment of rural dwellings on both Cowalla Road and Borabilla Place was approved by Gingin Shire, an</i></p>	<p>Noted.</p>

	<p><i>Olive Grove (est. 1999) was situated on the Western boundary of these properties. It was harvested approximately 6 weeks annually with little farming activity taking place outside of the harvest period.</i></p> <p><i>A 210h Olive Grove was nearly completely cleared by Waterville Fresh in 2022, including mature trees on their Eastern boundary that could have served as a buffer between themselves and nearby sensitive land uses. Waterville Fresh submitted an application for change of use to Celery Cropping which property owners from rural dwellings believe will compromise the sensitive land use, subjecting residents', flora and fauna to hazards and adverse health impacts.</i></p> <p><i>Reasons for not supporting the application:</i></p> <p>3.1.3 Wind <i>Pgs. 19-20 of the Rowe Group report: Summer am. Easterly /pm. South-Westerly Winter am. Northerly/pm. Easterly</i></p> <p>Stakeholder comments:</p> <ul style="list-style-type: none"> <i>• Firstly Plates 3-3 through to 3-6 of the report are too small and we were unable to read the key.</i> <i>• In addition, through omission, this wind information is misleading. For example, with less than a week until summer, today at 12.45pm we have a Westerly blowing at 25kmh with gusts up to 39kmh.</i> <i>• In the last 72hrs according to the BOM, wind direction has frequently blown from West South West (directly from the pivot sight to our dwelling) in addition to the South-Westerly. With the exception of the middle of the night, the wind is nearly always well above the recommended up to 10kmh speed for spraying during farm working hours.</i> <p>5.2 Separation to nearby Sensitive Receptors</p> <ul style="list-style-type: none"> <i>• 5.2.2 The Rowe Group report notes that all residential dwellings aside from the house on Lot 118 Cowalla Rd have vegetated buffer separating the dwelling from the site.</i> <p>Stakeholder comments:</p>	<p>Noted. Refer to response to Submission 1 Point 1, above. The proposal has been modified to remove pivots within 500m of nearby sensitive land uses.</p> <p>Noted. The management and contingency actions contained within the FMP are intended to address this and deal with any differing conditions to what has been planned for.</p>
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		<ul style="list-style-type: none"> <p><i>This is referring to a band of established native bush that runs through the residential properties with the exception of Lot 118. Our understanding is that this bush is protected and we, the owners of the land, cannot remove it. The native bush on our property is only 8m wide at its narrowest. Is the report suggesting that the bush, which is habitat to a range of flora and fauna including endangered Carnaby's Black Cockatoos finding high food and shelter, serves as a buffer to our dwelling and will protect our water supply and health? What about the environment - impact to the flora and fauna? Please see article from the Victorian Government below re spray drift: https://www.betterhealth.vic.gov.au/health/healthyliving/chemicals-and-spray-drift-as-of-20/11/23</i></p> <p><i>Chemical spray drift cannot always be contained or controlled completely, despite correct application. Chemical sprays may drift over neighbouring properties or waterways and can affect human health, animals or the environment. Spray drift can affect household and farm water supplies, including tank water.</i></p> <p><i>Please see exerts below on Carnabys Black Cockatoo https://www.australiongeographic.com.au/fact-file/carnabvs-black-cockatoo/ 20/11/23</i></p> <p><i>Now the species is endangered and only seen in pairs or small flocks. Since the middle of last century its population is thought to have fallen by more than 50 per cent and there are now fewer than 20,000 surviving in the wild.</i></p> <p><i>The main cause behind the decline has been the clearing of the species' preferred habitats, mostly for agriculture across the WA wheatbelt.</i></p> <p><i>Management Actions in the Rowe Group report also refer to the Department of Health recommending a separation distance of 300m for control of spray drift, dust, smoke and ash or alternatively a 40m separation distance can be used where a vegetative buffer has been adequately designed, implemented and maintained in accordance with the Separation of Agricultural and Residential Land Uses Guidelines (DOH 2012 largely adopted the best practice standards described by the Queensland Department of National Resources in</i></p> 	<p>The vegetation, in combination with the existing remnant vegetation on adjoining land assist with providing a buffer, however the proposal has been modified to remove pivots within 500m of nearby sensitive land uses. As such, the 500m separation distance alone is sufficient to meet the EPA Guidance Statement requirements, without the addition of vegetated buffers or screening.</p>
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	<p><i>Arborwest Tree Farm who were referenced in the report for information on Tuart Trees, who stated that Tuarts take 10-15 years to reach maturity and 20-30 years to be full grown which means that they will have no impact on the vegetative buffer for some time to come.</i></p> <p><i>Table 5-1 Pg 38 of the report alludes to the three eastern most pivots which are within approximately 227m of our residential dwelling, being unrestricted once the casuarina trees reach 3m with minimum foliage cover of 50% of screen alignment. It says that based on the combined width of both screening layer the requirements for a minimising 20m wide planted area is exceeded.</i></p> <p><i>Again, this is at maturity and we suggest that a 3m high immature Casuarina tree provides little protection against spray drift, with a topography that rises towards the Eastern boundary and with the regular Westerly or West-South-Westerly winds that are typically over the 10kmh recommended wind speed for use of fertiliser or chemical application.</i></p> <p><i>In short, the report states that at maturity these trees will form a continuous vegetative screen along the screen alignments but this will not be for some years to come.</i></p> <p><i>We also have concerns over the increased likelihood of Stable Fly which is already a problem in the area and celery cropping is known to attract Stable Fly. Who will be monitor for Stable Fly outbreak and determine when to apply the proposed control measures?</i></p> <p><i>The use of ambiguous language is consistent in the Rowe Group Report. It does not define the terms unreasonable/reasonably/whenever possible. Whenever possible is used when referring to machinery only operating during the day and machinery within pivots 1 to 3 avoided prior to 7am. We do not have confidence in Waterville Fresh complying with these actions 'whenever possible'.</i></p>	<p>The FMP includes management and contingency actions that are to be implemented to manage any occurrence of stable fly. In the event the development is approved, the FMP will be implemented.</p> <p>Compliance with the management and contingency actions contained within the FMP will likely be imposed as a condition in the event of approval. Non-compliance with the requirements of the FMP will likely mean the use of the site is in breach of Development Approval.</p>
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	<p><i>Waterville Fresh proposes to reduce the recommended separation distance considerably without adequately addressing an appropriate buffer from sensitive land uses, namely rural dwellings. This issue could have been addressed with a little foresight on the behalf of Waterville Fresh if they had retained some of the Olive Grove on the Eastern boundary. Now they wish to rush through a change of use, greatly impacting residents, local flora and fauna through an increased risk to health by reducing the buffer distance.</i></p> <p><i>We the property owners question why the following wasn't considered when initially planning for the subdivision of rural land that resulted in the lots located in Cowalla Road and Borabilla Place. These factors should also be considered carefully now on receipt of the application to change land use:</i></p> <ul style="list-style-type: none"> <i>• potential conflict between local agriculture and residents in existing dwellings in regard to noise, spray drift, odour, dust, waste and stable fly. Residents purchased these properties when an Olive Grove was abutting them, not the intensive operation of Celery Cropping with pivots in operation all year round and an increase in traffic flow on both bitumen and dirt roads, including semi-trailers.</i> <i>• the provision of water supply and risk of contamination through uncontained spray drift</i> <i>• loss of opportunity to ever sub divide our properties through future rezoning due to the requirement to provide the recommended buffer zone between agriculture and sensitive land use.</i> 	<p>Refer to response to Submission 1 Point 1, above.</p> <p>Refer to response to Submission 2 Point 1, above. Every development application is assessed and determined on its merits, based on what is presented and the assessment of that proposal against relevant statutory frameworks in place at the time of determination. In this regard, The Shire's Local Planning Scheme No. 9 Zoning Table outlines land use permissibility within relevant zones and Clause 67 of the Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions provides all relevant considerations, including consideration of proposals against relevant Local and State Planning Policies</p> <p>Adjoining land to the north and east of the site are zoned General Rural (GR20) under LPS 9. Without knowing the exact location of the submitter's property, there is very limited opportunity for further subdivision of land in the immediate vicinity. In any case the ability to subdivide land is not a guarantee for any lot and is in fact influenced by several factors, including achieving minimum lot sizes, bushfire planning considerations, impacts on remnant</p>
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			vegetation, servicing, and objectives of the zone.
4.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <ol style="list-style-type: none"> 1. <i>We respect all property owners to live their life on their land as they choose, however in regard to our own expected way of using our land, we wish to submit our ADAMANT REFUSAL regarding the above application. We live directly East of Waterville Fresh on the corner of Waterville Rd and Borabilla Place. Following are our concerns and comments regarding this.</i> 2. <i>It is disappointing that after going to SAT and mediation with Shire that the Waterville Fresh application is not significantly changed. There is no environmental report or traffic/ road report included, despite previous recommendation by shire.</i> 3. <i>WATER USEAGE - Use of center pivot irrigation uses copious amounts of water, with celery needing even higher amounts compared to other vegetables. This second proposal suggests 1.78 million kilolitres of annual water useage. We are very concerned about the impact this will have on the underground aquifer systems below ours and neighbouring properties. There is no town water supply here, we rely on bore and rainwater for our livestock, gardening and personal use. Recent bore water tests on our property show it to be of good quality and suitable for livestock and personal use. Our concern is for our bore water supply and increased soil salinity with ground water reduction as a direct impact of so much water use from Waterville Fresh. How will these issues be addressed? Will we be compensated for this should our bore run dry and soil unusable due to high salinity? And if so, how?</i> 4. <i>CHEMICAL USE – products used for fertilizing and pest control of celery growing are commercially made with multiple poisons warnings about intoxication and application PPE required. Celery is a shallow rooted crop requiring high fertilizer and water and slightly acidic soils. When these chemicals are applied to the plants by the pivot irrigation, which are high and wide with large sprayers, there is a high risk of overspray. Our soil in this area is predominantly sandy, allowing for easy drainage of chemical fertilizers and pesticides into the water table.</i> 	<p>Noted.</p> <p>A FMP has been prepared for consideration by the Shire, as well as further traffic analysis of the surrounding road network, based on recent traffic counts undertaken by the Shire.</p> <p>Land to the north and east of the subject site is located upstream with groundwater flowing westward. Therefore, land upstream will have priority access to the availability of bore water. Notwithstanding, access to bore water is subject to licensing by the Department of Water and Environmental Regulation. The current license for the site is for 1,782,500kL/annum.</p> <p>Refer to response to Submission 1 Point 1, above. The proponent is responsible for ensuring compliance with the FMP management and contingency actions following any approval of the development.</p>

		<p>A. <i>The layout of the pivots is too close to our property boundary to not have chemical overspray. The Trees planted as buffers are still seedlings now, and only 2 trees wide. It will be some years before these could be an effective buffer. The proposal refers to recommended tree buffer to include varied bushes for undergrowth to prevent chemical overspray from escaping, but Waterville Fresh does not include this in their application as an intent to plant. As we are uphill from Waterville Fresh, and the area is quite windy with winds often coming from WSW and will therefore blow the spray over the trees and our property, even if they trees reach 3m high. The application suggests they wont spray if wind speed is over 10km/hr, but winds below this is not a regular occurrence so how will they achieve their chemical applications without spraying when wind speed is over 10 km/hr? And who will monitor whether they are in fact spraying only when wind speed is less than 10 km/hr?</i></p> <p>B. <i>Waterville Fresh states chemical spray would not be higher than 1m, but pivot sprayers are much higher than that, and have stated some would be sprayed with pivot sprayers.</i></p> <p>C. <i>The planting of tuart trees around the pivots will not provide good lower screening and are not irrigated so won't grow at great speed. There also does not seem enough distance between pivots for up to 12 rows of tuarts as suggested should be planted. And again, will take some years to reach adequate growth to be a suitable buffer.</i></p> <p>D. <i>We have been working towards achieving organic status for our property with future organic farming of our livestock and land. We have paid extra expenses in providing organic feed for our livestock and extra time in eradicating weeds without chemicals. This will be a useless enterprise with chemical spray drift over our land, and water pollution in the ground water and soils.</i></p> <p>E. <i>Chemical overspray could also pollute our rainwater tanks by chemicals settling on the roof with rain washing it off roof into tanks. This is our drinking water so could directly affect our s and our sons health.</i></p> <p>F. <i>The bush line on our property which extends north over four blocks of land is protected as a Banksia Woodland of Swan Coastal plains. An environmental scientist who has seen our bushland described it as 'ancient woodlands' with the 'biggest grass trees' he has ever seen, outlining many species of plants, trees and fungi, including the endangered Banksia attenuata, Banksia menziesii and WA Christmas tree species. Endangered Carnaby Black Cockatoos rest and feed on this bushland. Chemical pollution to soil and water could damage the</i></p>	
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	<p><i>protected bush areas and also reduce habitats for the Carnaby's. I spoke to Department of Environment who advised the shire needs to request an assessment for an environmental report to determine if the market garden would impact the protected bushlands. Furthermore, the application indicates they are utilizing the woodlands as a buffer for chemical overspray to residences. This is unacceptable. Not only does this put the woodlands at risk of damage, it would suggest that all vegetation and soils west of the woodlands will be exposed to overspray also.</i></p> <p><i>G. Waterville Fresh outline the chemical overspray risk in their application as "low risk". In our opinion, this is not an acceptable risk to the health of ourselves, our son and our animals.</i></p> <p><i>H. The application also states that the buffer is 150m to the nearest house, however we have already begun plans to build central to our block, putting our residence closer than that. And besides we should not be encumbered by where we build or how we use our entire block based on Waterville Fresh chemical overspray, and 40m is too close. It is my understanding that a 500m buffer from property boundary should be enforced. If this application is approved, will this affect where and how we can use our property? If we want to build on our west side of our property, we currently only need a 20m distance from building to our boundary fence.</i></p> <p><i>5. NOISE – An increase in traffic flow and use of regular semi trailers will increase road noise. Increase use of machinery will cause significant noise pollution, especially without sufficient trees as buffer to reduce noise. The times suggested they will be working are outside standard acceptable noise rules, and spraying at night will create further machinery and vehicle noise, light disturbance and not necessarily meet low wind requirements as can often be windy also.</i></p> <p><i>6. STABLE FLY – David Cook, award winning agricultural scientist, notes celery is the worst crops for breeding stable fly. I note the proposed management from Waterville Fresh, however, I have grave concerns for our animals and our love of being outside interfered with. There is a Stable Fly</i></p>	<p>The FMP contains management and contingency actions to reduce any noise impacts associated with the proposed use. Further, the modified application removes all pivots within 500m of nearby sensitive uses and therefore the proposal is not expected to generate any noise impacts that cannot be addressed by the management and contingency actions within the FMP.</p> <p>Noted.</p>
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		<p><i>Committee set up specifically because they are an issue for livestock in areas with market gardens, and we do not want this issue on our doorstep.</i></p> <p>7. ROAD CONDITION</p> <p>A. <i>Just west of Borabilla junction Waterville Rd bitumen ends and is a gravel road to Telephone Rd. The increased traffic and use of semi-trailers on this gravel road will create unnecessary dust, noise and damage to the road. When the road is wet, it can also be slippery, thereby increasing risk of harm to all road users. Furthermore, the intersection of Waterville Rd and Cowalla Rd is not suited to semi-trailer usage and will create a risk to drivers due to decreased vision for vehicles travelling from North to South on that road because of the hill and trucks having to pull out slowly, possibly resulting in an increase of accidents. The previous response by shire suggested that trucks would need to turn left onto Cowalla for safety reasons, yet the current application still says they intend to turn right.</i></p> <p>B. <i>A full traffic report was suggested by Shire in response to initial application, but this is not included with this application.</i></p> <p><i>We purchased this property away from suburbia, noise, people and everyday exposure to pollution. We believe we are entitled to continue to enjoy peace and fresh air the rural environment offers. The approval of Waterville Fresh application will destroy this for us.</i></p>	<p>Waterville Road in proximity to the site is currently operating well below capacity. With the addition of vehicles associated with this proposal, the total number of vehicles per day is expected to be 60-70, including two heavy vehicles associated with this proposal, plus the existing four heavy vehicles using this road currently. The Main Roads WA trigger for requiring a road to be bituminised is when it carries at least 150 vehicles per day. Traffic information and assessment was undertaken with the original application, plus further investigations provided as part of the reconsideration process.</p> <p>Noted.</p>
5.	Ratepayer	<p>The submitter does not support the application and provides the following general comment:</p> <p><i>I refer to the application BLD/5091 P2532 and my meeting with Mr Bayliss on the 21st November 2023.</i></p> <p><i>The applicant is well known to me. We have worked together over many years. Accordingly, I had access to Mr Tana and an opportunity to discuss the proposal in a less formal environment.</i></p>	<p>Noted.</p>

	<p><i>I do accept in good faith the assurances that I have been given, but, in time, the management or ownership may change. For that reason, it is appropriate to have these assurances recorded as obligations if approval is granted.</i></p> <p><i>These are the matters that concern my wife and I.</i></p> <p>SHELTER FROM WIND BLOWN DUST AND CHEMICALS</p> <p><i>The irrigated area that creates most concern for us is Pivot 6 in Stage 1 and Pivot 1 Stage 2.</i></p> <p><i>Quoting the department of health regulation a separation distance of 300 metres to control spray drift, dust, smoke and ash is clearly only a guideline. As you can see from the photo's that I have provided. On the 18th November 2023 on an average afternoon south westerly wind and on the 22nd November 2023 on a moderate easterly wind. You can clearly see the height and distance the dust will travel. These are of 2 local vegetable gardens all within 5 minutes of our property. This dust was blowing multiple kilometres away on farms with tree shelters in place. Also in the photo's are pictures of our boundary with the applicant. That show our water tank and the sand drift, opposite their existing shed. This occurred while the olive trees were growing. Some of these properties are about 60 metres above sea level. The development next to us is 108 metres above sea level. As I stated to Mr Bayliss at our meeting we are the only properties in the Gingin shire that are located this close, on the north side of a large scale vegetable garden.</i></p> <p><i>The applicant intends to plant Tuart and Casuarina trees between the cropping area and our boundary. He is agreeable to planting a mixture of trees thus providing a dense shelter at the lower levels. I would like to suggest coastal Mort's as one variety but there will be other trees that would help build the lower density of the shelter belt. As you can see in the photos they provided, Casuarina and Tuart trees lose their lower density the older they get. So low, thick growing foliage needs to be planted prior to that area coming into use.</i></p> <p>THE EXISTING SHED</p> <p><i>This shed is so close to our home that we have concerns about vehicle noise out of hours. The applicant has said this shed would rarely be used. When used it would only be for long term storage of farm sundries and equipment. We</i></p>	<p>Noted.</p> <p>Refer to response to Submission 1 Point 1, above. The pivots within the revised proposal are located outside the 500m separation distance to nearby sensitive land uses, as required by the EPA Guidance Statement.</p> <p>Refer to response to Submission 1 Point 1, above.</p>
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		<p><i>would be satisfied by this assurance being included in any conditions attached to an approval.</i></p> <p><i>STABLE FLIES</i></p> <p><i>We have lived and had livestock on this property for over 45 years and we have worked close to vegetable gardens for over 30 years. So we know how irritating these flies can be to humans and livestock.</i></p> <p><i>At the moment we have no stable fly problem on this property. So strict conditions in following the latest techniques on stable fly reduction need to be adhered to and regular inspections by the local stable fly officer need to be made.</i></p> <p><i>HOUSE WATER</i></p> <p><i>The applicant has assured us that during the development he will provide a source of potable drinking water to our boundary. We would draw on this supply if our existing groundwater bore fails because of the extra consumption in the area.</i></p> <p><i>IN SUMMARY</i></p> <p><i>We have no doubt that in the future this development will decrease our land value. Our house is only 292 metres from the boundary fence of this development. So, it will restrict where we can build any new dwelling on our own property. To be more than 500 metres from the pivots we will be limited to approximately 7.6 hectares out of our 30.42 hectares to build on.</i></p> <p><i>Our plan was to live and work in the area and to retire on our property, with general farming around us. Not large-scale horticulture.</i></p>	<p>The shed at the northern end of the site is existing and not proposed to be altered as part of this proposal.</p> <p>The FMP provides management and contingency actions to deal with any potential impacts associated with Stable Fly. In the event the development is approved, the proponent will be required to comply with the FMP.</p> <p>It is understood from the submission that the submitter's property is located to the north. This is upstream to the subject site and therefore the submitter's bore will have priority access to bore water supply over the subject site.</p> <p>Noted.</p> <p>Noted.</p>
6.	Ratepayer	<p>The submitter provides the following general comment:</p> <p><i>Stage 1 does not concern me as I hope they stick to the rules and what they say they'll do as per the proposal. Stage 2 pivot 1 concerns me as it's close to my home and I am Northeast of it in line with the SW wind direction so shelter from dust and chemicals. I live on rainwater tanks and do not want chemicals in my water. I would like to see an even better tree screening between us.</i></p>	<p>Refer to response to Submission 1 Point 1, above.</p>

**MINUTES
ORDINARY COUNCIL MEETING
19 DECEMBER 2023**

APPENDIX 13.3.9

		<p><i>It's a farm so I understand Stage 1 that's fine.</i></p> <p><i>I would like to see pivot 1 Stage 2 removed as it's too close, and ground water levels maintained.</i></p>	<p>Access to ground water through bore use is subject to licensing by the Department of Water and Environmental Regulation, separate to this process.</p>
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13.4 APPLICATION FOR AMENDED DEVELOPMENT APPROVAL - OUTBUILDING ON LOT 56 (41) MOORE RIVER DRIVE, GUILDERTON

This matter was brought forward for discussion. See page 11.

File	BLD/7089
Applicant	Dianne Hedges and John Hedges
Location	Lot 56 (41) Moore River Drive, Guilderton
Owner	Dianne Hedges and John Hedges
Zoning	Residential 12.5/20
WAPC No	NA
Author	James Bayliss – Manager Planning and Building
Reporting Officer	James Bayliss – Manager Planning and Building
Refer	Nil.
Appendices	<ol style="list-style-type: none"> 1. Location Plan - Lot 56 (41) Moore River Drive, Guilderton [13.4.1 - 1 page] 2. Aerial Plan - Lot 56 (41) Moore River Drive, Guilderton [13.4.2 - 1 page] 3. Applicants Proposal [13.4.3 - 2 pages] 4. Approved Plans - Outbuilding - Lot 56 (41) Moore River Drive, Guilderton [13.4.4 - 4 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Amended Development Approval for an Outbuilding on Lot 56 (41) Moore River Drive, Guilderton.

BACKGROUND

In accordance with Delegation 8.1.7 Determination of Development Applications, the Shire’s Planning Department approved a single house, outbuilding and retaining wall on the subject property on 17 November 2023.

Condition 4 of the approval states:

Where simultaneous approval has been granted by local government for both a dwelling and outbuilding on the same lot, the single house must be substantially commenced prior to construction of the outbuilding.

The applicant seeks to remove this condition to enable the outbuilding to be constructed prior to the dwelling.

The subject property is 991m² and abuts rural land to the north-east and the Moore River foreshore reserve to the west.

The outbuilding is 9 metres in length and 9 metres in width, equating to an area of 81m². The outbuilding has a wall height of 3.8 metres tapering to an overall height of 4.59 metres. The outbuilding is set back 1 metre from the side (northern) boundary and 1 metre tapering to 1.8 metres from the rear (eastern) boundary.

It should be noted that in order for the proposed structure to be considered as a traditional outbuilding, it must be associated with a dwelling. An outbuilding is not permitted as a stand-alone structure on an otherwise vacant lot.

The officer notes that Council has previously consented to outbuildings being erected prior to dwellings on land zoned 'Rural Living', however until now the suitability of such a proposal in the Residential zone (i.e., townsites) has not been determined. On this basis, Council consideration is required.

A location plan and aerial imagery are provided (**see appendices**).

A copy of the approved plans is provided (**see appendices**).

COMMENT

Stakeholder Consultation

No stakeholder consultation has been undertaken in relation to this amendment. It should be noted that stakeholder consultation was undertaken in relation to the initial proposal.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject land is zoned Residential 12.5/20 under LPS 9, the objectives of which are to:

- a) *Provide for a range of housing types and encourage a high standard of residential development;*
- b) *Maintain and enhance the residential character and amenity of the zone;*
- c) *Limit non-residential activities to those of which the predominant function is to service the local residential neighbourhood and for self-employment or creative activities, provided such activities have no detrimental effect on the residential amenity; and*

- d) *Ensure that the density of development takes cognisance of the availability of reticulated sewerage, the effluent disposal characteristics of the land and other environmental factors.*

Clause 4.3.2 of LPS 9 requires land with a dual coding to be assessed at the lower density (R12.5) unless the property is connected to reticulated sewerage. In this instance the lot is not serviced by deep sewer.

State Planning Policy 7.3 - Residential Design Codes of Western Australia (R-Codes)

The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia. The R-Codes define an 'Outbuilding' as:

*An enclosed **non-habitable** structure that is detached from any dwelling.*

Local Planning Policy 2.1 - Residential Outbuildings

The Shire adopted LPP 2.1 in February 2023 to complement and enhance the provisions of the R-Codes to better reflect community expectations.

Cl 5.1 of LPP 2.1 states:

- 5.1.1 *For an outbuilding to be considered for approval within the residential zone, the subject land must contain an existing dwelling approved by the Shire e.g., single house, or associated to a substantially commenced dwelling, e.g., house pad.*
- 5.1.2 *An outbuilding that forms part of a development proposal that includes a dwelling. However, given the risk that the outbuilding may be constructed and used without a dwelling first being built, conditions of development approval may be imposed to control the timing of construction to ensure that the outbuilding is developed in association with the dwelling and not before.*
- 5.1.3 *Without a dwelling being present on the lot, an outbuilding by itself constitutes a warehouse/storage land use, which is not permitted in a residential zone under Local Planning Scheme No.9 (LPS 9).*

In view of the above provision, Condition 4 of the development approval was imposed.

Cl. 5.3 Supplementary Deemed to Comply Standards outlines the maximum allowable standards for outbuildings throughout the Shire, dependent on lot size. The table below outlines the standards applied to the subject lot.

APPLICABLE LOT SIZE	STANDARD	DEEMED TO COMPLY	PROPOSED
801m ² - 1000m ²	Area Wall Height Overall Height	100m ² 3.8m 5m	81m ² – compliant 3.8m – compliant 4.6 – compliant

5.5 - Variations to Standards

5.5.4 - Development proposals that seek variations to this policy shall be determined in accordance with the objectives of this policy.

The objectives of this policy are:

- a) To provide a framework in which outbuilding development and use can take place without having adverse impacts on the streetscape, character and amenity or environmental attributes of the surrounding area.*
- b) To provide development standards for outbuildings that consider varying residential lot sizes and community needs.*
- c) To develop deemed-to-comply requirements to reflect community expectations for outbuildings on residential zoned land.*
- d) To ensure an outbuilding is associated to a dwelling and/or is constructed at the same time as a dwelling.*
- e) To identify acceptable material colours and finishes for outbuildings, that maintain the amenity of residential streetscapes and for adjoining residential properties.'*

The officer is of the view that the proposal clearly conflicts with objective d). Therefore, there is a strong basis for refusal of the proposed amendment, as LPP 2.1 provides clear guidance regarding the timing of outbuildings being constructed in relation to an associated dwelling.

While the landowner seeks to use the outbuilding to store materials associated with the dwelling construction, the way the Shire's local planning policy framework has been created enables the temporary use of sea containers for that purpose. This protects the Shire (and community) from situations where outbuildings become the only structure on an otherwise vacant residential property.

Council has previously supported outbuildings being constructed on vacant 'Rural Living' zoned properties. However, such support has been on the basis of appropriate conditions being imposed to ensure that landowners follow through on their commitment to build a dwelling in conjunction with the outbuilding and, should that not occur, requiring the structure to be removed.

While the above approach may be contrary to objective d) of LPP 2.1, it may nevertheless be applied. Council may choose to accept that it is appropriate to apply the same approach to Residential zone land. In the event Council supports this approach, Condition 4 should be substituted with the following condition:

4. The Outbuilding component of this approval is valid for a period of two years and expires on 19 December 2025, at which time the Outbuilding is to be removed from the property unless construction of a single house has been completed.

Summary

While the officer notes that it may be a pragmatic approach to impose a time limited condition, LPP 2.1 was adopted in February 2023 and was endorsed by Council to assist the community and administration with expectations regarding the use and construction of residential outbuildings.

On that basis, the officer recommends that the position adopted under LPP 2.1 be upheld, and notes that the proposal does not satisfy objective d).

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Scheme) Regulations 2015

Shire of Gingin Local Planning Scheme No. 9.

POLICY IMPLICATIONS

State Planning Policy 7.3 - Residential Design Codes of Western Australia

Local Planning Policy 2.1 – Residential Outbuildings

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Stewart **SECONDED:** Councillor Kestel

That Council refuse to grant amended development approval to vary Condition 4 of P2585 on Lot 56 (41) Moore River Drive, Guilderton in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:

1. Having regard to Clause 67(2)(g) of the Deemed Provisions, the proposed development is unacceptable given:
 - a. The proposal is inconsistent with objective d) of Local Planning Policy 2 .1 – Residential Outbuildings.

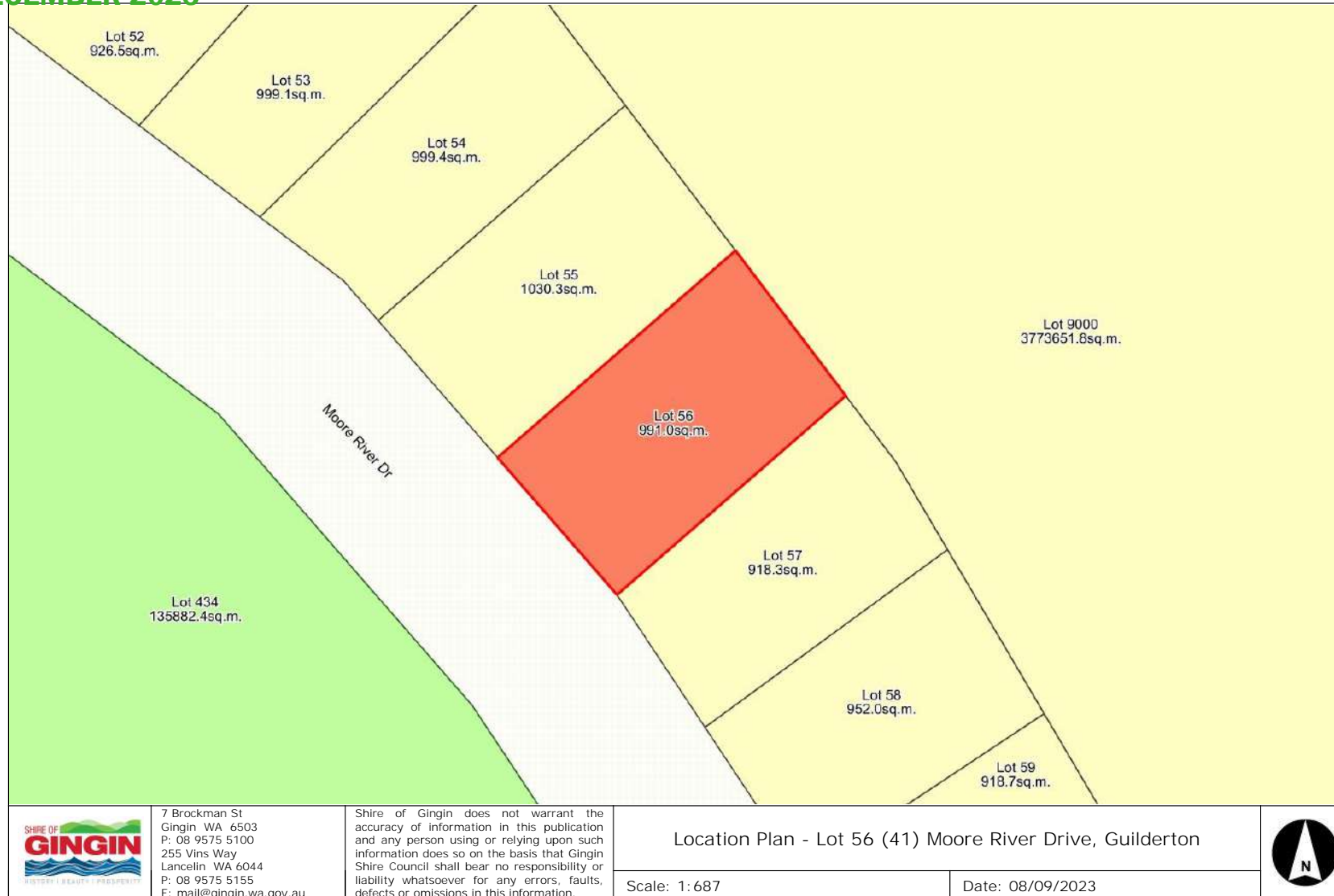
Advice Notes

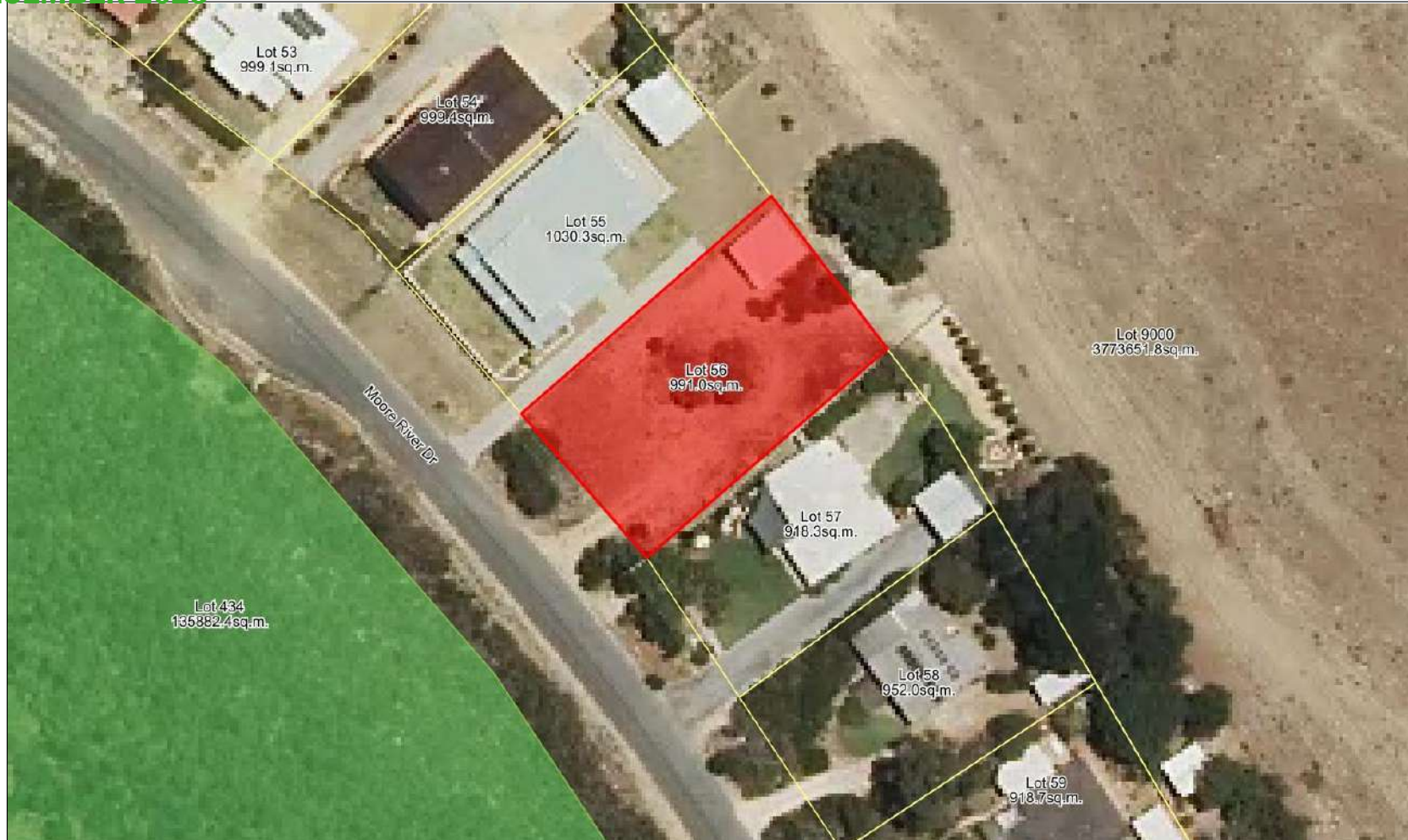
Note 1: If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.



**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*





 <p>SHIRE OF GINGIN HISTORY BEAUTY PROSPERITY</p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Aerial Plan - Lot 56 (41) Moore River Drive, Guilderton</p>	<p>Scale: 1: 687</p>	

Mr Ross Harper
Planning Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

Email: ross.harper@gingin.wa.gov.au

Dear Ross

**OPA159384 Building Development Approval
Lot 56 (41) Moore River Drive, Guilderton**

Thank you for your email dated, Friday, 17 November 2023, advising that our Development Application has been approved for a Single House, Outbuilding and Retaining Wall on the abovementioned property ('the Property').

I note in the *Conditions of Approval* on page 2, paragraph 4, it states that:

Where simultaneous approval has been granted by local government for both a dwelling and outbuilding on the same lot, the single house must be substantially commenced prior to construction of the outbuilding.

Mrs Dianne and Mr John Hedges ("the Property owners") seek the Shire of Gingin's ("the Shire") consideration, approval and/or amendment to paragraph 4 for the following reasons:

- currently there is a large, aged Outbuilding ("the Aged Shed") on the Property. It is not vermin proof and to do so, would be an unnecessary cost;
- the Property owners seek to demolish the Aged Shed and replace it with the planned new Outbuilding ("the New Shed"), which has been approved in the abovementioned Development Application;
- prior to the commencement of the Single House, the Property owners seek approval to build the New Shed, which will be soundly engineered, constructed and vermin proof;
- the property owners currently live in Kalgoorlie, Western Australia, some 700 kilometres from Guilderton;
- upon retirement, the property owners will no longer be entitled to reside in Government Regional Officer Housing;
- the current real estate market shortage makes the Property owners transition from Kalgoorlie to Guilderton burdensome;
- upon retirement, the Property owners wish to safely store their household furniture and effects in the vermin proof New Shed, starting just prior to and for the duration of the construction of the Single House;

- the Property owner's seek permission to reside in their fully self-contained caravan, starting just prior to and during the construction of the Single House;
- with the Property owner's living on site, it shall deter would-be thieves, thus possibly reducing delays in construction of the Single House; and
- the Property owners will not use the New Shed for habitation or any other industrial or commercial use.

Therefore, the Property owners seek approval from the Shire to:

1. Replace the existing Aged Shed with the planned New Shed prior to the commencement of the Single House construction.
2. Reside in their fully self-contained caravan on the Property, starting just prior to and for the duration of the Single House construction.

Thank you for your consideration. Please do not hesitate to contact us if you require further information.

Yours sincerely



Dianne Hedges
Property Owner
0434 153 888
John_dianne@bigpond.com



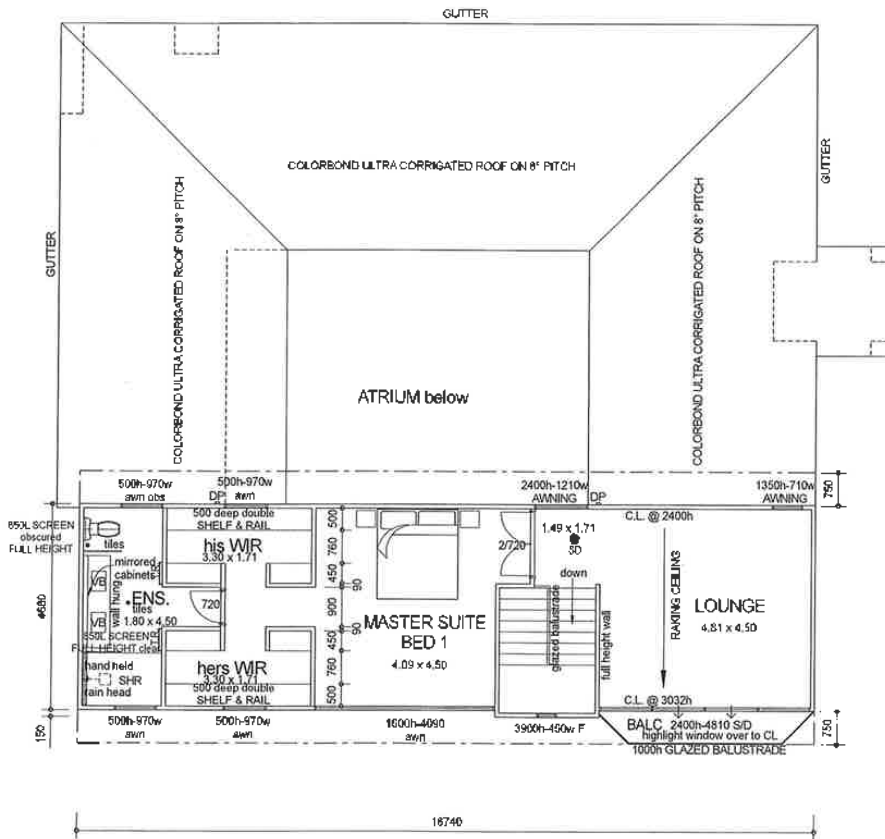
John Hedges
Property Owner
0410 459 546

20 November 2023

NOTES:
 RECONSTITUTED LIMESTONE WALLS AS SHOWN.
 FILL AND COMPACT FOR CONCRETE SLAB TO HOUSE.
 WALLS CONSISTS OF 91x 36mm TREATED PINE STUDS & NOGGINGS.
 EXTERNAL WALLS TO BE CLAD WITH HARNES 150mm HORIZONTAL WALL CLADDING.
 INTERNAL WALLS ARE LINED WITH PLASTERBOARD UNLESS NOTED OTHERWISE AND TO HAVE ACOUSTIC SOUND REDUCTION INSULATION.
 PROVIDE R2.5 BATT INSULATION TO EXTERNAL WALLS.
 CONVENTIONAL TIMBER FRAMED ROOF IN ACCORDANCE WITH AS 1684.
 DOWNPIPE POSITION AT PLUMBERS DISCRETION AND DIRECTED TO THE SOAKWELL.
 ROOF WALL, FLOOR & CEILING INSULATION TO MEET OR EXCEED WHAT IS SHOWN IN THE ENERGY REPORT.
 PROVIDE R1.3 ANTIIGN UNDER ROOF SHEETING AND R1.0 BATT INSULATION TO THE HOUSE CEILING.
 COLD PLUMBING TO DISHWASHER, & FRIDGE RECESSES.
 PROVIDE WATER FILTRATION SYSTEM TO HOUSE. (EXTERNAL TAPS NOT REQUIRED TO BE FILTERED)
 SUSPENDED TIMBER FRAMED FLOOR FOR FIRST FLOOR.
 SHADOWLINE CEILING FINISHING CORNICE WHERE WALLS MEET CEILING.
 LOW-E GLAZING ON ATRIUM AND ALL EXTERNAL WINDOWS.
 FUTURE PV PANELS ON THE FUTURE SHED ROOF

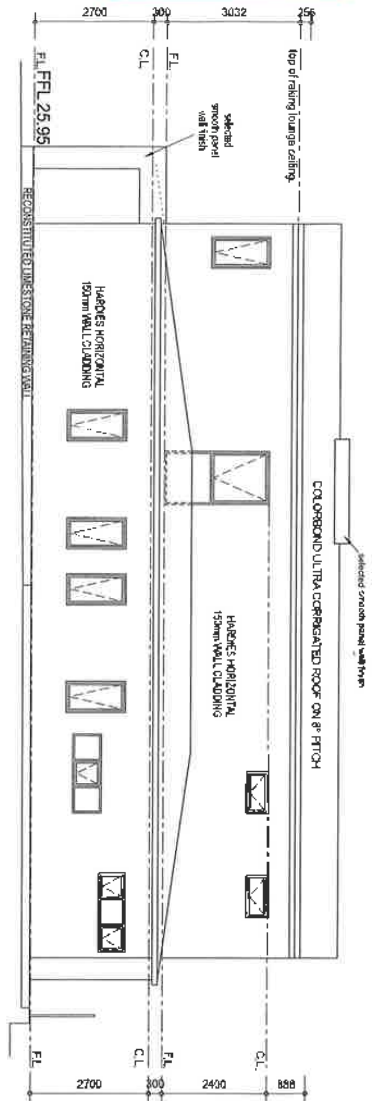


SHIRE OF GINGIN
17 NOV 2023
DEVELOPMENT APPROVAL

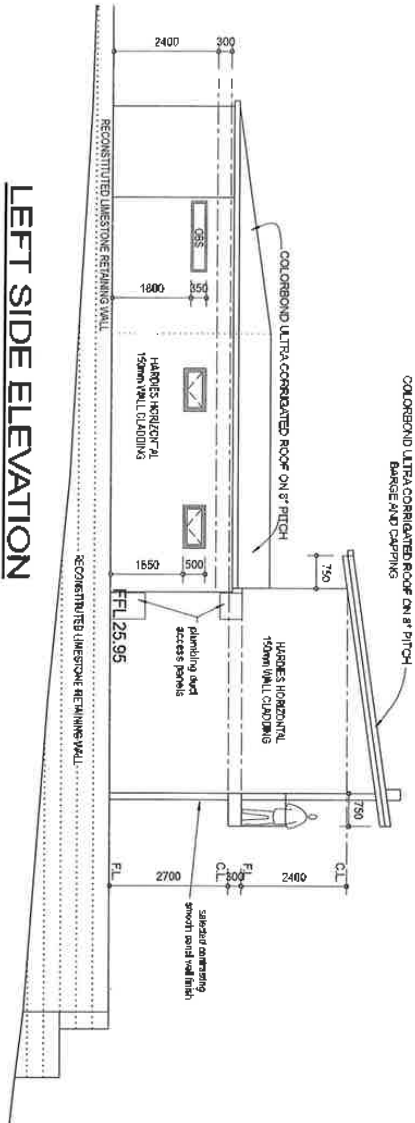


<p>Midwest PROPERTY SERVICES Shire Office: 08EN 402 2347 19/23, N/1 192541 shire@midwestproperty.com.au</p>	<p>Joondalup DESIGNS Email: joondalupdesigns@gingin.com.au Phone 08 95714361, Mobile 0411513771</p>	CLIENT NAME JOHN & DIANNE HEDGES John Mobile: 040 47552 4010 45556 Dianne Mobile: 084 153849 Email: ph_dianne@gingin.com.au	Rev No: 9 Description: 50-ED FOR A114-20M Date Dwn: 05.09.23 By: LA	PROPOSED RESIDENCE SK1 Sheet No: 2 OF 4 Revision: 0
		SITE ADDRESS: LOT 58 (No. 41) Moore River Drive GUILDFERTON, W.A.	DRAWING NAME: 1st FLOOR PLAN	SHIRE: SHIRE OF GINGIN

**SHIRE OF GINGIN
17 NOV 2023
DEVELOPMENT APPROVAL**



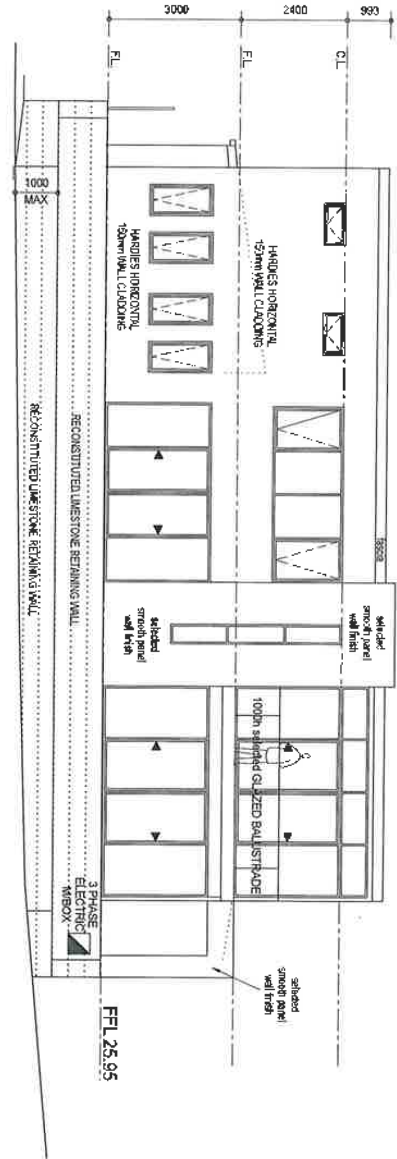
REAR ELEVATION



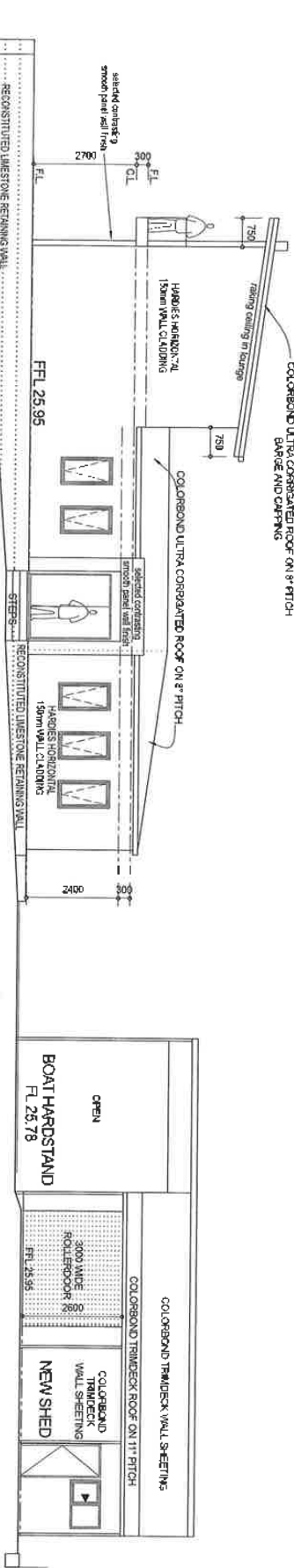
LEFT SIDE ELEVATION

				CLIENTS: JOHN & DIANNE HEDGES 401/402 Park Road, G536, and Unit 6/2-6 Park Access, 1338/1341 Central Rd, Perth Airport GUILDERTON WA.		0 ISSUED FOR APPROVAL 02.03.23 1A		PROPOSED RESIDENCE SK1	
State Title: 402/404 Reg. No: 1142/44 Lot: 1038/1039 Subj: 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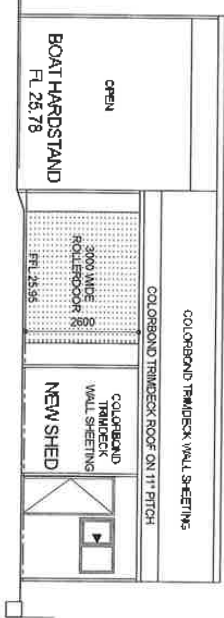
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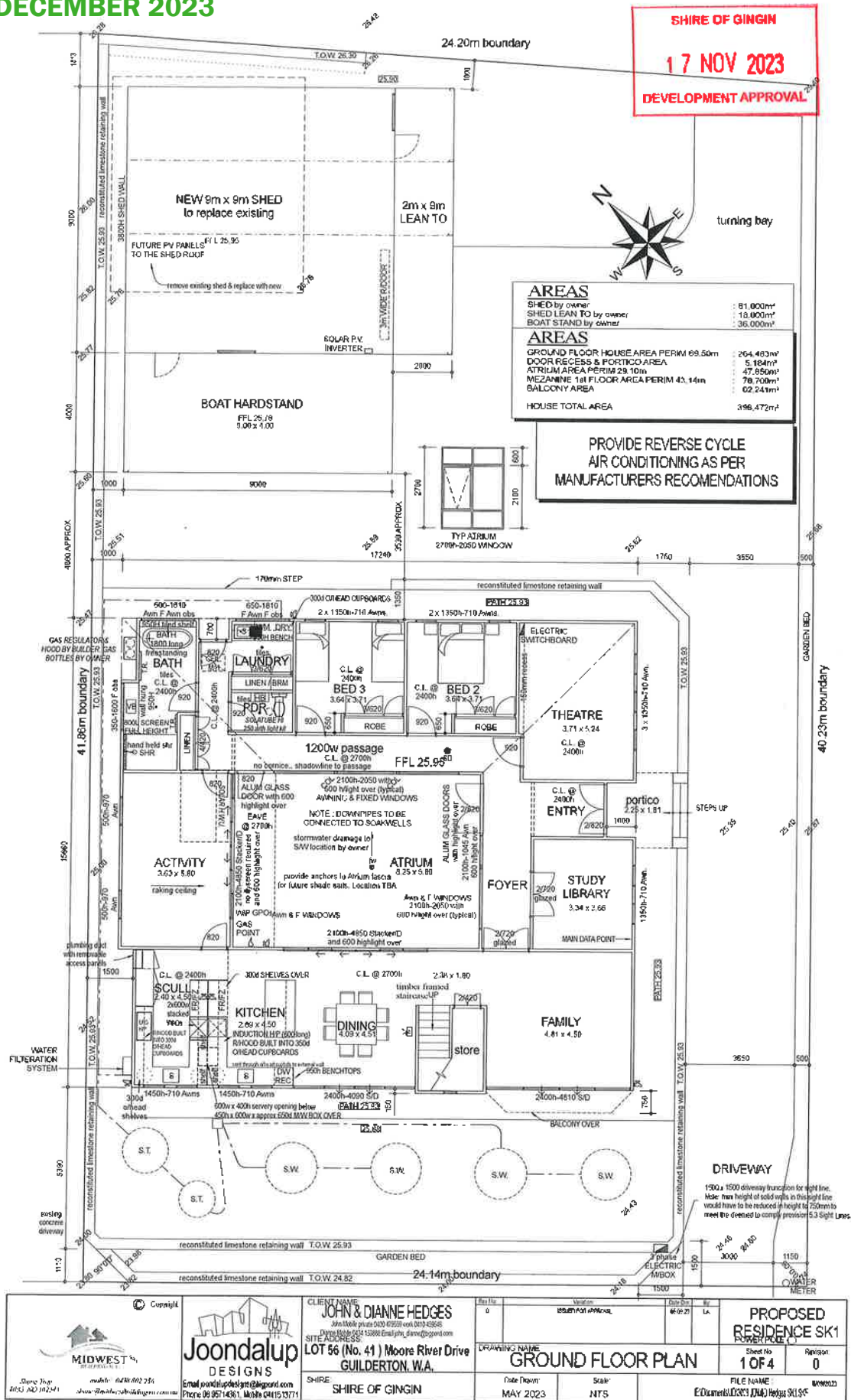
FRONT STREET ELEVATION



RIGHT SIDE ELEVATION



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<p>Joondalup DESIGNS</p> <p>1601 Mt. Wellington Phone: 08 9571 4235, Mobile: 08 9571 8771</p>		<p>CLIENT: JOHN & DANNE HEDGES 24th Ave, 1601 Mt. Wellington, Gingin 9571 4235 1601 Mt. Wellington, Gingin 9571 8771</p> <p>SHIRE: SHIRE OF GINGIN</p>	
<p>DATE DRAWN: MAY 2023</p>		<p>SCALE: 1 : 100</p>	
<p>ISSUED FOR APPROVAL</p>		<p>DATE: 05.09.23</p>	
<p>PROPOSED RESIDENCE SK1</p>		<p>FILE NAME: 3 OF 4</p>	
<p>REVISIONS: 0</p>		<p>REVISION: 0</p>	
<p>COMMENTS: 02/11/2023</p>			



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		<p>SITE ADDRESS LOT 56 (No. 41) Moore River Drive GUILBERTON, W.A.</p>	<p>DRAWING NAME GROUND FLOOR PLAN</p>	<p>SHEET No 1 OF 4</p>	<p>REVISION 0</p>

**13.5 APPLICATION FOR DEVELOPMENT APPROVAL - OUTBUILDING ON LOT 501 (19)
HARPER DRIVE, LEDGE POINT**

This matter was brought forward for discussion. See page 11.

File	BLD7676
Applicant	Evana Beaton
Location	Lot 501 (19) Harper Drive, Ledge Point
Owner	Evana Beaton
Zoning	Residential 15
WAPC No	NA
Author	James Bayliss – Manager Planning and Building
Reporting Officer	James Bayliss – Manager Planning and Building
Refer	Nil.
Appendices	<ol style="list-style-type: none"> 1. Aerial Plan - Lot 501 (19) Harper Drive, Ledge Point [13.5.1 - 1 page] 2. Location Plan - Lot 501 (19) Harper Drive, Ledge Point [13.5.2 - 1 page] 3. 3.1 Site layout plan [13.5.3 - 1 page] 4. 3.8 House and Shed Elevations [13.5.4 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for an Outbuilding on Lot 501 (19) Harper Drive, Ledge Point.

BACKGROUND

The subject property is 976.3m² in area and is currently vacant. The applicant seeks to construct a single house and outbuilding on the land but is seeking approval to erect the outbuilding prior to the dwelling.

It should be noted that the dwelling component of the overall development satisfies State Planning Policy 7.3 - Residential Design Codes of Western Australia (R-Codes) and is therefore exempt from the need to obtain development approval.

The outbuilding is 10 metres in length and 10 metres in width, equating to an area of 100m². The outbuilding has a wall height of 3.3 metres tapering to an overall height of 4.18 metres. The outbuilding is set back 2 metres from the side (southern) and rear (western) boundaries.

It should be noted that in order for the proposed structure to be considered as a traditional outbuilding, it must be associated with a dwelling. An outbuilding is not permitted as a stand-alone structure on an otherwise vacant lot.

The officer notes that Council has previously consented to outbuildings being erected prior to dwellings on land zoned 'Rural Living', however until now the suitability of such a proposal in the Residential zone (i.e., townsites) has not been determined. On this basis, Council consideration is required.

It is understood that the landowner seeks approval for prior construction of the outbuilding in order to securely store building construction materials onsite. It is further noted that the landowner has placed two 40-foot sea containers on the verge of the property, storing building materials for the pending house build, without any approval to do so. It is understood that once the outbuilding is constructed (if approved) the material will be transferred to the outbuilding and the sea containers removed from the property.

A location plan and aerial imagery are provided (**see appendices**).

A copy of the development plans is provided (**see appendices**).

COMMENT

Stakeholder Consultation

No community consultation has been undertaken in relation to this proposal. Timing of the respective builds is not viewed as required community input.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject land is zoned Residential 15 under LPS 9, the objectives of which are to:

- a) *Provide for a range of housing types and encourage a high standard of residential development;*
- b) *Maintain and enhance the residential character and amenity of the zone;*
- c) *Limit non-residential activities to those of which the predominant function is to service the local residential neighbourhood and for self-employment or creative activities, provided such activities have no detrimental effect on the residential amenity; and*
- d) *Ensure that the density of development takes cognisance of the availability of reticulated sewerage, the effluent disposal characteristics of the land and other environmental factors.*

State Planning Policy 7.3 - Residential Design Codes of Western Australia (R-Codes)

The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia. The R-Codes define an ‘Outbuilding’ as:

*An enclosed **non-habitable** structure that is detached from any dwelling.*

Local Planning Policy 2.1 - Residential Outbuildings

The Shire adopted LPP 2.1 in February 2023 to complement and enhance the provisions of the R-Codes to better reflect community expectations.

Cl 5.1 of LPP 2.1 states:

5.1.1 For an outbuilding to be considered for approval within the residential zone, the subject land must contain an existing dwelling approved by the Shire e.g., single house, or associated to a substantially commenced dwelling, e.g., house pad.

5.1.2 An outbuilding that forms part of a development proposal that includes a dwelling. However, given the risk that the outbuilding may be constructed and used without a dwelling first being built, conditions of development approval may be imposed to control the timing of construction to ensure that the outbuilding is developed in association with the dwelling and not before.

5.1.3 Without a dwelling being present on the lot, an outbuilding by itself constitutes a warehouse/storage land use, which is not permitted in a residential zone under Local Planning Scheme No.9 (LPS 9).

The dwelling component of the development is exempt from the requirement for planning approval and a building permit is imminent (pending the outcome of this proposal).

Cl. 5.3 Supplementary Deemed to Comply Standards outlines the maximum allowable standards for outbuildings throughout the Shire, dependent on lot size. The table below outlines the standards applied to the subject lot.

APPLICABLE LOT SIZE	STANDARD	DEEMED TO COMPLY	PROPOSED
801m ² - 1000m ²	Area Wall Height Overall Height	100m ² 3.8m 5m	100m ² – compliant 3.3m – compliant 4.18m - compliant

5.5 - Variations to Standards

5.5.4 - Development proposals that seek variations to this policy shall be determined in accordance with the objectives of this policy.

The objectives of this policy are:

- a) To provide a framework in which outbuilding development and use can take place without having adverse impacts on the streetscape, character and amenity or environmental attributes of the surrounding area.*
- b) To provide development standards for outbuildings that consider varying residential lot sizes and community needs.*
- c) To develop deemed-to-comply requirements to reflect community expectations for outbuildings on residential zoned land.*
- d) To ensure an outbuilding is associated to a dwelling and or is constructed at the same time as a dwelling.*
- e) To identify acceptable material colours and finishes for outbuildings, that maintain the amenity of residential streetscapes and for adjoining residential properties.'*

The officer is of the view that the proposal clearly conflicts with objective d). Therefore, there is a strong basis for refusal of the proposed amendment, as LPP 2.1 provides clear guidance regarding the timing of outbuildings being constructed in relation to an associated dwelling.

While the landowner seeks to use the outbuilding to secure materials associated with the dwelling construction, the way the Shire's local planning policy framework has been created enables the temporary use of sea containers for that purpose. In this instance sea containers have been placed on the property, however approval was not obtained prior to doing so.

Council may form the view that erecting an outbuilding prior to the dwelling is a better approach than having sea containers placed temporarily on residential properties. An outbuilding may present a more favourable built form that a sea container and have less impact on the streetscape.

In the event that this is Council's position, then the officer's recommendation could be substituted with the following:

That Council grant Development Approval for an Outbuilding on Lot 501 (19) Harper Drive, Ledge Point subject to the following conditions:

- 1. The land use and development shall be undertaken in accordance with the approved plans and specifications, including the directions written in red ink by the Shire, unless otherwise conditioned in this Approval;*
- 2. This approval is for an outbuilding only as indicated on the approved plans;*
- 3. This approval is is valid for a period of two years and expires on 19 December 2025, at which time the Outbuilding is to be removed from the property unless construction of a single house has been completed;*
- 4. The approved outbuilding is to be constructed using new materials and is to be of a consistent colour scheme;*
- 5. The outbuilding is not to be used for human habitation, habitable purposes or any other industrial or commercial use;*
- 6. Prior to use of the outbuilding, a new sealed crossover from Dillworth Way is to be installed at the landowners' cost, which is to be designed and constructed to the satisfaction of the Shire of Gingin; and*
- 7. Stormwater from all roofed, driveway and hardstand areas shall not enter adjoining properties and is to be collected and contained onsite to the satisfaction of the Shire of Gingin.*

Advice Notes:

- Note 1: If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the Planning and Development Act 2005.*
- Note 2: Where an approval has lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.*
- Note 3: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the Building Act 2011 and Health Act 2016, which are to be approved by the Shire of Gingin.*
- Note 4: This planning approval shall not be construed as an approval or support of any kind for any other planning related application on the subject land.*

Note 5: It is recommended that cadastral lot boundaries be established by a suitably qualified land surveyor to ensure that all development is carried out within the subject allotment.

Note 8: This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the Dividing Fences Act 1961.

Note 9: In relation to the installation of a new crossover, please note that a crossover application form is to be submitted to the Shire's Operations and Assets Department which can be found on the Shire's website at the following link: <https://www.gingn.wa.gov.au/services/operations.aspx>.

While the above approach may be contrary to objective d) of LPP 2.1, it may nevertheless be applied.

Summary

While the officer notes that it may be a pragmatic approach to impose a time limited condition, LPP 2.1 was adopted in February 2023 and was endorsed by Council to assist the community and administration with expectations regarding the use and construction of residential outbuildings.

On that basis, the officer recommends that the position adopted under LPP 2.1 be upheld, and notes that the proposal does not satisfy objective d).

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Scheme) Regulations 2015

Shire of Gingin Local Planning Scheme No. 9.

POLICY IMPLICATIONS

State Planning Policy 7.3 - Residential Design Codes of Western Australia

Local Planning Policy 2.1 – Residential Outbuildings

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Stewart

That Council refuse to grant development approval for an Outbuilding prior to a dwelling on Lot 501 (19) Harper Drive, Ledge Point in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:

1. Having regard to Clauses 67(2)(g) of the Deemed Provisions, the proposed development is unacceptable given:
 - a. The proposal is inconsistent with objective d) of Local Planning Policy 2 .1 – Residential Outbuildings.

Advice Notes

Note 1: If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.



**CARRIED UNANIMOUSLY
8 / 0**

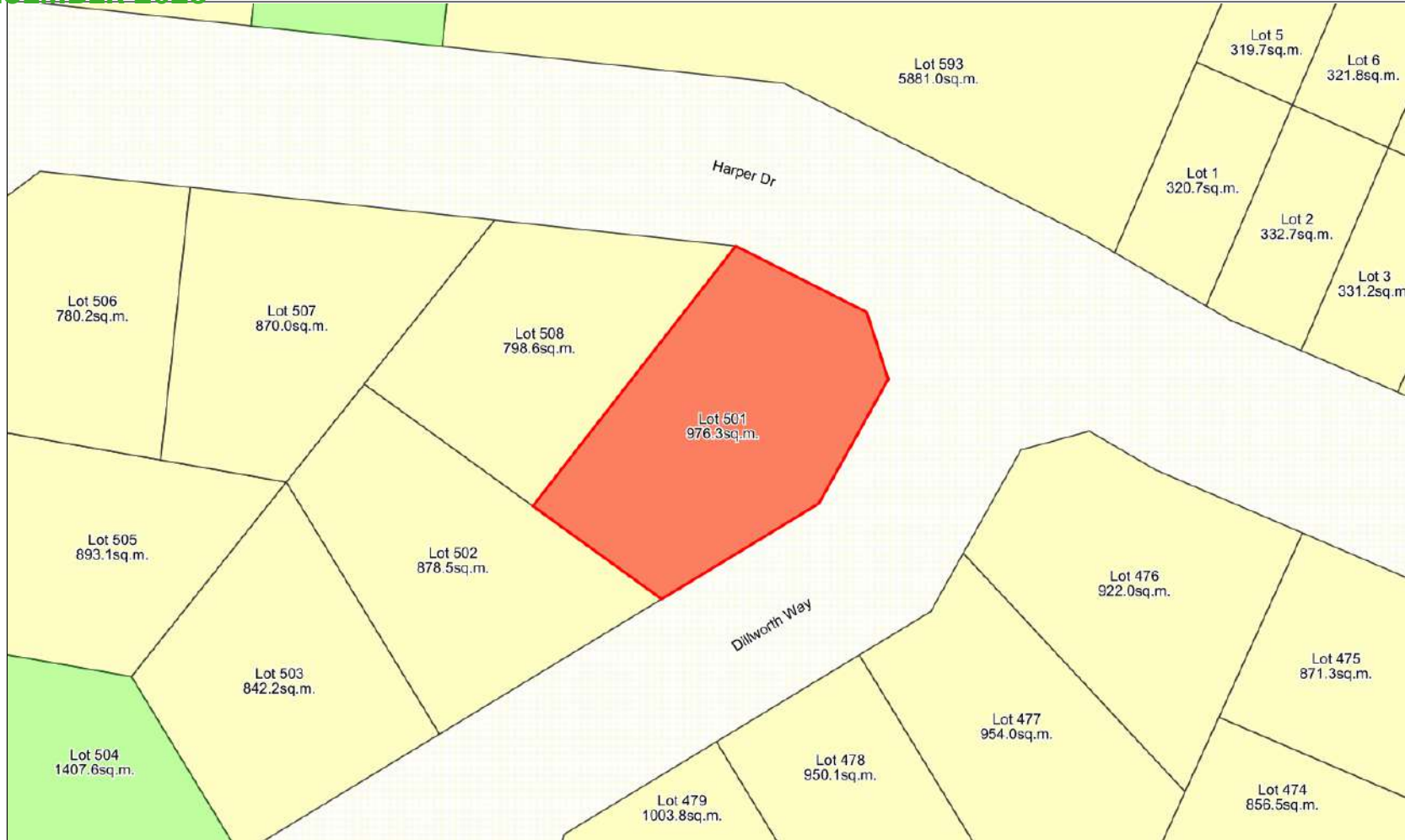
FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*



AGAINST: *Nil*

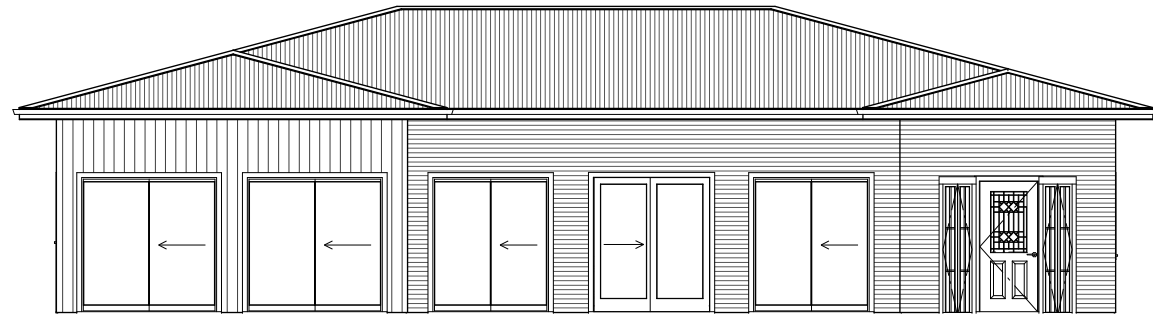
Council returned to Item 11.1 after this Item.



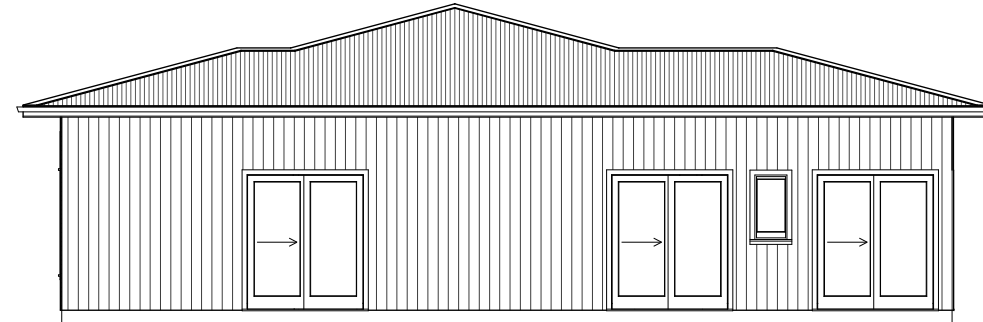
 <p>SHIRE OF GINGIN HISTORY • BEAUTY • PROSPERITY</p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Aerial Plan - Lot 501 (19) Harper Drive, Ledge Point</p>		
			<p>Scale: 1:332</p>	<p>Date: 12/12/2023</p>	



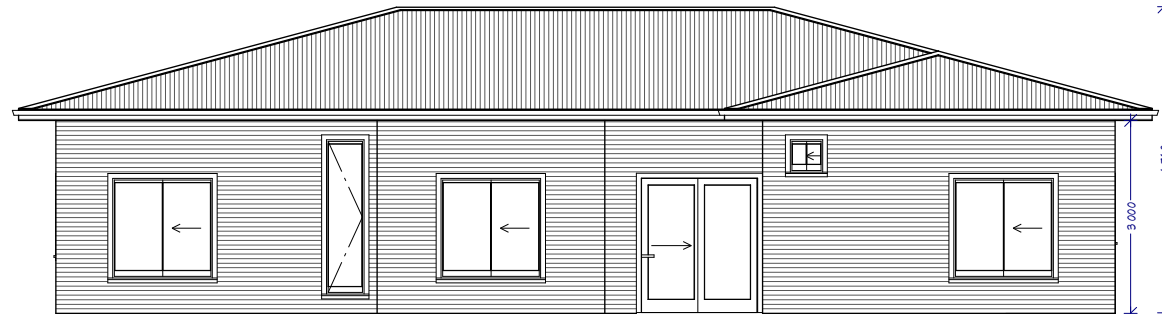
 <p>SHIRE OF GINGIN HISTORY • BEAUTY • PROSPERITY</p>	<p>7 Brockman St Gingin WA 6503 P: 08 9575 5100 255 Vins Way Lancelin WA 6044 P: 08 9575 5155 E: mail@gingin.wa.gov.au</p>	<p>Shire of Gingin does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that Gingin Shire Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information.</p>	<p>Location Plan - Lot 501 (19) Harper Drive, Ledge Point</p>	<p>Scale: 1:649</p>	<p>Date: 12/12/2023</p> 
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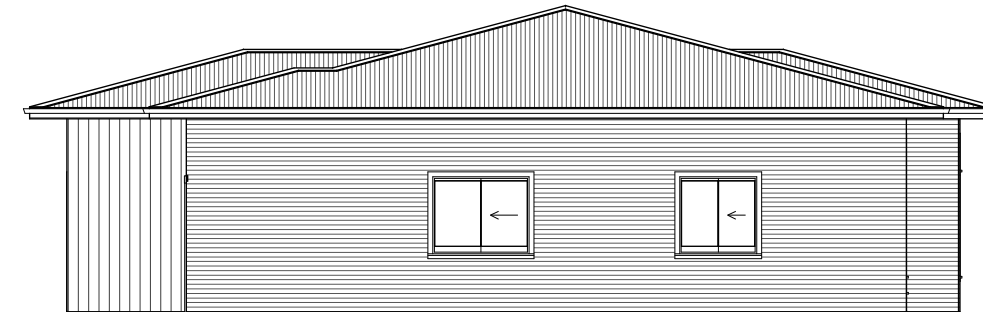
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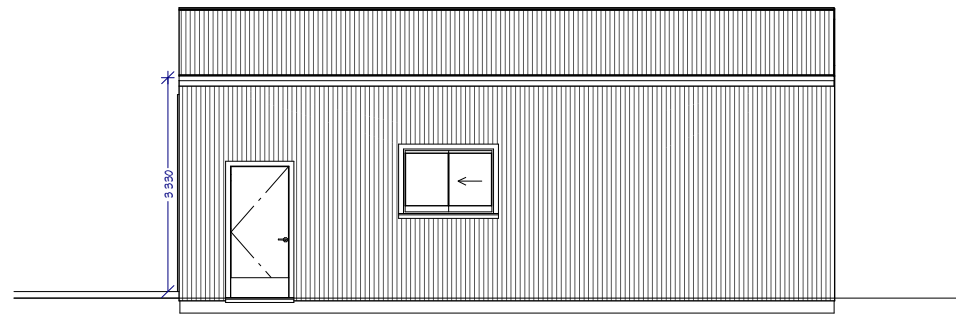
House East Elevation



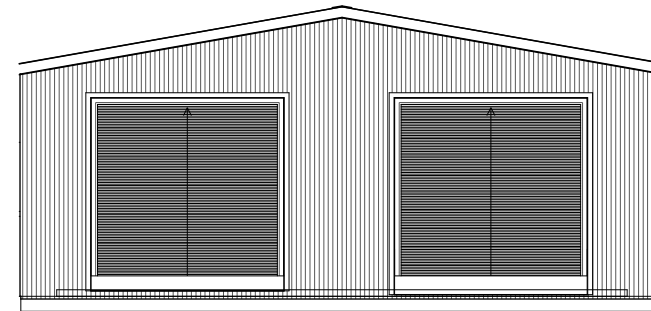
House South Elevation



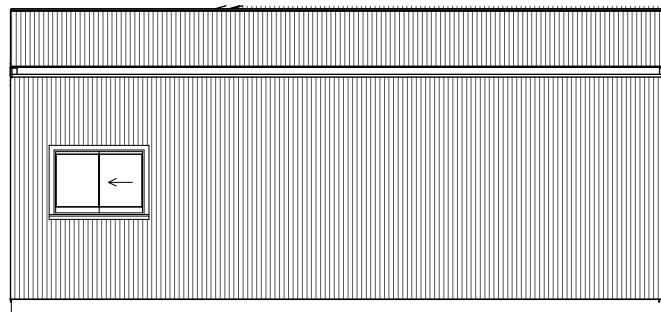
House West Elevation



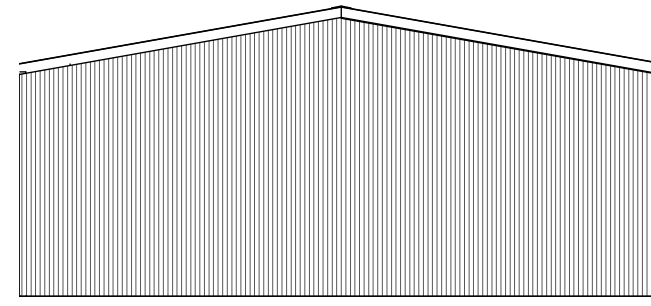
Shed North Elevation



Shed East Elevation



Shed South Elevation



Shed West Elevation

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
House And Shed Elevations

PROJECT DESCRIPTION:
**House and Shed
Evana Beaton
19 Harper Drive
Ledge Point**

DRAWINGS PROVIDED BY:
RELIABLE RENOVATIONS & CONSTRUCTION
PO BOX 71
YOKO 6302
0424408168

DATE:

4/11/23

SCALE:

1 : 100

SHEET:

3.8

14 REPORTS - OPERATIONS AND ASSETS

Nil

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 COUNCILLORS' OFFICIAL REPORTS

16.1 GUILDERTON CARAVAN PARK AND FORESHORE ADVISORY GROUP

File:	GOV/21
Councillor:	J Weeks
Report Date:	19 December 2023

I attended the meeting on Monday 18 December 2023 with the Guilderton Caravan Park and Foreshore Development Advisory Group to meet with the developers who will be helping to create a vision for the redevelopment of the Guilderton Caravan Park.

16.2 GUILDERTON CARAVAN PARK AND FORESHORE ADVISORY GROUP

File:	GOV/21
Councillor:	E Sorensen
Report Date:	19 December 2023

I attended the Guilderton Caravan Park and Foreshore Development Advisory Group meeting on Monday 18 December 2023.

16.3 GUILDERTON CARAVAN PARK AND FORESHORE ADVISORY GROUP

File:	GOV/21
Councillor:	R Kestel
Report Date:	19 December 2023

I attended the Guilderton Caravan Park and Foreshore Development Advisory Group meeting on Monday 18 December 2023.

16.4 GINGIN CRC, GINGIN DISTRICT HIGH SCHOOL AWARDS CEREMONY AND CHRISTMAS CAROLS IN THE PARK

File:	GOV/21
Councillor:	L Balcombe
Report Date:	19 December 2023

I attended the Gingin CRC meeting and Flavours of Gingin was discussed. It was asked at the meeting if more community members could be involved in any discussions about future Flavours of Gingin events.

I attended the Gingin District High School Awards Ceremony, both Councillor Fewster and Councillor Woods were also in attendance. It was a lovely morning and there are some talented kids and future leaders.

I also went to the Christmas Carols in the Park organised by the Lions Club which was another good community event.

16.5 GINGIN DISTRICT HIGH SCHOOL AWARDS CEREMONY AND CHRISTMAS CAROLS IN THE PARK

File:	GOV/21
Councillor:	C W Fewster
Report Date:	19 December 2023

I attended the Gingin District High School Awards Ceremony and presented some prizes on behalf of Council and I also attended the Early Rates Prize Draw night at CU@Park which was a great evening. Thanks again to all staff involved, very much appreciated.

16.6 SENIOR HAIRCUTS

File:	GOV/21
Councillor:	L Stewart
Report Date:	19 December 2023

We held an event to provide free haircuts to seniors. On the day, we cut 11 seniors' hair for free. We are hoping to hold this event every 3 months for seniors and aged care and there is a group working together to provide free haircuts, facials, massages, and beauty treatments.

17 NEW BUSINESS OF AN URGENT NATURE

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Peczka **SECONDED:** Councillor Woods

That Council agree to accept an officer report relating to the replacement of the Shire's water truck (GG088) as an Item of New Business of an Urgent Nature.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

17.1 REPLACEMENT OF WATER TRUCK (GG088)

File	PLT/36
Author	Vanessa Crispe – Executive Manager Operations and Assets
Reporting Officer	Vanessa Crispe - Executive Manager Operations and Assets
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an alternative method for replacing the Shire's existing water truck (GG088) to that currently listed in the adopted 2023/24 budget.

BACKGROUND

Council's adopted 2023/24 budget currently includes a provision of \$100,000 to convert the Shire's current Fuso 8-wheeler end tipper (GG088) into a water truck to replace the existing water truck (GG066). There is a further allocation of \$300,000 to purchase a new Fuso 8-wheeler truck only, to be fitted with the end tipper from GG088.

This proposal has proved to be impractical and uneconomic, and therefore an alternative solution has been presented to the Plant Advisory Committee for consideration.

The option that ultimately proved to be most suitable was to replace the existing water truck with a new truck, tank and fittings, with the current end tipper (GG088) that was to be converted into a water truck being retained in its current capacity.

COMMENT

The proposal endorsed by the Plant Advisory Group at its meeting on 19 December 2023 is contained in the recommendation below.

Even though the outcome of the process is the same and will come in under budget, the intent is a significant departure from the adopted budget. Therefore the CEO requested that the matter be returned to the Plant Advisory Group for discussion prior to being submitted to Council for formal consideration.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council Policy 3.10 Purchasing

BUDGET IMPLICATIONS

There are no budget implications associated with the recommendation as all costs are contained within the adopted budget. However if the purchase is made, the actual cost to Council, other than any potential purchase deposit requirement, will be incurred in 2024/2025.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.1 Management of Assets - Maintain civic buildings, sporting facilities, public places, plant and road and cycleway/pathways based on asset management plans and identified priorities

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/ADVISORY GROUP RECOMMENDATION

MOVED: Councillor Kestel **SECONDED:** Councillor Peczka

That Council agree to:

1. Purchase a new, purpose-built water truck from Truck Centre WA for a total value of \$354,939 including GST and inclusive of the trade in of the existing water truck (GG066); and
2. Retain GG088 as the end tipper truck.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Stewart, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

18 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

Nil

19 CLOSURE

There being no further business, the President declared the meeting closed at 5.16 pm.

The next Ordinary Council Meeting will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on 16 January 2024 commencing at 3.00 pm.