



MINUTES

Ordinary Council Meeting

18 January 2022

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 18 January 2022.

Councillor C W Fewster
SHIRE 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.

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ORDER OF BUSINESS

1 DECLARATION OF OPENING

The Shire President declared the meeting open at 03:02 pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – C W Fewster (Shire President), J K Rule (Deputy Shire President), L Balcombe, J Court, E Sorensen, R Kestel, F J Peczka and A R Vis

Staff – L Crichton (Acting Chief Executive Officer), R Kelly (Executive Manager Regulatory and Development Services), V Crispe (Executive Manager Operations and Assets), J Bayliss (Coordinator Statutory Planning), K Bacon (Coordinator Strategic Planning and Projects) and L Burt (Coordinator Governance/Minute Officer)

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

2.2 APOLOGIES

Cr F J Johnson
A Cook (Chief Executive Officer)

2.3 LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF INTEREST

Councillor Balcombe

Item: 12.2 Concept Enquiry - Lancelin Bowling Club
Interest: Impartiality
Reason: I am the Board and Community Officer for the Bendigo Bank and the Lancelin Bowling Club has referenced the Bank as a potential sponsor.

Councillor Kestel

Item: 12.2 Concept Enquiry - Lancelin Bowling Club
Interest: Impartiality
Reason: Board member of Bendigo Bank. Mr Williams mentioned that the Lancelin Bowling Club is speaking to Bendigo about funding.

Councillor Peczka

Item: 12.2 Concept Enquiry - Lancelin Bowling Club
Interest: Impartiality
Reason: Playing member of the Lancelin Bowling Club.

4 PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

**4.2.1 Kerry Enright, Mullins Street Guilderton
Guilderton Caravan Park and Guilderton General Store and Cafe**

- Q1. Who in the Shire knew someone in Belgravia Health & Leisure who had worked with them before, and did that person have any influence over the handling of the tender for the shop and the management of the caravan park?
- Q2. Did Councillors check Belgravia's credentials in running and operating a cafe and take-away store and caravan park, or did they rely on staff recommendations?
- Q3. Who is the responsible person for inspections on the caravan park (maintenance and cleanliness)?

Response by Shire President

- A1. Question taken on notice.
- A2. Question taken on notice.
- A3. Members of Shire staff are responsible for inspections of the caravan park as part of their portfolios.

5 PETITIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Balcombe

That Council confirm the Minutes of the Ordinary Council Meeting held on 21 December 2021 as a true and accurate record.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Deputations

One deputation was heard by Council prior to the meeting commencement, the details of which are as follows:

Item 12.2 Concept Enquiry - Lancelin Bowling Club

Speaker/s: Graham Williams

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

11.1 DRAFT STRATEGIC COMMUNITY PLAN 2022-2032

File	COR/37
Author	Linda Fidge – Coordinator Corporate Planning
Reporting Officer	Les Crichton – Acting Chief Executive Officer
Refer	Nil
Appendices	<ol style="list-style-type: none"> 1. SCP Consultation Report 27 August 21 [11.1.1 - 26 pages] 2. SO G_ Community Development Plan v 7 (002) [11.1.2 - 24 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider for public comment the Draft Strategic Community Plan 2022-2032.

BACKGROUND

The *Local Government Act 1995* (sect. 5.56) and its supporting regulations require local governments throughout Western Australia to ‘plan for the future of the district’. This includes developing a Strategic Community Plan as part of the State Government’s Integrated Planning and Reporting Framework. In accordance with the *Local Government (Administration) Regulations 1996* (Regulation 19C), the Shire of Gingin is to ensure that it maintains a rolling ten-year Strategic Community Plan. The Strategic Community Plan is required to:

- Set out the Vision, Aspirations and Objectives of the community in the district.
- Be reviewed (major) at least every four years.
- Consult with electors and ratepayers when reviewing or developing the Plan.
- Have regard to the Shire’s future resources and capacity, strategic performance indicators and demographic trends; and
- Be adopted by an Absolute Majority of Council.

The State Government’s 2016 Integrated Planning and Reporting Guidelines’ Advisory Standard clarifies and expands upon these legislative and regulatory requirements. The Shire has taken this Advisory Standard into account when developing the Draft Strategic Community Plan 2022-2032.

The Shire is continuing to work towards Integrated Planning and Reporting best practice and to this end a major review of the Strategic Community Plan 2019-2029 has been undertaken, resulting in the preparation of a draft Strategic Community Plan 2022-2032 for the Council's consideration and endorsement for the purposes of advertising for public comment. Once the public comment period is completed, any comments/suggestions received will be addressed in a further report to Council at which the draft Strategic community Plan 2022-2032 will be presented for final adoption.

COMMENT

Every four years Council undertakes a comprehensive or major review of its Strategic Community Plan and creates an updated Plan that looks ahead over the next 10 years. The reviewed Plan takes into consideration contemporary factors and expectations that influence the way we live and how we want to live in the future.

The draft Strategic Community Plan 2022-2032 is the product of engagement with people from all walks of life and organisations within the community. Comments and ideas were sought from community members on topics such as why, as an individual, they like living in the Shire of Gingin, what they thought were the major focus areas for the Shire for the next ten years and, what their vision was for the Shire to form an updated Vision Statement.

A series of community engagement workshops were held in Lancelin, Guilderton and Gingin and an on-line survey was undertaken seeking input into the review process. The same questions were used across both formats, with the outcome being 440 individual statements to consider in framing the 'direction for the future'. For further service satisfaction information, the Resident Perception Survey 2020 provided additional insight and the Youth Survey undertaken in 2018 was also used to expand on youth-related challenges.

The results of the community engagement process have been collated and translated into Aspirational/Focus Areas within the Strategic Community Plan Community Engagement Report (**Appendix 11.1.1**) and the Draft Strategic Community Plan 2022-2032 (**Appendix 11.1.2**).

This item seeks Council's endorsement of the draft Plan to undertake a public review process of the Plan for a period of three weeks.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995 Division 5 – Annual reports and planning
Section 5.56 – Planning for the future
Local Government (Administration) Regulations 1996
Division 3 – Planning for the future
Regulation 19C – Strategic community plans, requirements for

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The Strategic Community Plan informs the Shire's Long Term Financial Plan (10 years) and resulting Corporate Business Plan, which includes projects, programs, and services from the first four budget years of the Long Term Financial Plan (in any given year) and is published yearly. The annual budget is the resulting roll-over of the obligations within the Long Term Financial Plan.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Governance
Objective	5. To demonstrate effective leadership, governance and advocacy on behalf of community
Outcome	5.1 Our Organisational/ Business Values are demonstrated in all that we do
Key Service Area	Integrated Planning and Reporting
Priorities	5.1.2 Increase the focus on future financial sustainability to cater for anticipated growth

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Vis

That Council endorse the draft Strategic Community Plan 2022-2032 for the purpose of undertaking a public comment process of three weeks, with a further report addressing any submissions received and presenting the Strategic Community Plan 2022-2032 for final adoption to be submitted to Council at the conclusion of the public comment period.

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



Strategic Community Plan 2022 - 2032

**Community Consultation Report and recommended
Focus Area inclusions**

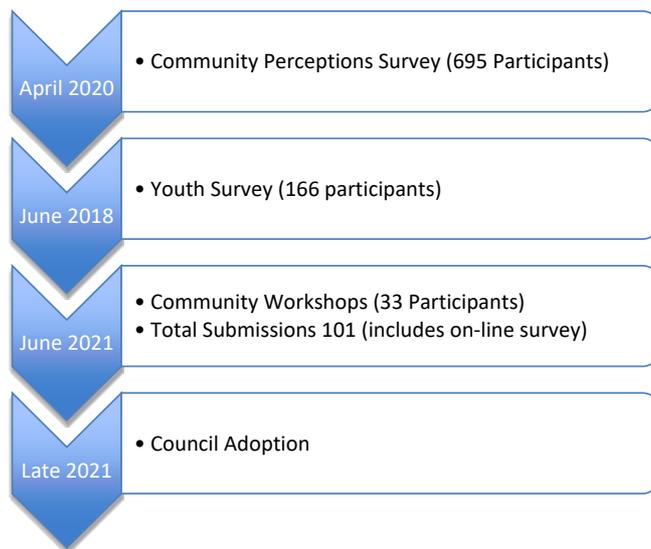
October 2021

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Introduction

The Shire of Gingin adopted several methods to consult with community on the major review of the Strategic Community Plan. Through this process, the Shire made 796 contacts with community, involving at least 700 different individuals (or 14% of the residential population (5353 ABS 2020)). The figure below provides a snapshot of the activities undertaken and those yet to occur.

Figure 1 Timeline of Public Consultation Activities



The outcomes from each of these activities will inform the development of the new Strategic Community Plan 2021-2031. An overview of each of the consultation activities is provided in the following section. This is followed by a summary of community input and recommendations by the current Strategic Community Plan 2019-2029 Focus Areas. Following this information, a table is presented with the recommended Focus Area inputs for the new Strategic Community Plan 2022-2032

Overview of Public Consultation Activities

Community Perceptions Survey (April 2020)

In January/February 2020 the Shire of Gingin conducted a Residents Perceptions Survey. All households with an Australia Post-delivery point within the Shire, along with a sample of non-resident ratepayers were invited by mail, to participate. In addition, the survey was available online for any interested resident or ratepayer and this was advertised on the Shire's website, Facebook page and Council to Community publication. The survey included a range of questions on satisfaction of the Shire's services and facilities as well as sources of community pride and things Council could do to make a difference. In total, 743 surveys were completed with the final total of 695 when duplications, partially completed surveys and surveys removed that were not residents/ratepayers. Research Solutions independently analysed the results and prepared a report for the Shire. Detailed results are reported separately in the report prepared by Research Solutions and are available on the Shire's website.

Youth Engagement (2018)

A Children and Young Peoples (ages 6-18) Photo Competition and simple questionnaire was commenced in June/July 2021 with Nil responses received. The Shire promoted both consultation options through social media and the website, as well as existing contacts at the local primary and secondary schools. In the absence of responses received via those avenues, the Youth Survey undertaken in 2018 for the development and basis of research for a Youth Services Report will be used as it is considered the most up to date information available.

Community Workshops & On-line Submissions - (June 2021)

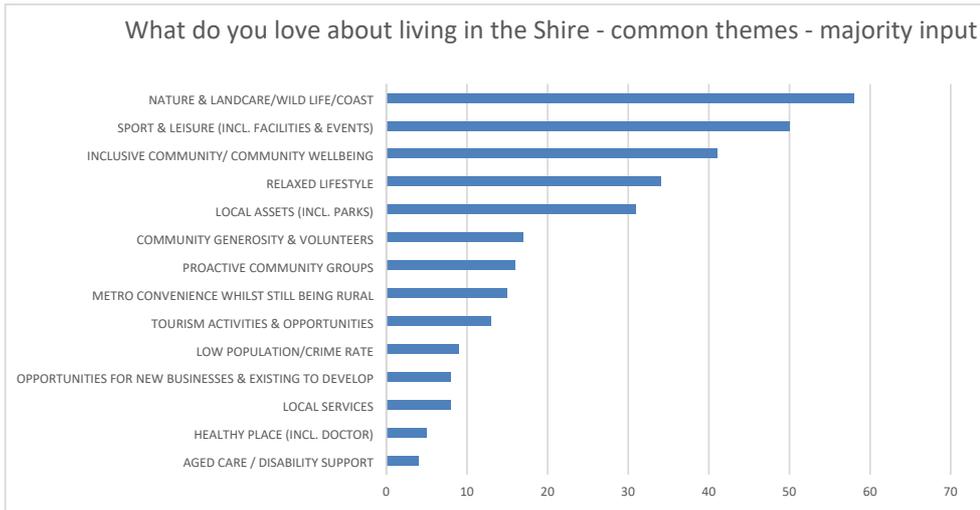
Community members were invited to undertake an on-line survey (month of June) as a submission process to the review or attend one of three Community Workshops held 22 June (Gingin), 23 June (Guilderton) and 25 June (Lancelin). This was promoted on the Shire's website, Facebook page, Council to Community publication and via the Shire's community organisation email list. Outcomes from this process are included in attachment one.

Council Adoption

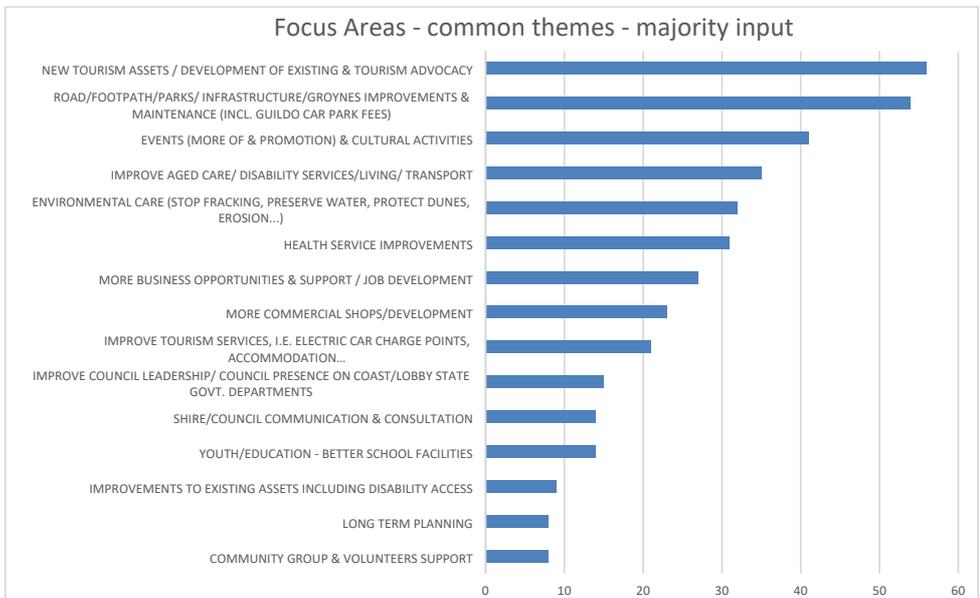
It is anticipated that Council will consider the draft plan for adoption late 2021.

A Snapshot of the June 2021 Community Workshop and Survey Input

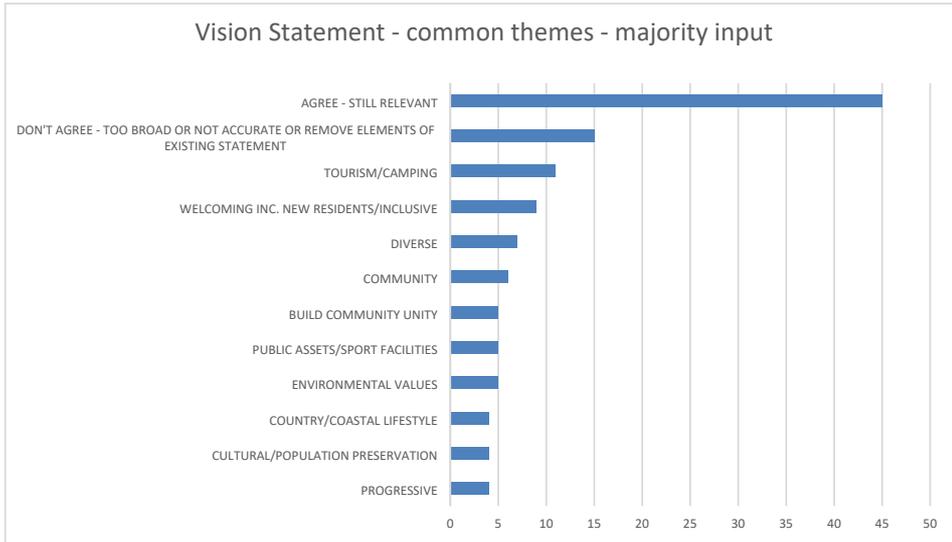
Question 1. What do you love about or like doing in the Shire of Gingin?



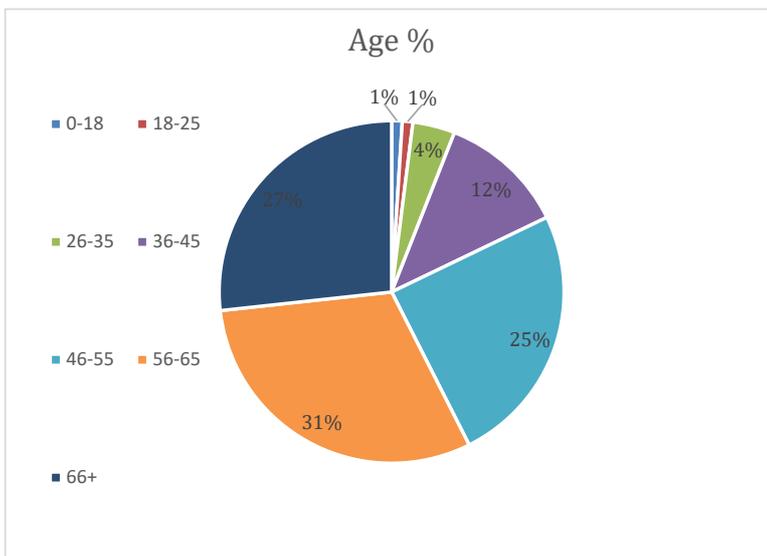
Question 2. List Key areas that you feel Council should focus on

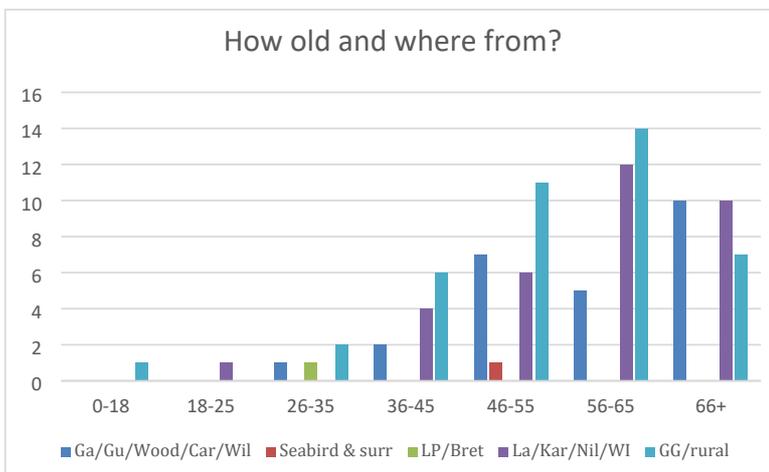
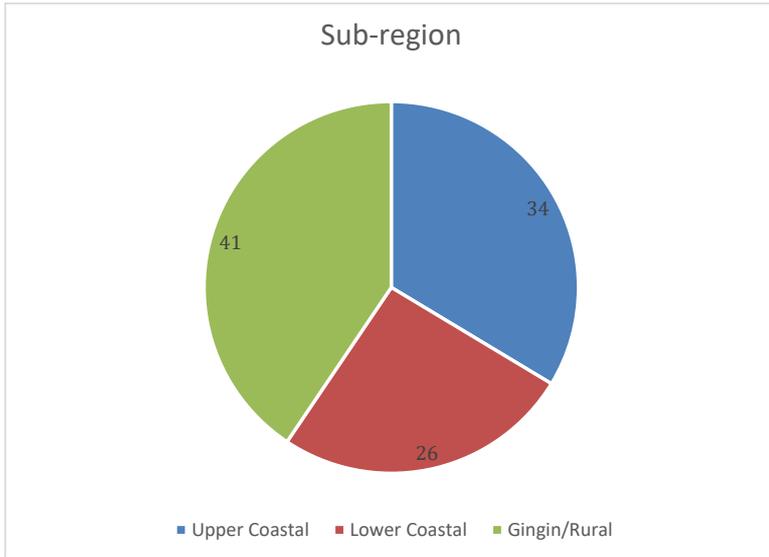


Question 3. Is the existing Vision Statement still relevant? If not suggest some statements



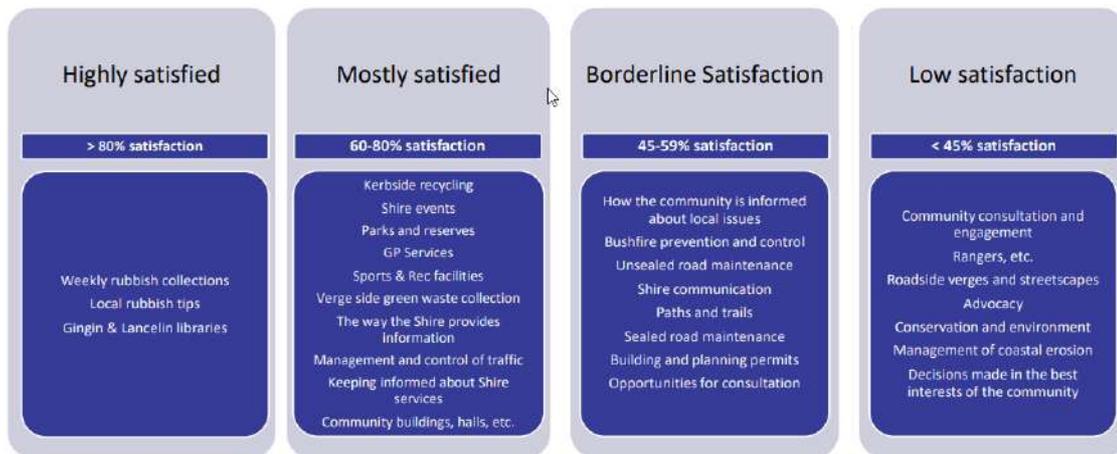
Who completed the input process



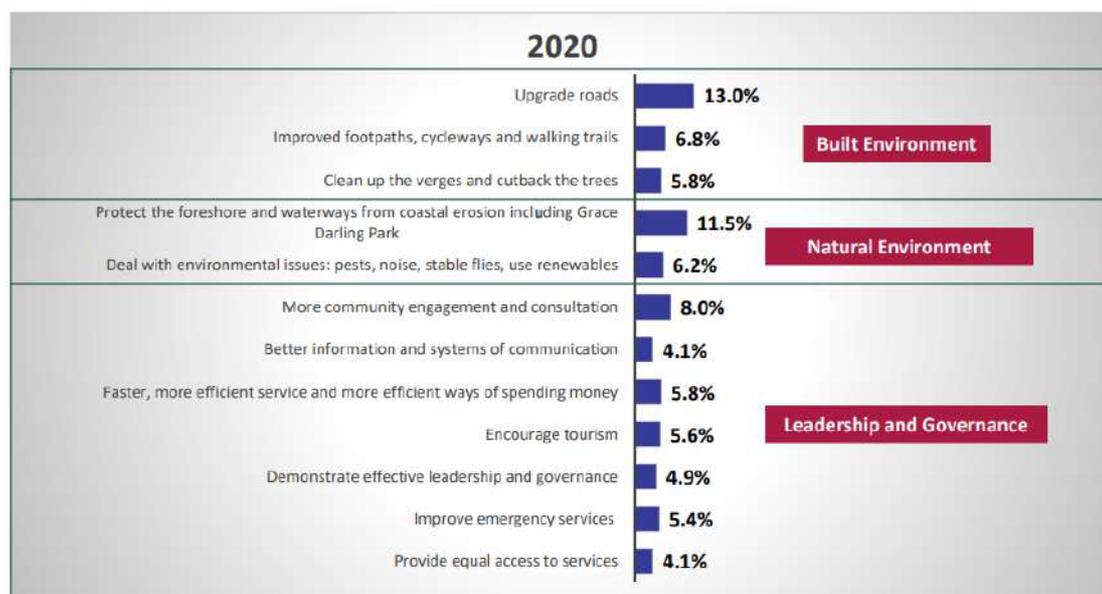


A Snapshot of the 2020 Residents Perception Survey results

Satisfaction with Shire Services and Facilities



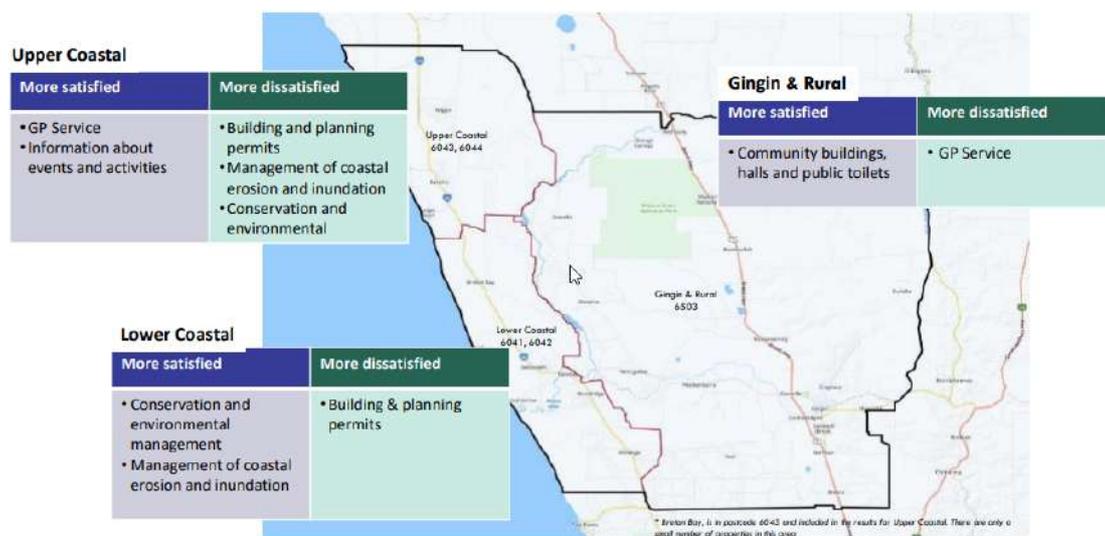
Things the Shire could do to make a difference



Changes in satisfaction with Shire Services and Facilities from 2018

Improvement	Similar to 2018	Decline
Local rubbish tips	Weekly rubbish collection	Verge side green waste collection
How the community is informed about local issues	Kerbside recycling	Bushfire prevention and control
Maintenance of unsealed roads	Building and planning permits	Conservation and environmental management
Roadside verges and street scapes	Enforcement of local laws	Management of coastal erosion and inundation
	Sport and recreation facilities and grounds	
	Community buildings, halls and public toilets	
	Parks and reserves	
	Shire events	
	Libraries	
	General practice service	
	Community consultation and engagement	
	Decisions made in the interests of the community	
	Maintenance of sealed roads	
	Management and control of traffic on local roads	
	Paths and trails	

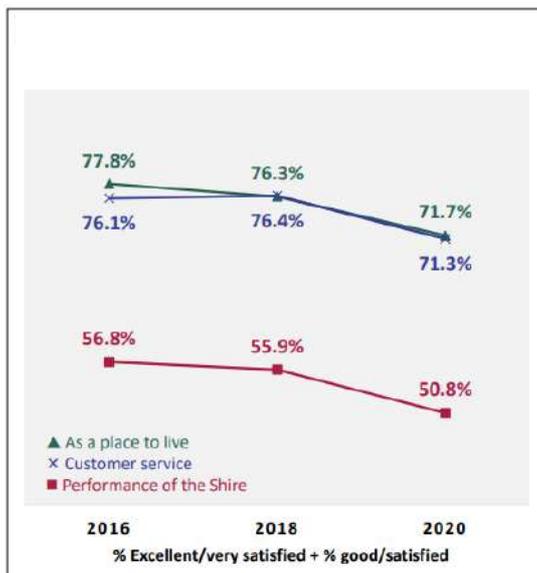
Differences in... Upper Coastal, Lower Coastal and Gingin/Rural



Differences of Satisfaction in... Type of Ownership and Age groups

Resident owner occupiers	Non-resident ratepayers	Owners of holiday homes	18-44 years	45 – 64 years	65 plus
<p>More are satisfied: nothing</p> <p>Fewer are satisfied with:</p> <ul style="list-style-type: none"> • Sport and recreation facilities • Community buildings, halls and public toilets • Decisions made in the interest of the community • Management and control of traffic • Opportunities to be consulted and provide feedback about local issues <p>More are dissatisfied with:</p> <ul style="list-style-type: none"> • Maintenance of sealed roads • Roadside verges and streetscapes • Paths and trails 	<p>More are satisfied with:</p> <ul style="list-style-type: none"> • Overall Shire performance • Sport and recreation facilities • Community buildings, halls and public toilets • Decisions made in the interest of the community • Maintenance of sealed roads • Roadside verges and streetscapes • Management and control of traffic • Paths and trails • Opportunities to be consulted and provide feedback about local issues 	<p>More are satisfied with:</p> <ul style="list-style-type: none"> • Overall Shire performance • Verge side green waste collection 	<p>More are satisfied with:</p> <ul style="list-style-type: none"> • Gingin and Lancelin libraries • How the community is informed about local issues, e.g. Facebook, website, Council newsletter <p>Fewer are satisfied with:</p> <ul style="list-style-type: none"> • Management of coastal erosion and inundation 	<p>More are satisfied: nothing</p> <p>Fewer are satisfied with:</p> <ul style="list-style-type: none"> • Shire as a place to live • Customer Service • Weekly rubbish collection • Gingin and Lancelin libraries 	<p>More are satisfied with:</p> <ul style="list-style-type: none"> • Shire as a place to live • Customer Service • With the rubbish collection • General practice services

A place to live, Customer Service & Performance of the Shire



Summary of Consultation Outcomes by existing Focus Area

Community Wellbeing

Resident Perceptions Survey 2020 identified the “Shire as a place to live” ‘Very Satisfied’ and ‘Satisfied’ combined indicators (71.8%). Community Wellbeing satisfaction indicators (very satisfied and satisfied) through provision of Community Services including Shire events (74.8%); Gingin and Lancelin Libraries (85.5%); and General practice service (68.9%). Areas identified for improvement included: A continuing need for improved medical services (these comments were made by Gingin/Rural residents); Emergency Services and bushfire brigade, improve bushfire preparation/mitigation; and enforcement of Local Laws.

Sources of pride...

*Fantastic community car, bus all used by the public
Happy living in this community
Love the events, very professionally run. I like that there is something free to do with my family. Thank you
Being part of our sports groups*

Improvements...

*Better access and facilities for disabled and elderly
Insufficient services in allied health given the aging demographic*

2021 Workshops and Online Submissions/2018 Youth Survey & Youth Services Report (if applicable), identified Community Programs/Events (including cultural activities and non-sporting events for children) as a continuing key Service Area. Specific issues to be addressed within this Service Area also includes aged care, disability services and accommodation options for seniors/youth; transport for all ages; health service improvements; youth education and support for community group/volunteers. Other Community Wellbeing areas identified for improvement, included:

Community told us to support...

*Community programs and events
Encourage and support local Doctor and health services
The school needs to expand its curriculum offering
Senior/youth accommodation options
Community wellbeing & health
More support for our police and volunteers to better protect the community*

- Community safety improvements (ie. Fire exits, police presence, firebreaks)
- More rural and townsite unification
- Delivery of current services including library (extended opening hours evenings/Saturday mornings)

Summary

Shire run/supported events (including cultural activities) continues to be a highly rated activity and/or service indicated in the 2021 community engagement results presenting as third on the priority list of focus areas. Aged care (living/accommodation/home help), disability services, and transport provision continue to rate highly and present as fourth on the priority list of focus areas. Health care provision (sixth on the priority list) seems to be less of a priority in 2021 than indicated in results of Resident Perception Survey in 2020 no doubt aligning with public sentiment due to the new contract with the current Doctor at the Gingin Medical Centre. Most dissension in this respect was forthcoming from the Gingin/rural community co-hort. The youth/education platform rates in the top 15 priority focus areas continuing to be a focal point of community sentiment. Community Group and Volunteer support and

Community Safety present as mid-way between the highest and lowest priorities. Libraries continue to be considered as an essential service (2020 Resident Perception Survey) with some workshop data (2021) indicating that an extension of library open hours would be beneficial for those community members not able to access the libraries in working hours.

Recommendations for new Strategic Community Plan overarching themes

1. Resourcing and undertaking **Community Events** is essential activity/service in the eyes of the Shire of Gingin community. Financing/supporting this service activity has the intrinsic value of bringing the community together with further beneficial outcomes or add-ons for economic and Local Health Plan benefits. In this regard it is recommended this service area be continued and included as a focus area in the updated SCP.
2. It is recommended that the umbrella focus area of **Aged Care** continue with an emphasis on *Advocacy* for the provision of services due to the aging demographic residing within the Shire. Policy surrounding land size for built premises that meets the needs of this cohort may need further investigation along with identification of limitations due to service availability.
3. Although **Health Care** as a priority focus area may have diminished somewhat due to recent health care contract arrangements, it is recommended that support for this service area be continued in line with an aging demographic and Local Health Plan outcomes. It is improbable in the foreseeable future that additional allied health care would become available due to current population numbers and location of the Shire on the peri-urban fringe of the greater Perth metro area. Supporting/advocating for basic services and potential for value-adding to existing medical services would make strategic sense considering geographic parameters.
5. **Youth/Education** - It is recommended that the outputs of the Youth Strategy be continued to support the retention of youth in the Shire's region.
4. The Shire's **Community Groups/Volunteers** provide services/projects/programs that add diversity and vibrancy to our communities. Volunteer numbers are declining applying pressure on a limited few. Community Services currently supports these organisations and it is recommended that this continue.
5. **Community Safety** is a largely legislated service through Ranger Services and operations funded through the emergency services levy. Recreational areas (such as Off-road Vehicle Areas) within the Shire require management to reduce mitigation via safety initiatives as directed by LGIS should continue.

Natural Environment

Resident Perceptions Survey 2020 identified that the level of satisfaction was low for Coastal and Environmental Management (40.9%) and Management for Coastal Erosion and Inundation (32.7%). There was strong satisfaction with Weekly Rubbish Collections (95.7%) and Local Rubbish Tips (91%). Respondents were mostly satisfied with Verge side green waste collection (66.3%) and curbside recycling (78.1%)

Areas to improve...

Complete the coastal inundation study for Lancelin etc.

Preserve the environment, particularly coastal dunes. I don't mean preventing tidal inundation, but not jeopardising what remains, such as proposing caravan parks on environmentally sensitive coastal areas

Living by the ocean more needs to be done on coastal erosion

2021 Workshops and Online Submissions/2018 Youth Survey & Youth Services Report (if applicable), identified that nature, land care, wildlife and the coast is a significant reason that people love and like visiting within the region. Specific issues of concern include Coastal Planning & Adaptation -Coastal Erosion Management Strategy, advocate/lobby for the cessation/phasing out of sand mining in the Upper Coastal area, monitoring of beach access by four-wheel drives due to the damage caused by numerous visitors and coastline erosion. Landcare – monitoring of bird species, preserving/protecting/valuing the natural environment including trail development

What do you love? ...

Walking and cycling along the coastal paths, swimming, playing on car-free beach

Visiting the ocean & Moore River to walk, fish, 4wd, picnic, take photos

Beach, peace, nature

Being in nature

Caring for the environment

Enjoying bush settings with bird and wildlife

I love that we have the Carnaby's Black Cockatoos!

Revegetation projects planting local species

Enjoying nature through walk trails

Summary

The 2020 Resident Perception Survey results identified a low satisfaction level for the Shire's coastal and environmental and coastal erosion and inundation management practices. The community's continued investment in the natural environment is evident in the recent 2021 community engagement workshops (listed as priority 4) with specific areas of concern including coastal planning and adaptation, coastal erosion management strategy, phasing out of sandmining in the Upper Coastal area and damage caused by vehicles on beaches. Visitors to the Shire are drawn to the pristine beaches and aquatic activities evidenced by recent visitor numbers at coastal caravan parks due to Covid 19 travel restrictions. To retain the natural environment for visitors and its community, the Shire is currently part-way through extensive coastal management planning to road-map strategies to realistically save the coastal environment. Additionally, land buy-ups are being considered to retain Carnaby's Cockatoo habitat which will be encompassed into existing adjacent englobo nature reserves or national parks. The

development of trails and tracks within the Shire would be an extension or value-adding to the Shire's environmental diversity by actively engaging, enjoying and celebrating the natural environment for residents and visitors.

Recommendations for new Strategic Community Plan overarching themes

1. Due to ongoing community sentiment and continuing coastal management strategy planning/projects development currently being undertaken, retain and continue **Environmental Responsibility/Care** as a reportable community aspiration.
2. Formalise through Council Policy (or the like) a partnership through the regulatory body for the protection of relevant **land habitat** for indigenous flora and fauna without compromising existing land uses which could impact the Shire's economic status in the 'food bowl' region.
3. Consider **Tracks/trail** development via outputs of the Master Trails Plan as a two-pronged initiative:
(a) Provide track infrastructure for residents in the context of enjoyment of the natural environment and Local Health Plan physical activity benefits and (b) component of economic/tourism development to stimulate the local economy.

Infrastructure and Development

Resident Perceptions Survey 2020 identified that the level of satisfaction for community facilities including Parks and Reserves (in respective area) (74.4%), Sport and Recreation Grounds (in respective area) (66.9%) and Community buildings, halls, and public toilets (in respective area) (61.4%). Although there has been an improvement in the satisfaction in the areas of maintenance of unsealed roads (gravel) and roadside verges and streetscapes, these areas still sit at 54.2% and 42.8% respectively. Maintenance of sealed (bitumen) roads (50.2%) and Building and Planning Permits (49.6%) are areas of potential significant improvement. Other improvement areas include improved footpaths/cycle ways and clean up road verges and cut back trees.

2021 Workshops and Online Submissions/2018

Youth Survey & Youth Services Report (if

applicable), Development of existing and new tourism assets was the top overall priority focus area followed by improvements to roads, footpaths & community infrastructure as a close second with the following also relevant to this focus area:

- Commercial development
- Improvement to existing assets including disability access
- Long term planning

Specific issues voiced included: encourage electric vehicles and cycling, sporting and cultural facilities are outdated and under utilised, over 50's accommodation facilities, support young people in housing and transport and communications uncertainty.

Sources of pride...

Love Gabadah Park and foreshore in Moore River

Love the parks. And Lancelin has an amazing skate park and playground

Parks and ovals are beautifully kept

We are very lucky to have the facilities we do

Excellent customer service by planning staff

Improvements...

Too many recreation facilities across the shire compared to population levels. All underutilised

A lot of the public toilets need upgrading

Better access and facilities for disabled and elderly

Generally OK but on a few occasions have found the facilities, e.g., Community Hall, toilets, BBQs, very untidy

Community told us....

The Aquatic Centre and new Playground are fantastic

Help shield residents from the negative effects of growth/tourism

I would like to see the shire work towards the installation of a sewerage system. The subdivision of agricultural land and larger blocks decentralises the town centre and reduces the need for sewerage

Safety for the coastal towns in emergency no communication as poor tv/radio/telephone reception.

It would be nice if the shire spent more on tourism and public assets to help local industries.

Summary

General Comment – Community expectations for assets far exceeds the Shire’s financial capacity to deliver with some of that expectation the result of migration of community from the Perth metro area where specific asset infrastructure is expected and provided.

Infrastructure development and maintenance remains as one of the top priority focus areas by the community. Interestingly, there appears to be recognition by some in the community that infrastructure such as halls and sporting facilities have high maintenance costs (due to age etc) are underutilised and a program of rationalization of existing infrastructure and long-term planning for renewal is required. Commercial development was also a recurrent theme and housing options for both seniors and youth. Maintenance of sealed roads (2020 resident perception survey) sits at a satisfaction level of 54.2% and verge side and streetscapes sitting on a low satisfaction level of 42.8%. Legislated service activity of Building Permit and Development Application processes satisfaction levels possibly reflect a viewpoint of ‘too much red tape’ when it comes to approval processes. Continuity of telecommunications and power remains as a priority theme reflecting community safety sentiment.

Recommendations for new Strategic Community Plan overarching themes

1. High community expectations and high cost of **Road Maintenance/renewals/upgrades** suggests that works need to be undertaken in accordance with a prioritised/planned manner considering condition, local land use and impact. Continued development and update of **Road Asset Plans** are integral both for long term financial planning and justification of pending works.
2. The Shire of Gingin has numerous townsites and rural residential estates with aging infrastructure coming at consideration cost to maintain/upgrade/renew. Sentiment evidenced by many communities/groups suggests that there is an expectation (and not unfairly) that these facilities will be renewed when required. A quandary exists whereby the operating expenditure required to look after the many aging and underutilised facilities is not financially sustainable without a large increase in rates revenue. Planned asset maintenance costs far outreach the dollars available. In this regard it is recommended that **Community Infrastructure Rationalisation** process as a holistic approach to future community infrastructure be undertaken.
3. **Advocacy** is recommended to enable the delivery of aged and youth accommodation options and telecommunications and power stability.
4. **Local Planning Scheme** inclusions are recommended supporting housing accommodation options for both seniors and youth and identifies commercial land use areas.

Economic Development

The Resident Perceptions Survey 2020 identified that “encourage tourism” was a way the Shire could make a difference to the community.

2021 Workshops and Online Submissions/2018 Youth Survey & Youth Services Report (if applicable),

Development of existing and new tourism assets (overall top focus priority), more business opportunities and support and job development, commercial shops/development and improve tourism services including electric car charging point/accommodation and support youth educational and development opportunities that build individual capacity, confidence and economic participation were identified as the key service areas for the future. Specific issues to be addressed included: improving tourist infrastructure & facilities, local attractions for tourists and locals, small business and local employment opportunities and promotion.

Improvements...

Absolutely necessary to protect SSR building and the wonderful new caravan/camping site from the coastal erosion at Grace Darling Park. Tourism is vital Cafe's that are open in Lancelin all year round

Community said...

*Tourism centred on local produce (sea and farm) with affordable accommodation options such as caravan parks; infrastructure to encourage electric vehicles and cycling. We need to draw people into Gingin with distilleries, wineries, upgraded pub as events/ wedding location perhaps weekend historic train events
Small local business promotion, particularly those that deal with local produce and provide local employment
There needs to be encouragement for local tourism and industry for our areas to help with employment for locals
Employment - encourage housing initiatives to reduce shortage and support business*

Summary

Tourism/commercial development was an emerging theme in the 2020 Resident Perception Survey results to become the major focus area in the 2021 workshops. The Covid 19 pandemic closed border (or encumbered movement) response has seen an increase in local tourism which has potentially triggered consideration into possibilities within the Shire and the economic growth that it could bring in terms of commercial business and job opportunities. Business opportunities/job development, commercial development growth and improved tourism services (such as electric car charging stations, accommodation options and advocacy) form a cluster of additional related priorities (numbers seven, eight and nine). In the past the Shire has been dependent on the Community Resource Centres, small tourism information centres, small business centres and Chamber of Commerce to work in this space with limited Shire support. Community sentiment suggests that there is an expectation that the Shire has a lead role to play in tourism/economic growth.

Recommendations for new Strategic Community Plan overarching themes

1. **Tourism/economic development** was an emerging theme (2020) and now highlighted as a priority strategic direction voiced by the community in 2021. It is recommended that the **Northern Growth Alliance Tourism Strategy** be revisited and provided with officer capacity to deliver strategic outcomes.
2. Continue and strengthen partnerships through **Advocacy** and **project development** with the Community Resource Centres and Chamber of Commerce to deliver relevant tourism/economic development outcomes for the community.

Governance

The Residents Perceptions Survey results indicated that respondents were mostly satisfied with customer service (71.3%); sitting on borderline satisfaction - Overall Performance (50.8%), how the community is informed about local issues (58.5%) and opportunities to be consulted and provide feedback (47.9%); low satisfaction - community consultation & engagement (44%), decisions made in the best interest of the community (32.5%) and advocacy (41.5%).

Compliments...

Congratulations on the initiative of offering residents an opportunity to address concerns/acknowledge services

I think the Shire is doing all it can under the circumstances

Keep improving

Improvements....

A more user-friendly shire website would be a vast improvement

Issues raised with staff appear to be treated as an inconvenience to them rather than a suggestion for improvement

Councillors, please listen to majority of ratepayers and consult with everyone

Would be good if when correspondence sent to shire, we received a response. Nothing!

2021 Workshops and Online Submissions/2018 Youth Survey & Youth Services Report (if applicable),

Improve Council leadership, Council presence and lobby state government were highlighted within the top 10 community issues. Specific advocacy issues to be addressed included: Tourism related initiatives, aged care facilities and services (including transport) and health service improvements. Shire/Council communications and consultation and Long-Term Planning were also within the top 10 priority focus areas and addressing youth education services was ranked 12 out of the top 15 priorities. Improvement of engagement and communications consultation with young people was also highlighted within the youth consultation process.

Community said....

It is extremely important to have open, regular & direct communication with community group representatives to discuss the specific issues facing each community within Gingin Shire

Improving the Council's image in the eyes of their ratepayers

Be progressive and proactive in resolving issues and not sit on the fence. Be decisive and lead by example

Shire needs to be more engaging and listening rather than pretending to listen

Summary

Although there is always room for improvement Customer Service quality remains at an acceptable level of satisfaction between the two community input processes. It must be acknowledged that the results received through both processes may be due to the outcome of the interaction rather than how the interaction was undertaken.

Communications and advocacy show a low satisfaction score in the 2020 Resident Perception Survey and as a priority focus area from the community workshops data in 2021. Anecdotally communication satisfaction scores across all local governments are problematic and there is not a one fix method. Age demographics, 'best bang for the \$' and who the communication is directed at plays a significant role when determining communication methods across communities. The communications satisfaction score did rise between 2016 and 2018 due to methods of dissemination but unfortunately there are those that still prefer hardcopy communication delivered to letter boxes which is unrealistic and hardly cost effective.

The ratepayer's image of Council (Members) is still significantly low in the 2020 Resident Perception Survey and within the top 10 focus area priorities in the data from the 2021 community workshops. Again, a component of this may be the result of disliked decisions of Council (ie the outcome) rather than Council transparency and may indicate a lack of knowledge of processes/legislated requirements and what Council has the 'power' to make a decision on.

Recommendations for new Strategic Community Plan overarching themes

1. Continue with current **Communication** processes in line with the Shire's Communication and Stakeholder Policy 1.41.
2. Continue **training** Councillors and Staff in line with any legislated requirements and personal development that supports knowledge gain/efficiencies.
3. Staff and Councillors to continue to support the **TRACK** (Trust, Respect, Accountability, Commitment, Knowledge) ethos.
4. Continue to undertake the **Integrated Planning and Reporting** framework (long term planning) in order that the Shire remains sustainable, effective, and accountable.

Recommended Focus Area inclusions for the updated Strategic Community Plan

The above Recommendations have been included in the following table of Focus Areas. In previous Strategic Community Plans there were five focus areas with many of the outcomes branching across multiple areas. The Focus Areas below are configured into four umbrella areas simplifying the layout and the resulting reportable items (deliverable projects/programs/service activity). The new focus areas (and any suggested changes/recommendations) will be incorporated into the draft Community Strategic Plan 2021-2031 and will be presented to Council for adoption. Once adopted the new Strategic Community Plan will be used in the formation of the draft budget 2022/23.

1. Visitation and Economic Development	2. Community Connectedness, Inclusion and Wellbeing	3. Planning for Future Generations	4. Business Excellence and Accountability
1.1 Investment Attraction Foster relationships with key stakeholders to attract tourism/economic development initiatives that will contribute to the Shire’s economy	2.1 Community Safety and Support Provide support/advocacy to residents & visitors so they feel safe and secure at home & in the outdoor environment	3.1 Climate change & Adaption Understand the impacts of climate change & identify actions to adapt & mitigate those impacts	4.1 Management of current assets Maintain civic buildings, sporting facilities, public places & road & cycleway/pathways based on asset management plans & identified priorities
1.2 Tourism investment Foster relationships with key stakeholders to support tourism projects and programs	2.2 Community Housing Foster relationships with key stakeholders to provide community housing options for seniors/youth	3.2 Preservation & Management of endangered habitat & coastal reserves Sustainable policy/actions supporting preservation activities	4.2 Effective Governance Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable, and principled environment
1.3 Business development Foster relationships with key stakeholders to support business development/job opportunity initiatives	2.3 Aging in place & Community Health Care Foster relationships with key stakeholders to provide aging in place opportunities & appropriate health care in our communities	3.3 Planning & Land Use Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity	4.3 Information sharing Targeted communications that provide clear messages & are cost effective
1.4 Food Bowl sub-region Support initiatives that value add to the Shire’s position within the ‘food bowl’ region	2.4 Youth investment Promote/undertake activities that provide youth retention and	3.4 Community Engagement Facilitate community engagement for residents/ratepayers to provide input into shaping our future	4.4 Strategic & Sustainable Financial Planning Undertake long-term resource planning & allocation in

1. Visitation and Economic Development	2. Community Connectedness, Inclusion and Wellbeing	3. Planning for Future Generations	4. Business Excellence and Accountability
	capacity building in our communities		accordance with the Integrated Planning and Reporting framework
1.5 Infrastructure investment Lobby State and Federal Government to establish infrastructure and development opportunities in our Shire	2.5 Community Capacity Building Empower all ages to be culturally aware & involved in diverse community initiatives including volunteering, culture & the arts	3.5 Sustainable Waste solutions Plan for new opportunities that support responsible & sustainable disposal of waste	4.5 Key Stakeholder Partnerships Foster applicable relationships & partnerships with key stakeholders to achieve outcomes
1.6 Attractions & Events Host/support iconic community events & attractions that will entice residents & visitors throughout the year	2.6 Aboriginal Heritage & Inclusion Strengthen relationships which foster mutual respect & support, and cultural awareness	3.6 Energy Alternatives Pursue energy alternatives/solutions to facilities & services	
	2.7 Accessibility Ensure that the Shire's infrastructure & services are accessible to seniors and community with a disability		
	2.8 Services & Facilities Provide cost effective services and facilities which meet the needs of the community		

Attachment One - Submission & Community Workshop Outcomes

Introduction

Community members were invited to make a submission on-line or attend one of three Community Workshops in June 2021. This was promoted via the Shire’s website, Facebook page, Council to Community publication and the Shire’s community organisation email list. In addition, a youth photo competition/ submission was also advertised (via the same media outlets as above) in June/July 2021.

The decision to run the community workshops in an ‘informal’ drop-in session was made due to the previous reluctance of community to attend formal workshops in the last round of community consultation for the development of the Strategic Community Plan 2019-2021. Additionally, this format was applied to stop potential ‘grand standing’ by some community members which, in the past, has resulted in lack of participation by those who felt rail-roaded (anecdotal evidence) and their opinions did not matter. This format also enabled community members to attend or participate at a time that was convenient to them hopefully garnering higher participation levels and broader opinion-based input.

In total, 33 community members attended three workshops and 68 on-line surveys were received. Table 1, summarises the attendance at each of the three workshop sessions and on-line submissions received.

Table 1 Workshop Attendance & On-line Submissions

Date	Time	Location	Attendance
Tuesday 22 June	4:00pm – 7:00pm	Gingin – Granville Civic Centre	12
Wednesday 23 June	4:00pm – 7:00pm	Guilderton Hall	11
Thursday 24 June	4:00pm – 7:00pm	Lancelin Angling & Aquatic Club	10
Total Attendance			33
Online Submissions			68
<i>Total individual submissions</i>			101

Submissions Format

The invitation to workshops and on-line survey included the opportunity to answer three questions as follows:

1. What do you love about or like doing in the Shire of Gingin?
2. List key areas that you feel Council should Focus on
3. Is the existing Vision Statement still relevant to you? If not, suggest some new, punchy statements that capture how you see our community’s future direction

Workshop Sessions

At each of the sessions, participants were provided with a review of what the Strategic Community Plan review process is, and the information required from the community, information on the Integrated Planning and Reporting framework and how the Strategic Community Plan informs that process as the “principle” informing document, the opportunity to talk to staff and Councillors with the main objective for community to complete the submission questionnaire with support from staff. Staff were on hand to clarify input requirements and offered physical help to complete the questionnaire (if needed). Light refreshments were available.

The participants took their questionnaires via tables for each individual question set up with cues to answer that question. Participants had the opportunity in this informal setting to talk amongst themselves if wanted or to quietly complete and move on.

On-line Survey

The on-line survey was open for the month of June and replicated the questions presented in the workshop sessions.

Outcomes

In total 440 statements were recorded across the workshop sessions and on-line submissions. These were then individually coded against similar statements and issues.

The statements were used to graph and determine the Top Service Areas of focus as input for the development of the Strategic Community Plan 2021-2031. It is important to note that it is not possible to interpret the community input as absolute community priorities. Therefore, some license was used to determine key recurrent themes. The Resident Perceptions Survey 2020 (although undertaken a year earlier) provides a more robust indication of priorities across all the Shire’s diverse community. That said however, for example, the ‘tourism’ and ‘asset infrastructure maintenance’ focus areas are strong re-occurring themes within the input provided in the workshop and on-line input process undertaken in June 2021 indicating that there has been an adjustment to community priorities. The Covid 19 pandemic and associated changes in community and economic dynamic could be, at least in part, the reasoning as to why community priorities have altered in the last year or so.

Top 10 Focus Areas – Service Areas

Table 2 Top 10 Focus Areas split into respective Service Areas

(Alphabetical Order)

Service Areas	Key Issues
Advocacy	<ul style="list-style-type: none"> • Tourism Development • Aged care facilities/services/disability services/transport • Youth housing options & Transport (Youth Services Report) • Cessation/phasing out of sand mining • Health/Medical Services • Regional promotion Commercial/Tourism development • Education/Better school facilities
Community Programs	<ul style="list-style-type: none"> • Support Inclusive Community Programs/events that also include youth activities that don't involve sport • Continue Library Services with extended opening hours • Community Group & Volunteer Support
Conservation & Environmental Management	<ul style="list-style-type: none"> • Coastal Planning & Adaptation (complete inundations study) • Stop fracking • Monitoring of beach access by four-wheel drives due to the damage caused by numerous visitors and coastline erosion • Landcare – monitoring of bird species • Preserving/protecting/valuing the natural environment including trail development
Economic Development & Tourism Infrastructure	<ul style="list-style-type: none"> • New tourism assets/development • Business opportunities/job development • Improve/Support for Local Business/Commercial Development • Support youth education and developmental opportunities that build individual capacity, confidence, and economic participation
Assets/Infrastructure	<ul style="list-style-type: none"> • Tourism Asset Development • Road/footpath/community infrastructure maintenance and renewal • Improvement to existing assets including disability access • Long term planning



STRATEGIC COMMUNITY PLAN

2022-2032



saralangridgegraphicdesign

ACKNOWLEDGEMENT OF COUNTRY

Kaya Wanjoo Yued Boodja
(pronounced "Kya Wanjoo Yued Booja")

Hello – Welcome to the land of the
Yued Traditional owners.

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.

The Yued region covers an area of 20,252km². Their Booja – meaning 'their country' – includes the Shires of Coorow, Dalwallinu, Dandaragan, Moora, Gingin, Victoria Plains, Toodyay and Chittering.

Nyoongar camping grounds, birthing areas, festival places, song lines and sacred lore sites are scattered throughout the Yued region. They are very significant and important for the Yued community.

The Shire of Gingin formally recognises the Yued Nyoongar People as an important stakeholder in the development and progression of the Shire.

INTRODUCTION

Where do we want to be in ten year's time?

The Shire of Gingin is an evolving small to medium-sized Shire located in the northern food bowl in a peri-urban location north-east of Perth. 2020 onwards has seen a metro area to regional area migration impacting many regional Shires including the Shire of Gingin. The community consultation process for the Strategic Community Plan 2022-2032 was enlightening as it was varied in the community's vision for the future.



We are a changing community; our residents' and ratepayers' needs alter and adapt and the issues we need to deal with evolve due to many inside and outside influences. Planning for the future requires sound financial planning and response to challenges that crop up along the way.

Every four years we do a comprehensive review of our Strategic Community Plan that looks ahead over the next 10 years and considers contemporary factors and expectations influencing our Shire and the way we live.

This Plan is the product of engagement with people invited from all walks of life and organisations within the community.

We sought comments and ideas; asked why they like living in the Shire of Gingin and what they thought were the important focus areas for the Shire for the next ten years. Then, most importantly, asked what their vision is for the Shire to form an updated Vision Statement that we can all aspire to.

An on-line survey and community engagement workshops were held in Lancelin, Guilderton and Gingin to gather information on community expectations. The outcome was 440 individual statements to consider and frame the 'direction for the future'.

To drill down a bit further, the Resident Perception Survey 2020 provided further insights and what we need to focus on.

ACHIEVEMENTS

The Shire of Gingin provides its community and visitors with many services, projects and programs designed to enhance the Shire as a place to live, visit and work.

Some notable achievements over the past four years include:

Undertake the Residents Perception Survey 2020

Road upgrades to Orange Springs & Sappers Roads – agricultural lime sand route

Minor Review Strategic Community Plan 2019-2029

Redfield Park Fire Shed

Develop and implement the Reconciliation Action Plan 2018-28 and Cultural Heritage Management Plan

Gingin Outdoor Activity Space

Develop and implement the Youth Strategy 2019-2023

Pool fencing compliance (legislated)

Develop and implement the Local Public Health Plan

Seabird coastal containment wall

Develop and implement an Employee Service Charter (TRACK)

Coastal Hazard Risk Management Adaption Plan, Inundation Studies

Develop and implement a Customer Service Charter

Ledge Point boat launching facility/marina environmental studies

Deliver and partner events including 'Summer Suite of Events'

Develop and implement Information Technology Strategy

Develop Tourism Strategy with the Northern Growth Alliance

Gingin's 150th Celebration

New management contracts for both the Lancelin and Guilderton Caravan Parks

Beach Emergency Number signs

Fire mitigation works in collaboration with DFES at Lancelin, Ledge Point, Seabird, Guilderton, Woodridge, Ocean Farm, Seaview Park and Gingin

Covid 19 response: including newsletters (hard print – disseminated and digital formats), vulnerable person register, can I help register, need register (help required) accommodation, employment and financial information, pop-up pantry in conjunction with the Gingin CRC

Change to new financial platform (including chartered operating accounts)



TRENDS & CHALLENGES

Multiple factors influence the way the Shire plans and makes decisions. Good decision-making requires an understanding of global and local trends and challenges. The following influences are considered predominant challenges for the Shire.



Ageing population/youth migration

The Shire is experiencing an aging population bringing a set of challenges to meet the needs of this demographic including the availability of housing options to downsize, local medical services and home care help. And conversely, attracting and keeping youth in our communities rather than losing this demographic to city areas.



Aging & duplication of assets

The Shire's community assets are aging resulting in an increasing financial burden of maintaining facilities that are either duplicated throughout the Shire, under-utilised or no longer relevant to the needs of the community.



Land use conflict/changes

Environmental outcomes including land buy-ups for protection of flora and fauna on non-productive farmland resulting in the decrease of rateable income for the Shire. A community push towards an increase in tourism rated industries for new economic development and job creation.



Climate change

Changes in climate patterns are creating significant challenges for the Shire including erosion of coastal foreshores and an overall drier climate impacting the availability of surface and subterranean water licences, and an increasing number of fire events. Globally, greenhouse emissions are altering the global climate to creating less predictable local weather and volatile extremes. World symposiums garnering support to reduce net greenhouse emission to 1.5% by 2050 pressuring those countries lagging behind without a scheduled plan to meet this milestone.



Covid 19 pandemic/metro to regional area shift/tourism

The pandemic has seen the Shire included in an Australia-wide phenomenon whereby a significant metro to regional area migration has/is occurring. Building, planning and health business units are seeing impacts of the increasing land and local property purchases. The Tonkin Highway extension has also increased that attractiveness for regional to metro area commuting. In keeping with the balance of Western Australia, local tourism is booming whilst the State keeps its borders closed.



Global politics affecting local economic markets

The Shire is victim to the embargo of produce able to be exported to China. The crayfish industry, shut out overnight, lost 90% of its export market in January 2020. Beginning of June 2021 saw a sharp rise in crayfish exports through so-called 'grey trade' (indirect channels) in this case transhipped through Hong Kong.

WHAT IS A STRATEGIC COMMUNITY PLAN?

A Strategic Community Plan is a long-term overarching document that sets out our vision and aspirations for the future. It also identifies the key strategic documents with corresponding actions required to achieve these aspirations. The Strategic Community Plan identifies how we will get from where we are now to where we want to be.

The Strategic Community Plan 2022-2032 provides the Shire of Gingin Administration/Council, the community and stakeholders, with a clear understanding of what matters most to the Shire of Gingin community and provides guidance on how to achieve those aspirations.

Achieving the identified aspirations will rely on the collective commitment and combined actions from all of the Shire of Gingin community.

A Strategic Community Plan is a living document, regularly reviewed and updated to reflect changing community aspirations and priorities.

The purpose of a Strategic Community Plan is to:

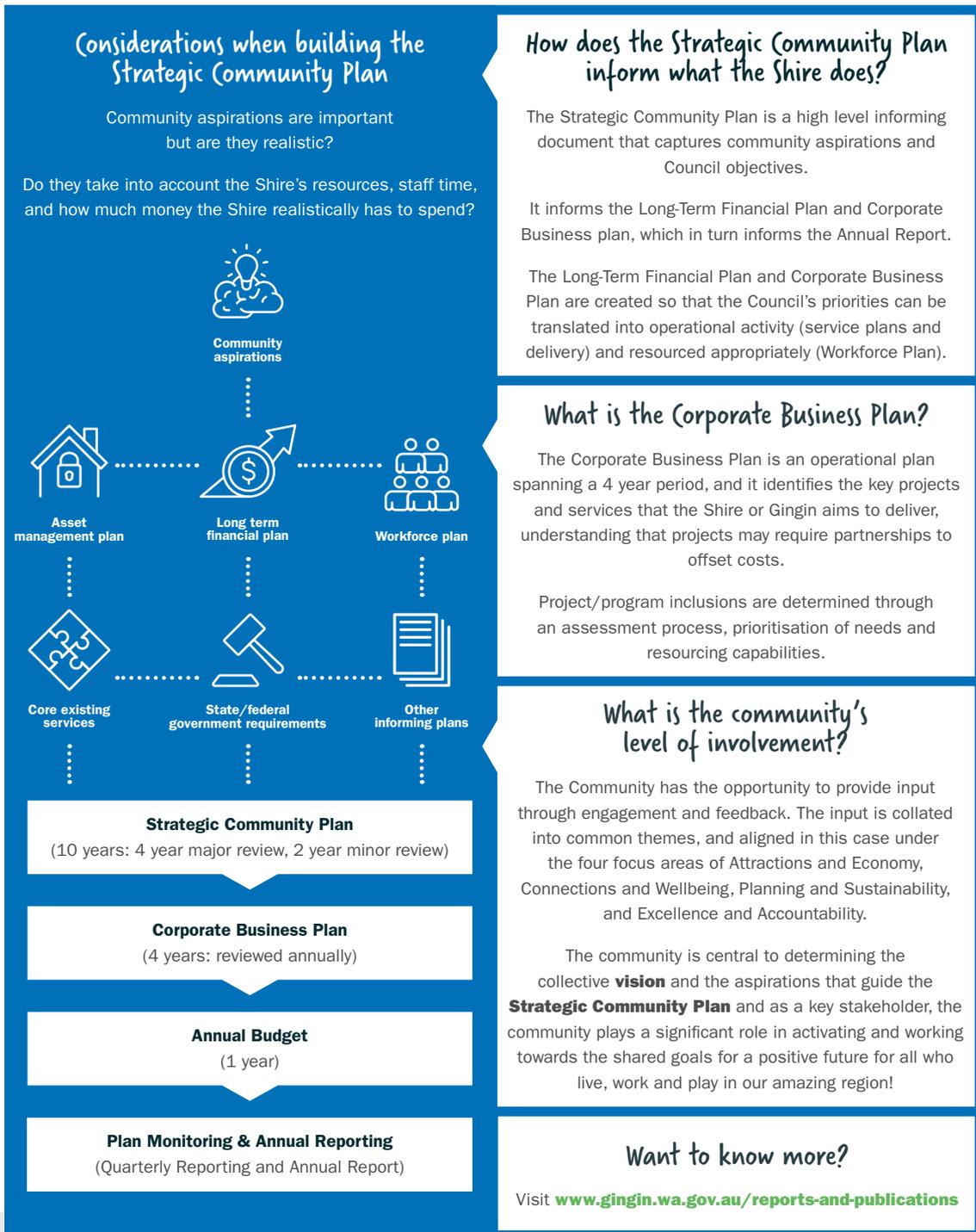
- Identify and acknowledge a collective view on aspirations and priorities;
- Provide an opportunity for participation by the community in decision making processes;
- Provide a long term focus for the delivery of facilities and services by the Shire of Gingin working with and in the community;
- Provide a basis for accountability; and
- Provide the platform for reporting.

The Shire of Gingin administration has many roles to achieve the aspirations set-out in the Plan including:



OUR STRATEGIC FRAMEWORK

Integrated Planning and Reporting is a Legislated framework under the *Local Government Act (1995)* encapsulating a top-down approach to determine a collective vision for the future. Many other considerations such as State and Federal requirements are considered and sustainably planned for and delivered.



ENGAGEMENT TO REVIEW THE STRATEGIC COMMUNITY PLAN

The Shire of Gingin used a combined approach to connect with the community including a Youth Survey (June 2018), Resident Perception Survey (April 2020), Engagement workshops held in Lancelin, Guilderton and Gingin townsites (June 2021) and a survey offered on-line.

Through this process, the Shire made 796 contacts with community, involving at least 700 different individuals or 14% of the residential population (5353 ABS 2020).

The same questions were put to the respondents at the engagement workshops as the on-line survey with the following results:

Firstly, what do you love or like doing in the Shire?

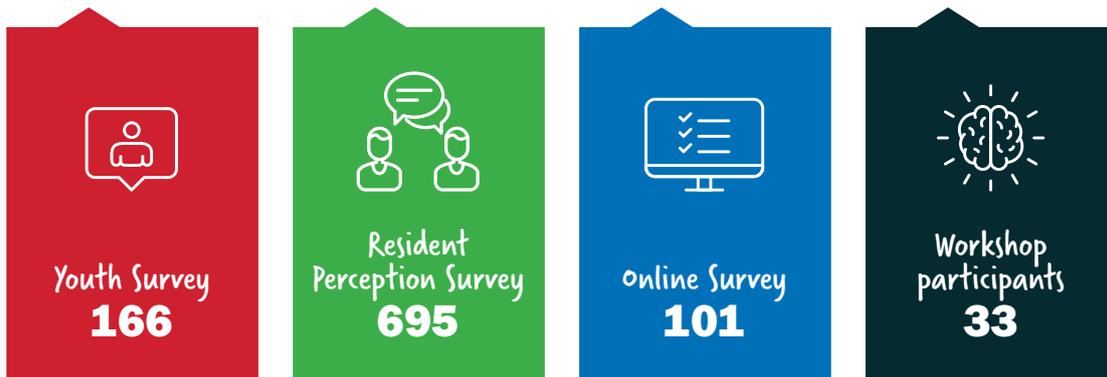
- Nature/wildlife, coast and landcare
- Sport and leisure (including facilities & events)
- Relaxed lifestyle
- Local assets including parks
- Community generosity and volunteers
- Proactive community groups
- Metro convenience in a rural location
- Tourism activities
- Low population and crime rate

Secondly, a question surrounding what the Shire should focus on over the next ten years?

- New tourism assets, development of existing and advocacy
- Asset improvements and maintenance
- Events; more of and cultural events
- Improved aged housing options, disability services and transport
- Environmental care including erosion
- Health service improvement

And thirdly, is the current Vision Statement still relevant?

With an outstanding majority claiming it is.



Shire of Gingin Strategic Community Plan 6

COMMUNITY INPUT



Community & Wellbeing

Sources of Pride

'Fantastic community car, bus all used by the public'

'Happy living in this community'

'Love the events, very professionally run. I like that there is something free to do with my family. Thank you'

'Being part of our sports groups'

Improvements

'Insufficient services in allied health given the aging demographic'

Community told us to support

'Community programs and events'

'Encourage and support local Doctor and health services'

'The school needs to expand its curriculum offering'

'Senior/youth accommodation options'

'Community wellbeing and health'

'More support for our police and volunteers to better protect the community'



Natural Environment

Areas to improve

'Complete the coastal inundation study for Lancelin etc.'

'Preserve the environment, particularly coastal dunes. I don't mean preventing tidal inundation, but not jeopardising what remains, such as proposing caravan parks on environmentally sensitive coastal areas'

'Living by the ocean more needs to be done on coastal erosion'

What do you love?

'Walking and cycling along the coastal paths, swimming, playing on car-free beach'

'Visiting the ocean & Moore River to walk, fish, 4wd, picnic, take photos'

'Beach, peace, nature'

'Being in nature'

'Caring for the environment'

'Enjoying bush settings with birds and wildlife'

'I love that we have the Carnaby's Black Cockatoos!'

'Revegetation projects planting local species'

'Enjoying nature through walk trails'



Infrastructure

Sources of Pride

'Love Gabbadah Park and foreshore in Moore River'

'Love the parks. And Lancelin has an amazing skate park and playground'

'Parks and ovals are beautifully kept'

'We are very lucky to have the facilities we do'

'Excellent customer service by planning staff'

Improvements

'Too many recreation facilities across the shire compared to population levels. All underutilised'

'A lot of the public toilets need upgrading'

'Better access and facilities for disabled and elderly'

'Generally OK but on a few occasions have found the facilities, e.g., community hall, toilets, BBQs, very untidy'

Community told us

'The aquatic centre and new playground are fantastic'

'Help shield residents from the negative effects of growth/tourism'

'I would like to see the shire work towards the installation of a sewerage system. The subdivision of agricultural land and larger blocks decentralises the town centre and reduces the need for sewerage'

'Safety for the coastal towns in emergency no communication as poor tv/radio/telephone reception'

'It would be nice if the shire spent more on tourism and public assets to help local industries'



Economic Development

Improvements

'Absolutely necessary to protect SSR building and the wonderful new caravan/ camping site from the coastal erosion at Grace Darling Park. Tourism is vital'

'Cafés that are open in Lancelin all year round'

Community said

'Tourism centred on local produce (sea and farm) with affordable accommodation options such as caravan parks; infrastructure to encourage electric vehicles and cycling. We need to draw people into Gingin with distilleries, wineries, upgraded pub as events/ wedding location perhaps weekend historic train events'

'Small local business promotion, particularly those that deal with local produce and provide local employment'

'There needs to be encouragement for local tourism and industry for our areas to help with employment for locals'

'Employment - encourage housing initiatives to reduce shortage and support business'



Governance

Compliments

'Congratulations on the initiative of offering residents an opportunity to address concerns/ acknowledge services'

'I think the Shire is doing all it can under the circumstances. Keep improving'

Improvements

'A more user-friendly shire website would be a vast improvement'

'Issues raised with staff appear to be treated as an inconvenience to them rather than a suggestion for improvement'

'Councillors, please listen to majority of ratepayers and consult with everyone'

'Would be good if when correspondence sent to shire, we received a response. Nothing!'



SERVICE EXPECTATIONS – Results of Resident Satisfaction Survey 2020

Responses

In this section we have provided an insight into some of the community's views around some of the business unit levels of service. The valuable feedback provides a level of accountability in terms of service expectations and provided input for the focus areas themes in this plan.

The survey is designed to measure resident satisfaction in key performance areas forming an important part of the Shire's evaluation of the services it delivers, the facilities which it provides and the quality of life of its residents.

Specifically, the study measured:

- Perceptions of the overall performance of the Shire
- Satisfaction with the Shire as a place to live
- The customer service provided by the Shire
- Satisfaction with:
 - Waste collection and disposal services
 - Services provided by the planning & development team
 - Community facilities
 - Community services
 - Governance
 - Environmental management
 - Roads and path networks
 - Effectiveness of communications

The results include areas where respondents were particularly satisfied or felt the Shire had improved and also areas where they felt the most dissatisfied or felt the Shire needs to make significant improvements.

Satisfied Results/Areas of Improvement

- **Weekly rubbish collections**
– very satisfied + satisfaction 95.7%; results are similar to 2018 and 2016 although appears to be a shallow upward trend
- **Local Rubbish Tips**
– very satisfied + satisfied 91%; shows an upward trend since 2016 with a significant increase in 2020 compared to 2016
- **How the community is informed**
– very satisfied + satisfied 58.5%; an upward trend and significant improvement compared to 2016
- **Maintenance of unsealed (gravel) roads**
– overall satisfaction with the maintenance of unsealed roads 54.2% has increased significantly compared to 2016 and 2018
- **Roadside verges and streetscapes**
– very satisfied + satisfied 42.8% improvement on 2018 returning to 2016 levels

Dissatisfied Results/Areas to Improve

- **Building and Planning Permits**
– 49.6% declined significantly
- **Enforcement of local laws by officers and rangers**
– very satisfied + satisfied 43% in 2020 which is a significant decline from 52.8% in 2018
- **Bushfire Prevention and Control**
– very satisfied + satisfied 57.6% in 2020 significant decline compared to 2016 and 2018
- **Decisions made in the best interest of the community**
– 32.5% results similar to 2018 and 2016
- **Conservation and environmental management**
– very satisfied + satisfied 40.9% significant decline compared to 2016 and 2018
- **Management of coastal erosion and inundation**
– very satisfied + satisfied 32.7% significant decline compared to 2016 and 2018



OUR COMMUNITY'S VISION FOR THE FUTURE

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

ASPIRATIONS & STRATEGIC OBJECTIVES

ASPIRATION 1 – ATTRACTIONS & ECONOMY 

Actively Pursue Tourism and Economic Development

Investment Attraction	Food Bowl Sub Region
Business Development	Attractions and Events
Infrastructure Investment	

ASPIRATION 2 - CONNECTIONS & WELLBEING 

Grow and Nurture Community Connectedness and Wellbeing

Community Safety and Support	Community Housing
Aging in Place and Healthcare	Youth Investment
First Nation's Heritage and Inclusion	Accessibility
Services and Facilities	

ASPIRATION 3 - PLANNING & SUSTAINABILITY 

Plan for Future Generations

Climate Change and Adaption	Energy Alternatives
Planning & Land Use	Community Engagement
Sustainable Waste Solutions	Preservation and Management of Endangered Habitat and Coastal Reserves

ASPIRATION 4 - EXCELLENCE & ACCOUNTABILITY 

Deliver Quality Leadership and Business Expertise

Management of Existing Assets	Effective Governance
Information Sharing	Strategic and Sustainable Financial Planning
Key Stakeholder Partnerships	



ASPIRATION 1 - ATTRACTIONS & ECONOMY

Actively Pursue Tourism and Economic Development

1.1 Investment Attraction
Foster relationships with key stakeholders to attract tourism/economic development initiatives that will contribute to the Shire's economy.

1.2 Business Development
Foster relationships with key stakeholders to support business development and job opportunity initiatives.

1.4 Food Bowl Sub-region
Support initiatives that value add to the Shire's position within the 'food bowl' region.

1.5 Infrastructure Investment
Lobby State and Federal Government to establish infrastructure and development opportunities in our Shire.

1.6 Attractions & Events
Host/support iconic community events and attractions that will entice residents and visitors throughout the year.

What can we do as individuals?

- Strengthen event participation by attending and bring visitors to local events
- Advocate the benefits of visiting the Shire

Existing Integrated Strategies

- Northern Growth Alliance Tourism Strategy
- Trails Master Plan
- Youth Strategy
- Reconciliation Action Plan

How will we measure our progress?

- Increase in visitation (Tourism WA)
- Increase in Planning/Building applications and/or permits for tourism/service industries
- Number of attendees at local events/festivals
- Number of local employees (ABS statistics)
- Increase in Food Bowl Sub Region food production and/or diversity of production
- Perception Survey – satisfaction with events



ASPIRATION 2 – CONNECTIONS & WELLBEING

Grow and Nurture Community Connectedness and Wellbeing

- 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 outdoor environment.
- 2.2 Community Housing**
Foster relationships with key stakeholders to provide community housing options for seniors/youth.
- 2.3 Aging in Place & Health Care**
Foster relationships with key stakeholders to provide aging in place opportunities and appropriate health care in our communities.
- 2.4 Youth Investment**
Promote and undertake activities that provide youth retention and capacity building in our communities.
- 2.5 Community Capacity Building**
Empower all ages to be culturally aware and involved in diverse community initiatives including volunteering, culture and the arts.
- 2.6 First Nation's Heritage & Inclusion**
Strengthen relationships which foster mutual respect and support in addition to cultural awareness.
- 2.7 Accessibility**
Ensure that the Shire's infrastructure and services are accessible to seniors and community members with a disability.
- 2.8 Services & Facilities**
Provide cost effective services and facilities which meet the needs of the community.



What can we do as individuals?

- Be fire ready and have an evacuation plan
- Undertake fire break compliance
- Be welcoming
- Engage in community activities including volunteering
- Check in on your neighbour

Existing Integrated Strategies

- Local Emergency Management Arrangements
- Health Act
- Local Health Plan
- Youth Strategy
- Sustainable Club/Groups Plan
- Age Friendly Community Plan
- Reconciliation Action Plan & Cultural Heritage Management Plan
- Disability Access and Inclusion Plan

How will we measure our progress?

- Perceptions Survey
- How satisfaction levels are tracking on:
 - Living in the Shire of Gingin
 - Services and Facilities



ASPIRATION 3 – PLANNING & SUSTAINABILITY

Plan for Future Generations

3.1 Climate Change & Adaptation
Understand the impacts of climate change and identify actions to adapt and mitigate those impacts.

3.2 Preservation & Management of Endangered Habitat & Coastal Reserves
Sustainable policy/actions supporting preservation activities.

3.3 Planning & Land Use
Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity.

3.4 Community Engagement
Facilitate community engagement for residents/ratepayers to provide input into shaping our future.

3.5 Sustainable Waste Solutions
Incorporate opportunities that support responsible and sustainable disposal of waste.

What can we do as individuals?

- Be invested in what's going on in our communities and attend community forums, provide community comment where required and respond to community surveys etc.
- Be invested in recycling strategies

Existing Integrated Strategies

- Coastal Hazard Risk Management Adaption & Inundation Integration
- Coastal Management Strategies
- Department of Planning Policy
- Shire of Gingin Planning Schemes and Strategies
- Shire of Gingin Engagement Policy
- West Australian Waste Strategy
- Local Waste Strategy
- Regulations and compliance (legislated)

How will we measure our progress?

Perceptions Survey

– How satisfaction levels are tracking on:

- Coastal and Erosion Management
- Waste Management



ASPIRATION 4 – EXCELLENCE & ACCOUNTABILITY

Deliver Quality Leadership and Business Expertise

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.

4.2 Effective Governance
Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment.

4.3 Information Sharing
Targeted communications that provide clear messages and are cost effective.

4.4 Strategic & Sustainable Financial Planning
Undertake long-term resource planning and allocation in accordance with the Integrated Planning and Reporting framework.

4.5 Key Stakeholder Partnerships
Foster applicable relationships and partnerships with key stakeholders to achieve outcomes.

What can we do as individuals?

- Be respectful when using assets to maintain a clean and usable space for others
- Be involved in community decisions and provide input to community consultation processes
- Be a part of your local community group

Existing Integrated Strategies

- Operational Asset Management Plans
- Integrated Planning and Reporting Framework (*Local Government Act 1995*)
- Shire of Gingin Engagement Policy
- Corporate Compliance Calendar
- Shire of Gingin Communication Policy
- Resident Perception Survey

How will we measure our progress?

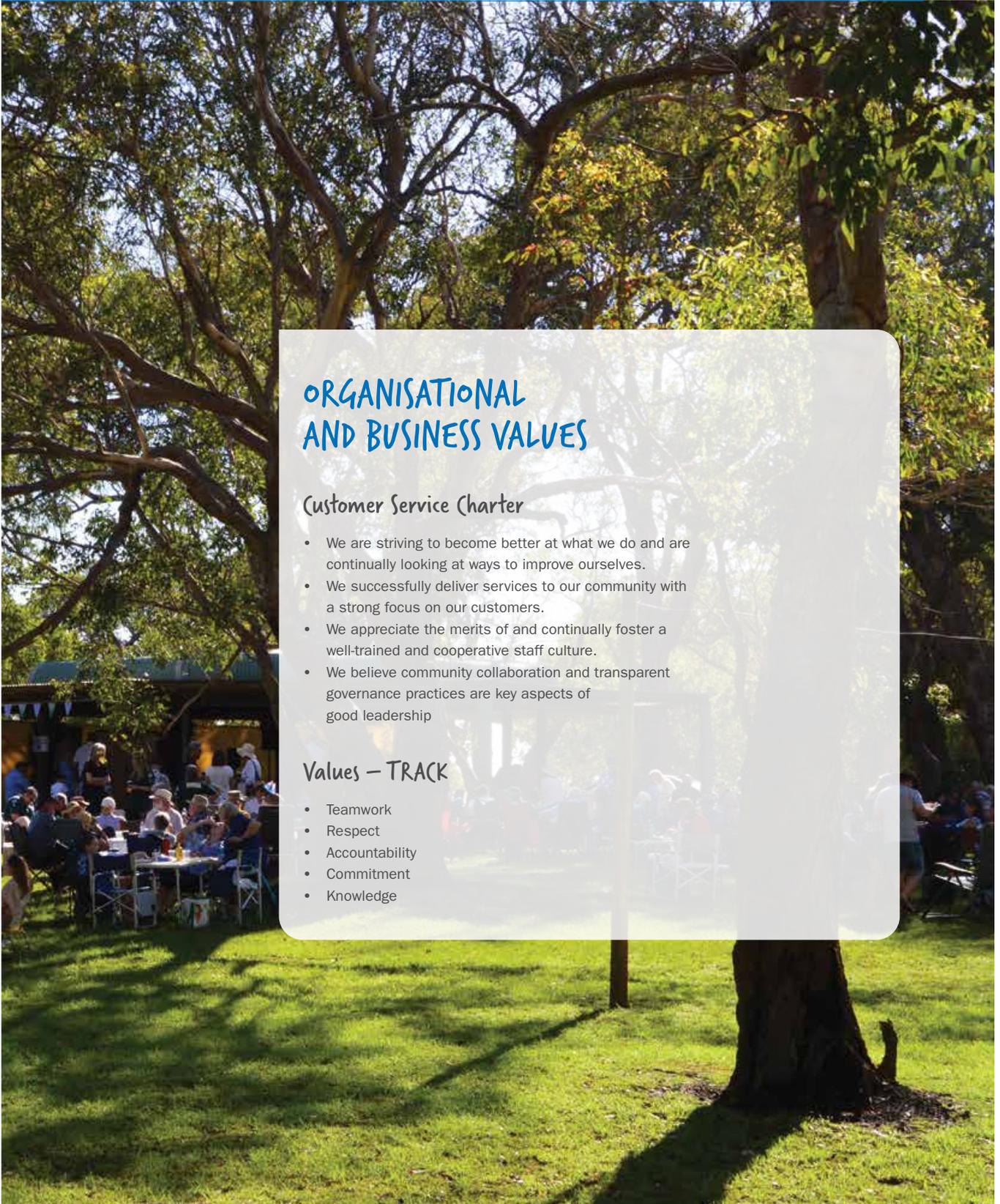
Perceptions Survey

– How satisfaction levels are tracking on:

- Facilities and Assets including roads, pathways and parklands
- Public Perception of the Shire of Gingin Council
- Public Perception of the Shire Administration
- How effective is information communicated from the Shire Administration







ORGANISATIONAL AND BUSINESS VALUES

Customer Service Charter

- We are striving to become better at what we do and are continually looking at ways to improve ourselves.
- We successfully deliver services to our community with a strong focus on our customers.
- We appreciate the merits of and continually foster a well-trained and cooperative staff culture.
- We believe community collaboration and transparent governance practices are key aspects of good leadership

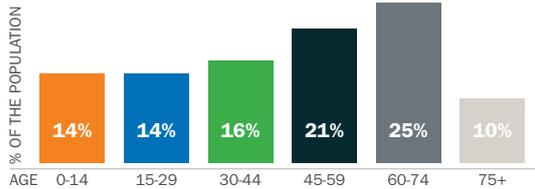
Values – TRACK

- Teamwork
- Respect
- Accountability
- Commitment
- Knowledge

SHIRE OF GINGIN POPULATION



Permanent Population 5353 (ABS 2020)
Service Population 11,400 (approx.)



Note:
1. Service Population = Permanent + estimated non-resident population
2. 2425 properties (non-resident) * 2.5 (av. residents in household)



First Nation's People		
2% Shire of Gingin	3.1% WA	
% of Age Pensions		
15% Shire of Gingin	10% Shire of Chittering	14% Shire of Dandaragan
Language other than English		
8.3% Shire of Gingin		
Median age		
49.2 Shire of Gingin	44.7 Shire of Chittering	
Females in our population		
48% Shire of Gingin	47% Shire of Dandaragan	
Living with a disability		
21.4% Shire of Gingin	19.5% Shire of Chittering	19.8% Shire of Dandaragan
Earn on average		
\$35,934 Shire of Gingin	\$52,671 WA	
Shire Administration		
90 employees (inc. seasonal contracts)		



615
Total number
of businesses

What are they?



39%
Agriculture,
Forestry, Fishing



17%
Construction



6%
Rental, Hiring
& Real Estate Services



5%
Transport, Postal
and Warehousing



5%
Retail Trade



5%
Professional, Scientific,
Technical Services

WHEN WILL THE SHIRE OF GINGIN NEED TO PLAN AGAIN?

The Shire of Gingin will conduct a minor review of this plan in 2024; two years from the commencement of this plan. At that time the progress of the Aspirations will be monitored and measured and relevance assessed. The community will be engaged via a Resident Perception Survey undertaken in late 2022/early 2023 with outcomes from the process used to update the Strategic Community Plan 2022-2032. In 2026 the Shire will conduct a major review of the Plan 2024-2034 involving a number of community engagement processes to guide Council in the development of future Aspirations for the Shire of Gingin Community.

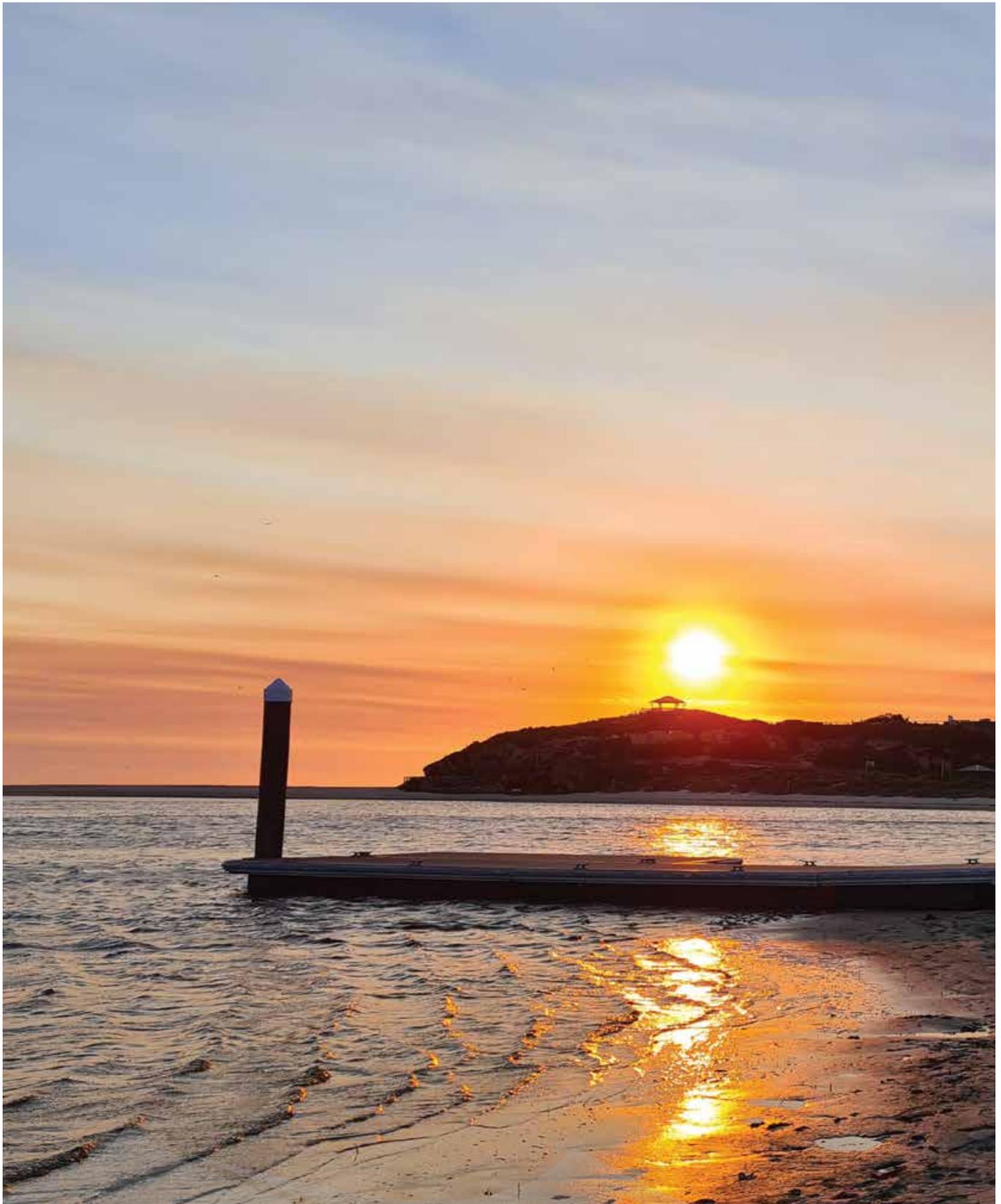


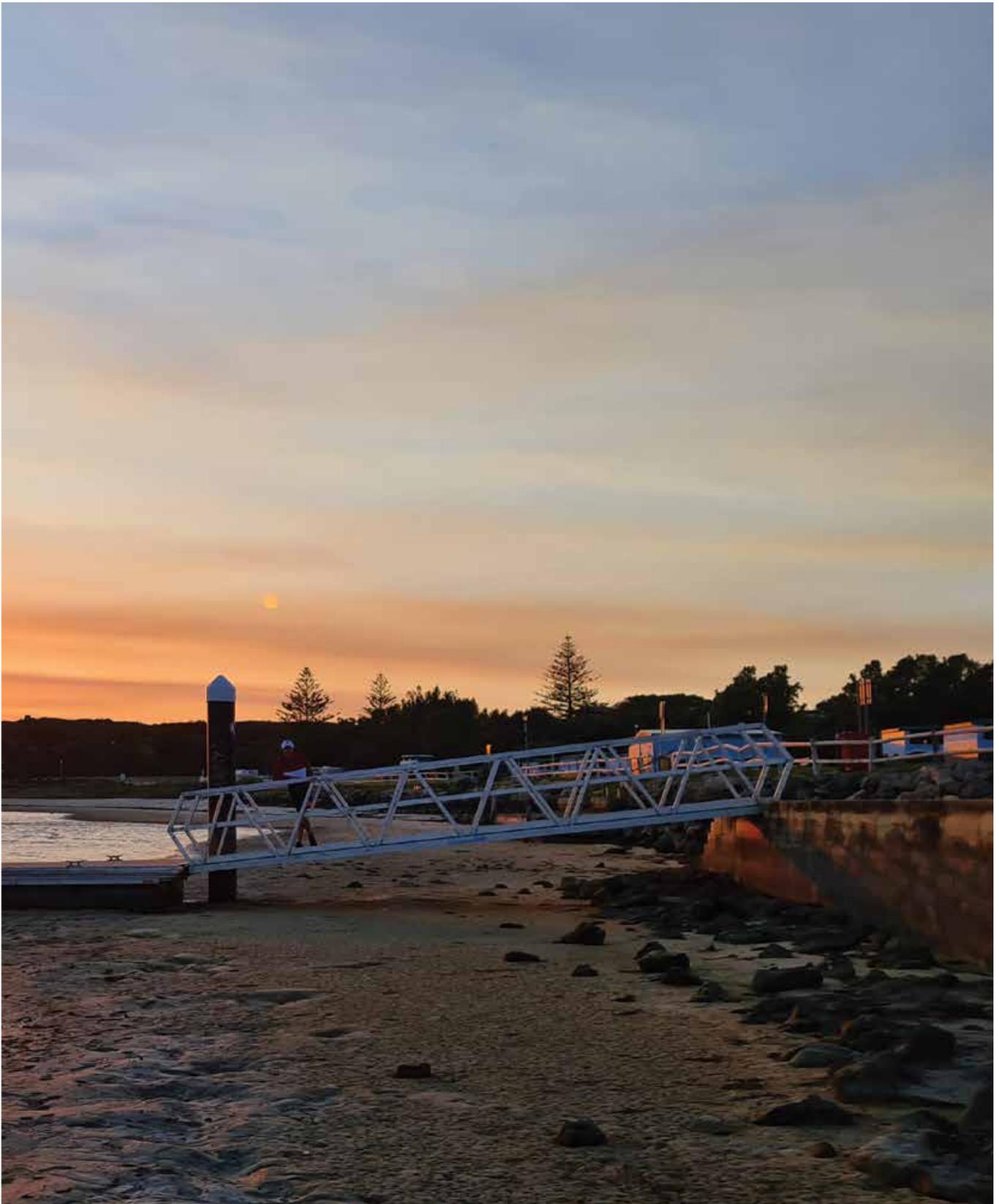
THANK YOU

The Shire of Gingin expresses its sincere thanks and appreciation to members of the Shire of Gingin community who provided feedback towards the development of the Strategic Community Plan 2022-2032.



Shire of Gingin Strategic Community Plan 18







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This document is available in other formats upon request.

11.2 REVIEW OF LOCAL EMERGENCY MANAGEMENT COMMITTEE TERMS OF REFERENCE

File	EMS/21
Author:	Phillip Barrett – Community Emergency Services Manager/Chief Bush Fire Control Officer
Reporting Officer	Les Crichton – Acting Chief Executive Officer
Refer	Nil
Appendices	1. Local Emergency Management Committee TOR [11.2.1 - 3 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To amend the Terms of Reference (TOR) for the Shire of Gingin Local Emergency Management Committee (LEMC) by adding a representative from Golden Egg Farms to the Committee as a non-voting member and including the position of Shire of Gingin Local Recovery Coordinator as a voting member.

BACKGROUND

1. Inclusion of Golden Egg Farms Representative as a Non-Voting Member

A request has been received from Golden Egg Farms for membership of the Local Emergency Management Committee. The request was received from Sarah Plant (Manager, Animal Health and Welfare at Golden Egg Farms/AAA Egg Farms) as below:

On behalf on of GEF, I would like to formally request membership of the Gingin LEMC for GEF.

Prior to joining GEF I worked in Emergency Management for the Department of Primary Industries and Regional Development. I am across the EM legislation and response and preparedness structures, including the role/function of the LEMC.

I believe that the GEF operations within your shire constitute critical assets and consideration needs to be made for ongoing operation in the event of an emergency.

Specifically, the GEF assets within the shire consist of two large poultry farms, an egg grading facility and an egg pulp plant on a single site. I believe this is a critical asset, not just to Gingin shire, but to the state. Currently 60-70% of the State's eggs are processed through the Grading facility.

If the Grading Facility were not operational, there would be a shortage of eggs on the shelf within 3 days - even without panicking (sic) buying. Unlike meat, there are very little alternatives for the roles (sic) eggs play in cooking and the diet.

If pork becomes unavailable, the consumer can consider an alternative protein source, such as lamb, fish or chicken. However, there are limited readily available alternatives to eggs in the diet or in cooking. Not only would a shortage of eggs affect households, it would also affect restaurants, caterers, hospitals and the production of cakes, pastries, biscuits etc.

In addition, there is not redundancy in other suppliers to fill the gap, should GEF not be able to supply eggs.

To be able to supply eggs GEF needs continuous inputs and outputs. These could be readily compromised in an emergency.

In addition there are up to 800,000 birds on site at certain times of the year. Unlike some other livestock there is no ability to move this number of birds in a short period. Unless we continue to provide adequate care, emergencies can quickly escalate to animal welfare, egg supply and food safety disasters.

Currently GEF employ over 80 staff on its Gingin site, also making it a significant employer in the area.

This request was considered by the LEMC at its meeting on 10 November 2021 where the Committee resolved to recommend that Council review the Terms of Reference and add a representative from Golden Egg Farms to the Local Emergency Management Committee as a non-voting member.

2. Inclusion of Shire of Gingin Local Recovery Coordinator as a Voting Member

The Shire's Local Recovery Coordinator is an integral component of the emergency management framework, and the position has previously been included as a voting member of the LEMC.

Unfortunately, the position was inadvertently deleted from the Committee membership when Council undertook its periodic review of all Committee Terms of Reference at its meeting on 17 August 2021 (Item 11.1) and a further resolution of Council is required to correct this oversight.

An amended version of the Terms of Reference incorporating the proposed membership additions is provided as **Appendix 11.5.1**.

STATUTORY/LOCAL LAW IMPLICATIONS

Emergency Management Act 2005

Part 3 – Local arrangements

Division 1 – Local emergency authorities

Section 38 – Local emergency management committees

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors’ meetings

Subdivision 2 – Committees and their meetings

Shire of Gingin Meeting Procedures Local Law 2014

POLICY IMPLICATIONS

State Emergency Management Policy 2.5 – Emergency Management for Local Government.

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Community Wellbeing
Objective	To support the Shire of Gingin community to be inclusive, vibrant, healthy and safe through the Shire’s service delivery
Outcome	1.3 Healthy & Safe Our community has access to quality health and community safety programs, services and initiatives that promote resilience
Key Service Area	Local Emergency Services

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule **SECONDED:** Councillor Court

That Council agree to amend the membership of the Shire of Gingin Local Emergency Management Committee as follows:

1. Include the position of Local Recovery Coordinator as a voting member; and
2. Include a representative of Golden Egg Farms as a non-voting member.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



TERMS OF REFERENCE

LOCAL EMERGENCY MANAGEMENT COMMITTEE

January 2022

Name:	Local Emergency Management Committee
Role/Purpose:	To advise and assist Council in the development, review and testing of the Shire of Gingin Local Emergency Management Arrangements.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise and assist Council in establishing local emergency management arrangements for the district; 2. To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and 3. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by regulations.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Shire President (Chairperson) Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Local Recovery Administrator Local Recovery Coordinator WA Police <ul style="list-style-type: none"> OIC Gingin (Local Emergency Coordinator) OIC Lancelin (Local Emergency Coordinator) Department of Fire and Emergency Services Department of Communities Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre <u>Non-Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Principal Environmental Health Officer WA Police <ul style="list-style-type: none"> Inspector Wheatbelt District Department of Biodiversity, Conservation and Attractions Western Power Main Roads WA Image Resources

	<p>Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc Department of Education Gingin District High School Lancelin Primary School Silver Chain Tronox State Emergency Management Committee Department of Water and Environmental Regulation Department of Agriculture and Food Department of Health – WA Country Health Service Golden Egg Farms</p> <p>2. A nominated deputy member may attend in place of the endorsed representative member.</p> <p>3. The Shire’s Chief Executive Officer will act as deputy member for the Shire President.</p> <p>4. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate.</p> <p>5. Committee membership shall be appointed or removed by the Council.</p> <p>6. Members must comply with the Shire’s Code of Conduct for Council Members, Committee Members and Candidates.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
<p>Operating procedures:</p>	<p>1. Presiding Member:</p> <p>a) The Shire President shall fill the position of Presiding Member at all meetings.</p> <p>b) In the absence of the Shire President, the Chief Executive Officer, as Council’s appointed deputy member, will attend and assume the Chair as Presiding Member for the duration of that meeting.</p> <p>c) In the event that neither the Shire President or the Chief Executive Officer are present, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair as Presiding Member for the duration of that meeting.</p> <p>d) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of one meeting every three months (February, May, August and November).</p> <p>b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee’s Presiding Member.</p>

	<p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes within seven working days of the Committee meeting.</p> <p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum: The quorum for a meeting shall be at least 50% of the number of voting members.</p> <p>4. Reporting: a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing Legislation:	The Committee is established under section 38 of the <i>Emergency Management Act 2005</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.7	Terms of Reference adopted.
2.	16/12/2014 – Item 11.1.10	Amendments to membership and who shall chair meeting in absence of Shire President.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	21/03/2017 – Item 11.1.1	Amendments to membership and who shall chair meeting in absence of Shire President.
5.	18/7/2017 – Item 11.1.3	Amendment to months for meetings to be held – now February, May, August and November
6.	15/10/2019 – Item 11.1.1	Membership cl. 1 amended. Operating Procedures cl. 2b) amended.
7.	16/6/2020 – Item 11.1.1	Addition of Principal Environmental Health Officer as a non-voting member, removal of Empire Oil Company (WA) Limited and replacing with Image Resources
8.	17/08/2021 – Item 11.1	Membership cl. 1 and 6 amended. Operating Procedures cl. 2d) and 4a) amended.

12 REPORTS - CORPORATE AND COMMUNITY SERVICES

12.1 DEPUTATION - REMOVAL OF INTENSIVE RURAL/MINING RATING CONCESSION

File	RAV/1
Author	Les Crichton - Executive Manager Corporate & Community Services
Reporting Officer	Les Crichton - Acting Chief Executive Officer
Refer	Deputation - 19 October 2021
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to consider the objections raised by Mr Matt Griffith in a Deputation to Council on 19 October 2021 in relation to the financial impact on those landowners who previously received the Intensive – Rural/Mining rates concession.

BACKGROUND

Differential Rating

In the 2011/12 financial year, Council implemented differential general rating which, as the name suggests, allows a different rate in the dollar to be applied according to any one or combination of the following characteristics:

- (a) the purpose for which the land is zoned, or
- (b) the purpose for which the land is held or used as determined by the local government, or
- (c) whether or not the land is vacant or not, or
- (d) as prescribed whether the land is in a townsite or a particular part of the district of the local government.

As outlined in its Statement of Objects and Reasons for Differential Rating below, Council determined the following rate categories:

Statement of Objects and Reasons for Differential Rating

To provide equity in the rating of properties across the Shire the following rate categories have been determined for the implementation of differential rating:

Differential General Rate

Description	Characteristics	Objects	Reasons
Rural and Rural Other (including exploration and prospecting tenements).	Where land is used predominantly for rural purposes, the rate levied shall be based upon its unimproved value (UV).	The objective of this differential rating category is to impose a differential general rate on land held or used for the purposes of rural broad acre farming, rural residential, rural industry, other non-intensive uses as determined by Council (including exploration and prospecting tenements).	It recognises that land within this category does not have the same impacts on Shire transport infrastructure as the rural intensive/mining differential rate category.
Rural Intensive/Mining (excluding exploration and prospecting tenements).	Any or a combination of the following characteristics: <ol style="list-style-type: none"> 1. The purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the <i>Planning and Development Act 2005</i>; or 2. A purpose for which the land is held or used as determined by the local government; or 3. Whether the land is vacant or not; or 4. Any other characteristic or combination of characteristics prescribed. 	The objective of this differential rating category is to impose a differential general rate on land held or used for the purposes of Agriculture Intensive, Animal Husbandry - Intensive (excluding exploration and prospecting tenements), Extractive Industry, Mining, Aquaculture, or Water.	It recognises that land within this category has higher impacts on Shire transport infrastructure and increased environmental monitoring costs.

When applying Differential Rating, a local government is required, prior to adopting the Budget, to give local public notice advising of its intention to do so and seeking submissions.

Council has given local public notice prior to the adoption of its budgets since the introduction of differential rating, and up to and including the 2021/22 financial year (11 budget periods). Over that time, Council has received a total of six submissions: four in the first year (of which three related to its impact on large landholdings), one in 2016 and one in 2017, both in relation to application of differential rating to mining tenements.

Differential Rating Concession

In early 2012, Council implemented a rates concession for Split Use Differential – UV General Properties.

The concession effectively allowed for a property to be split into separate rating categories based on area. The area under which the intensive activity was undertaken was rated at the higher ‘Intensive- Rural/Mining’ rate in the dollar, with the balance of the property being rated at the lower ‘Rural – General’ rate in the dollar.

With no detail outlining the reasons or justification for the concession, its introduction appears to have been in response to complaints following the introduction of differential rating. The practice, adopted through the creation of a Council policy, was for the concession to be applied, on request, to those properties with less than 75% of the land used for the intensive use. Consequently, not all (92 of 246) Intensive – Rural/Mining properties received the concession prior to its removal.

The practice of split rating is not endorsed by the Valuer General’s Office, nor is it included within Council’s Statement of Objects and Reasons for Differential Rating as provided above.

2021/22 Budget

In accordance with its usual practice, during development of the 2021/22 Budget Council reviewed its rating levels necessary to fund identified priorities across both its asset renewal and service provision for the forthcoming year.

In reviewing these rating levels, the provision of the concession provided to some owners of land classified as Intensive Rural/Mining was again identified by Council as a matter of inequity and concern. Based on rate modelling, continuation of the concession to existing recipients only represented a cost or loss on rating income of \$150,000.

While it was agreed that the removal of the concession should be considered, a number of options for removal were also considered which included delay of a year, a staged approach (reduction of the concession by 50%), or full removal.

Following significant discussion, it was agreed that given the concession effectively negated the intent of rating outcomes sought through differential rating, it would be removed in full. In doing so however, it was agreed the rate in the dollar would be reduced by 18% to that originally proposed to partially offset the financial impact of the concession removal.

Deputation

Council received a Deputation from Mr Matt Griffith prior to its ordinary meeting held on 19 October 2021 in which he set out concerns held by himself and others in relation to the rate change.

As summarised in his follow up email of 31 October 2021, the key issues raised are:

- The decision to unilaterally make significant change to the way the LPS is being applied;
- No consultation or engagement with the impacted group regarding the change; and
- Provide consideration to alternative approaches to resolving the matter.

COMMENT

Change to the way the Local Planning Scheme (LPS) has been applied

Mr Griffith has stated there has been a change to the way the LPS is being applied, however this is not the case.

As set out in the Statement of Objects and Reasons for Differential Rating, the Intensive – Rural/Mining category is applied to land held or used for the purposes of Agriculture Intensive, Animal Husbandry - Intensive (excluding exploration and prospecting tenements), Extractive Industry, Mining, Aquaculture, or Water. This has applied from the introduction of Differential Rating in 2011. Definitions of each of these categories as provided within the LPS are provided below.

agriculture - intensive	means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following – (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts; (b) the establishment and operation of plant or fruit nurseries; (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or (d) aquaculture;
aquaculture	means the use of land for the purpose of rearing and breeding of fish or crustaceans under controlled conditions for sale;
animal husbandry - intensive	means premises used for keeping, rearing, or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;
industry - extractive	means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry – mining;
industry – mining	means land used commercially to extract minerals from the land;

Due to and recognising the nature of these activities, landowners are required to obtain development approval from Council and on approval the rating category is applied. While not a prerequisite or requirement to undertaking these intensive activities, it appears that most are attached to the provision of a commercial water licence for the respective property.

It is argued that application of the intensive rating across the whole property has not considered the balance between predominant and ancillary uses of the property, and in fact the intensive activity is not the predominant use. This assumes the predominant use of a property is determined solely on its area relative to the whole property, which is not the case. The very nature of an intensive activity, irrespective of its size proportionate to the whole land area, gives rise to its dominant use.

It is also argued that the definitions within the LPS, specifically 'trade and commercial use' within the Agriculture – Intensive category, are applied too broadly. Trade and commercial use as applied within the context of the LPS are those activities which are beyond domestic use, and as with all other land uses, are applied irrespective of the extent to which the activity is undertaken, if at all.

It should also be clarified that the impact of the change has occurred as a result of the removal of the concession applied to some Intensive – Rural/Mining properties, not application of the rating categories.

As detailed in the Background section of this report, the concession was introduced to split the rating across a rateable property based on and proportionate to the differing uses. As a practice not endorsed by the Valuer General's Office nor practiced anywhere within WA, it diminishes the intent of differential rating.

No engagement

Mr Griffith and others have strongly voiced their concern at what they consider to be a lack of engagement with affected landowners prior to the change.

Unlike many of Council's other responsibilities, the setting of rates, services charges, and any associated concessions lies largely with Council, not the community. Community input underpins the types and levels of services it requires, and Council's role is to determine priorities based on community input and set the budget, including rates, accordingly.

As previously detailed, public notice and invitation for submissions on the imposition of differential rating is a requirement under the *Local Government Act 1995* (Act), and this was undertaken. Public notice is not, however, required with respect to the provision, amendment or removal of concessions.

Alternative approaches

Asserting Council has made a mistake in removing the concession, Mr Griffiths has suggested that:

- The 2021/22 rates be reverted to what they were prior to the decision;
- Council map out a sound engagement process;
- Some alternatives be created for the community to consider i.e.
 - Tiered approach to intensive horticulture
 - Firm up definitions of trade and commercial so it is clear; and
- The Shire administratively look at what current farms are doing as there are incorrect rate charges occurring the other way which is revenue lost.

Should Council accept a mistake has been made then, in order to effect a change to the 2021/22 rates to return to the position that would have existed had the concession not been removed, Council to firstly be required to reinstate the concession previously provided to the 92 Intensive – UV/Mining properties, and secondly, increase the Intensive – UV/Mining rate in the dollar for all Intensive – Rural/Mining properties to reverse the reduction originally applied to partially offset the impact of the concession removal.

While the first step may be achieved through a Council decision, the second step would require Council to request the State Administrative Tribunal (SAT) to make an order to quash the 2021/22 Intensive - UV/Mining Rate imposed. This would then allow Council to re-determine (increase) the rate in the dollar for all Intensive – UV/Mining properties. Following quashing of the rate and re-determining of the new rate, advertising of differential rating prior to adoption would be undertaken as required under the Act, then new rate notices would be issued.

Should Council not accept a mistake has been made, it may:

1. Still decide to ‘unwind’ the 2021/22 differential rating process as detailed above to revert the rates with the concession returned;
2. Unwind the 2021/22 differential rating process and develop and implement an alternative rating strategy without the concession; or
3. Retain the differential rating as adopted in its 2021/22 Budget.

As the intent of the concession removal is to appropriately identify and rate higher impact properties, it is recommended the 2021/22 differential rating process be maintained and not ‘unwound’. This however does not preclude Council reviewing the current rating strategy to explore alternative/s for community input and Council consideration in its 2022/23 Budget deliberations.

In addition to his deputation, Mr Griffith has made a separate objection to the Office of the Ombudsman Western Australia on the matter.

Officers have provided further information to the Ombudsman WA and the Department of Local Government, Sport and Cultural Industries in response to their investigation, and while a timing error has been identified as part of the advertising process, no comments, recommendations, or directions on the matter have been received from either. This does not prohibit Mr Griffith (or any other person) referring a claim of an incorrectly imposed rate to the State Administrative Tribunal.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995
Part 6 Financial management
Division 6 Rates and service charges

Local Government (Financial Management) Regulations 1996
Part 3 Annual budget – s. 6.2
Reg 23 Rates information required
Part 5 Rates and service charges

Shire of Gingin – Local Planning Scheme No. 9

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Reinstatement of the concession applied to select properties that previously received it would require funding of \$150,000 if the current rate in the dollar is retained. This could be reduced to \$75,000 if the differential rates are quashed with the rate in the dollar increased back to 2020/21 levels.

Council will need to consider how it would fund any changes within the current budget.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Governance
Objective	To demonstrate effective leadership, governance, and advocacy on behalf of community
Outcome	Values – Our Organisational/Business Values are demonstrated in all we do.
Key Service Area	Financial Management
Priorities	Increase the focus on future financial sustainability to cater for anticipated growth.

VOTING REQUIREMENTS – SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule SECONDED: Councillor Balcombe

That Council:

- 1. Note the deputation presented by Mr Matt Griffith in relation to concerns about the removal of the concession provided to some properties rated Intensive – Rural/Mining;**
- 2. Agree to retain the differential rating as adopted in its 2021/22 Budget: and**
- 3. Agree to review the current rating strategy and explore alternative strategies for inclusion in the 2022/23 Budget deliberations.**

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

12.2 CONCEPT ENQUIRY - LANCELIN BOWLING CLUB

File	CSV/14
Author	Les Crichton - Executive Manager Corporate & Community Services
Reporting Officer	Les Crichton - Acting Chief Executive Officer
Refer	19 October 2021, Item 14.1
Appendices	<ol style="list-style-type: none"> 1. Shire Concept Enquiry Project (003) [12.2.1 - 3 pages] 2. Synthetic Green Plan [12.2.2 - 1 page] 3. Concept enquiry - Lancelin Bowling Club Inc. additional information [12.2.3 - 1 page]

DISCLOSURES OF INTEREST

Councillor Peczka declared an Impartiality Interest in Item 12.2 as he is a playing member of the Lancelin Bowling Club.

Councillor Balcombe declared an Impartiality Interest in Item 12.2 as she is the Board and Community Officer for the Bendigo Bank, and the Club has referenced that it has applied to Bendigo Bank for funding.

Councillor Kestel declared an Impartiality Interest in Item 12.2 as he is a Board member of the Bendigo Bank.

PURPOSE

To consider a Concept Enquiry from the Lancelin Bowling Club to upgrade the existing 8 rink grass bowling green to a 10-rink synthetic green.

BACKGROUND

On 29 November 2021, Administration received the attached (**Attachment 12.2.1**) Concept Enquiry from the Lancelin Bowling Club to replace one of the two 8 rink grass bowling greens. The Synthetic Green Plan is attached as **Attachment 12.2.2**. The proposal also includes conversion of the other green to two netball courts.

The bowling grounds are located within Reserve 28303. The reserve is vested in the care, control and management of the Shire of Gingin and is leased to the Lancelin Community Sporting Club Inc (LCSCI). The reserve accommodates an 18-hole golf course, a clay target facility, an outdoor multipurpose court (netball/basketball/tennis), football ground and clubroom, playground, and the Lancelin Sporting Complex. The complex includes a club room, kitchen, cool room, multipurpose indoor court (basketball etc.) toilets and change rooms. The Concept Enquiry however includes no comment from the LCSCI as the parent body, or the Lancelin Netball Club in relation to the relocated courts.

The permitted purpose of the lease is sporting and recreation for the members of the Lessee and Lessee's guests and uses reasonably ancillary thereto. The provision of bowling greens (and subsequent upgrades/renewals) aligns with this purpose.

As a facility included within Lancelin, development of the Lancelin Bowling Club is also guided by the Upper Coastal Sporting Facilities Master Plan adopted by Council at its Ordinary Meeting held on 19 October 2021. At this meeting, Council resolved to:

- 1. Note the recommendations from the Upper Coastal Sporting Facilities Working Group relating to the draft Upper Coastal Sporting Facilities Master Plan.*
- 2. Adopt the Upper Coastal Sporting Facilities Master Plan as submitted.*
- 3. Reaffirm that all sporting clubs can remain as part of the Upper Coastal Sporting Facilities while they remain sustainable and financially viable.*
- 4. Reaffirm that the Shire cannot financially support the duplication of facilities located in proximity to each other.*
- 5. Endorse the priorities for future development of sporting facilities in Lancelin and Ledge Point as recommended by the UCSFWG*

COMMENT

Following receipt of the initial Concept Enquiry, further information has been provided (**Attachment 12.2.3**) in support of the application specific to the financial contribution to date and support. The Lancelin Bowling Club have advised that while support from Lancelin Community Sporting Club (LCSC) is at this stage verbal, a meeting is scheduled next week to formally consider endorsement.

While Council has reaffirmed that all sporting clubs will remain while they are sustainable and viable, its resolution clearly outlines that it cannot financially support the duplication of facilities.

The Lancelin Bowling Club is a facility that is recognised as one which is duplicated within close proximity to another (Ledge Point Bowling Club), it is therefore recommended that the Concept Enquiry not be supported.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy 3.17 – Asset Management
Shire of Gingin Upper Coastal Sporting Facilities Master Plan

BUDGET IMPLICATIONS

The Concept Enquiry proposes a total cost of \$300,00 to undertake the upgrade of one green, to be funded by contributions of \$100,000 each from the Lancelin Bowling Club, the Department of Sport and Recreation and the Shire of Gingin.

There is no provision within the Shire’s 2021/22 Budget or Long Term Financial Plan for a contribution towards the upgrade of the Lancelin Bowling Club (or Ledge Point Bowling Club) facilities.

With implementation of the Upper Coastal Sporting Facilities Master Plan dependent on the success of attracting external funding, it was critical the Master Plan be developed in accordance with funding eligibility criteria, in particular the State Government’s Community Sporting and Recreation Facilities Fund (CSRFF) guidelines. Priority consideration for CSRFF funding will be given to:

- New or upgraded facilities which will maintain or increase physical activity, or result in a more rational use of facilities;
- Projects that lead to facility sharing and rationalisation; and
- Multi-purpose facilities that reduce the infrastructure required to meet similar needs and increase sustainability.

As the proposal does not appear to demonstrate an ability to meet any of the above criteria, while noting the Lancelin Bowling Club’s comments, it is difficult to see the Department of Sport and Recreation contributing through provision of a CSRFF grant.

There is no cost estimate provided for the proposed location of two netball courts on the second grass green, or details with respect to how this proposal will be funded.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure & Development
Objective	To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner
Outcome	The Shire provides fit for purpose community infrastructure in a financially responsible manner.
Key Service Area	Community Infrastructure
Priorities	3.2.1 Develop and plan community infrastructure to improve use and financial sustainability. 3.2.3 Rationalise and consolidate older community infrastructure

VOTING REQUIREMENTS - SIMPLE MAJORITY

MOTION/OFFICER RECOMMENDATION

MOVED: Councillor Court **SECONDED:** Councillor Vis

That Council not support the proposal by the Lancelin Bowling Club to upgrade one grass 8 rink bowling green to a 10 rink synthetic green.

Councillor Peczka foreshadowed his intention to move an alternative motion to support the proposal by the Lancelin Bowling Club to upgrade one grass 8 rink bowling green to a 10 rink synthetic green in the event of the motion under consideration being lost.

SUPERSEDED BY PROCEDURAL MOTION

PROCEDURAL MOTION

MOVED: Councillor Rule **SECONDED:** Councillor Peczka

That this matter be deferred for consideration at a future meeting of Council to enable the application to be resubmitted in accordance with the correct protocols.

**CARRIED
7 / 1**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Councillor Kestel*

COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

CONCEPT ENQUIRY

PRIOR TO COMPLETING THIS FORM

It is essential to have read the 'Frequently Asked Questions' for 'Community Projects for Shire Lands & Assets' prior to completing and submitting a 'Concept Enquiry'. In completing and submitting this form to the Shire of Gingin you are acknowledging that you have read and understood the purpose, process and associated information for a 'Concept Enquiry'. If further explanation is required please contact the Shire's Community Development Team via

Email: mail@gingin.wa.gov.au OR Telephone: (08) 9575 5100

CONCEPT ENQUIRY

Project Title	Synthetic Green
---------------	-----------------

CONTACT DETAILS	
Contact Person	Graham Williams
Community Organisation (if applicable)	Lancelin Bowling Club
Postal Address	PO Box 101 Lancelin WA 6044
Contact Number	0428 651 147
Email	Junglejane576@gmail.com

Note: Please provide as much information as possible about the project as this will assist with the Shire's review of the 'Concept Enquiry'. The Shire may seek additional information from the contact person listed above if required.

1. What is the proposed project?

Provide specific detail.

To upgrade the existing 8 rink grass bowling green to a 10 synthetic green

2. (a) What is the current issue or need that has initiated this project/concept?

- The use of fertilisers and chemicals
- Use of excess water in summer months
- Limited to 7 months playing surface
- Ongoing cost of green keeper as a synthetic surface will not incur this cost

COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

CONCEPT ENQUIRY

2. (b) What difference will the project make?

E.g. what would occur if the project didn't happen?

- Ability to play 12 months of the year
- Ability to conduct more events ensuring clubs ongoing viability
- Availability for the community, visitors and corporates to use the greens 12 months of the year
- Currently Corporate Bowls is limited to 12 teams which means at least 4 teams are missing out, a 10 rink synthetic will allow 20 teams
- Cost savings on not having fertiliser, chemicals and labour

3. What are the proposed costs for the proposed project?

Provide quotes and project budget where possible.

\$300,000

4. (a) How do you/the community organisation foresee that the project will be funded?

E.g. Who is contributing to the project? Funding partners, cash and in-kind contributions, etc.?

\$100,000 community including cash and some in-kind
\$100,000 DLGSC grant
\$100,000 Shire of Gingin contribution



COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

CONCEPT ENQUIRY

4. (b) How will the ongoing costs be funded?

E.g. Maintenance, replacement, operation costs, etc.

The savings of \$20,000+ by not having to pay a greenkeeper, purchase equipment, fertiliser, chemicals and carry out machinery repairs
Ability to conduct more events will bring in extra funds
Having the green available for social events such as Corporate Bowls, barefoot bowls, corporate outings and other sporting clubs will bring in extra funds

5. Is there any other information that may be valuable to provide with regards to the proposed project?

E.g. Photos, maps, diagrams, etc. Attach as applicable.

The existing second grass green can be utilised by the Shire to install two (2) netball courts which will have access to change rooms and toilets in the main complex building instead of down near the footy oval which has shared facility with hockey and football.

SEND THIS COMPLETED FORM TO:

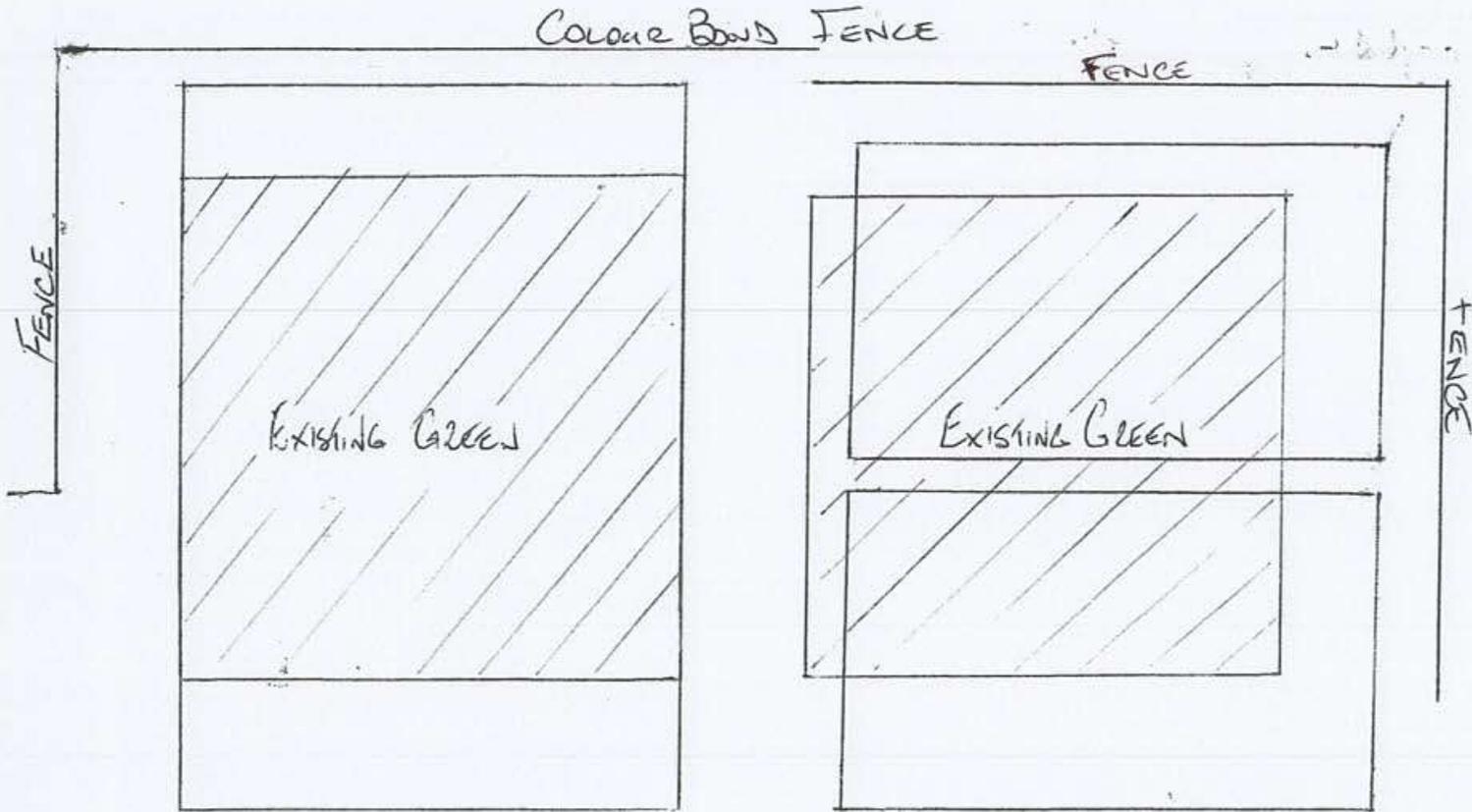
Post:

Mr Aaron Cook – Chief Executive Officer
Shire of Gingin
PO Box 510
GINGIN WA 6503
Ref: 'Concept Enquiry' for Project

Email:

mail@gingin.wa.gov.au
Subject Line: 'Concept Enquiry' for Project





UPGRADE EXISTING GRASS
BOWLING GREEN TO A
SYNTHETIC SURFACE

REPLACE EXISTING BOWLING GREEN
WITH 2 MULTI COURTS

* NOT TO SCALE

Lancelin Bowling Club Inc
PO Box 101
Lancelin WA 6044
Email : pjwilliams576@gmail.com

President: Graham Williams 0428551147 Secretary: Pat Williams 0417096876

12th January 2022

To all councillors.

The Lancelin Bowling Club have submitted a concept enquiry to the Shire of Gingin for a 10 rink synthetic green to replace our current grass greens and are seeking the Shires support of this submission to be able to source further funding.

We have approached the CSRFF regarding a grant for this project and as we are changing from grass to synthetic we would be eligible for funding.

The Bendigo Bank have also been approached regarding a grant.

We have been fundraising and to date have raised \$40,000 which would go towards this project. We are continuing to fundraise as our members, community and the Lancelin Community and Sporting Club support our endeavours.

Currently Lancelin's membership is growing with 35 playing members, 2 ladies and 1 men's pennant sides. We also have 80 social members who participate in Corporate and barefoot bowls as well as other competitions. With the growing number of tourists in the town we have groups who also enjoy the facility.

At the Moore Districts Bowling League's AGM on the 25th May 2021 which was attended by 4 Gingin Shire Councillors and the Shire President, it was reiterated that if the Lancelin Bowling Club dissolved the League would be decimated resulting in no inter club competitions within the Shire.

Bowls WA have been very supportive to date and will continue to support us through this project as they do not want to see the demise of the Moore Districts Bowling League.

We foresee a synthetic green to be of great advantage as it can be used all year around and the use of a greenkeeper, water and fertiliser would no longer be needed which in turn makes the club even more viable and enables us to easily save for future green replacement.

Hoping this information will assist in reaching a positive outcome.

Yours sincerely

Pat Williams
Hon Secretary

12.3 STATE GOVERNMENT VACCINATION MANDATES - REQUEST FOR DECLARATION AS A 'PRO-CHOICE SHIRE'

File	GOV/19
Author	Les Crichton - Executive Manager Corporate & Community Services
Reporting Officer	Les Crichton - Acting Chief Executive Officer
Refer	21 December 2021 - Item 4.2
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider requests and questions raised at Council's Ordinary Meeting held on 21 December 2021 in relation to the vaccination mandates imposed by the WA State Government in response to the COVID-19 pandemic.

BACKGROUND

Council, at its Ordinary Meeting held on 21 December 2021, received several public questions in relation to the mandated vaccinations imposed by the State Government.

While responses to some of the questions were provided at the meeting and are recorded in the Minutes, others were deferred until Council had opportunity to discuss/review the issues, and Council's potential position. This report presents the questions raised and expanded responses for Council's consideration.

COMMENT

Speaker: Malcolm Lobb

Q1: Are you prepared to move a motion to call a Special Meeting of electors without further delay, to hear and discuss the concerns of the Gingin Community in respect to the detriment economic, business, Occupational Safety & Health, public liability, and lifestyle impact of the vaccination mandates specifically on members of the Shire of Gingin Community?

Comment:

As required by s. 5.28 of the *Local Government Act 1995*, a special meeting of electors is to be held on the request of not less than –

- 100 electors or 5% of the number of electors, whichever is the lesser¹, or
- 1/3 of the number of elected members.

¹ With 5% of 4,309 electors registered at the Shire of Gingin 2021 Ordinary Elections being 215, the request would require a minimum of 100 electors.

The request is to be sent to the Shire President and is to specify the matters to be discussed at the meeting and the form or content of the request is to be set out as detailed in Schedule 1 – Forms (Form 1) of the *Local Government (Administration) Regulations 1996*. A special meeting is to be held on a day selected by the President but not more than 35 days after the day on which he received the request.

While impacting the ratepayers and residents of the Shire of Gingin all measures, including vaccination mandates, introduced by both the Australian Government and the State Government are aimed at providing protection to the whole Australian population based on the health advice from respective Chief Health Officers.

The issue of mandated vaccinations has received considerable discussion within the media, however to date there has not been any significant demonstrated objection from the community. To date the Shire has received no formal protest or requests in relation to mandated vaccinations, other than those recently received from the attendees at the 21 December Council Meeting.

It is therefore recommended that a Special Meeting of Electors only be progressed in the event that a request is received from the required number of electors.

Q 2: At this Special Meeting are you prepared to reach a decision by way of a vote as to whether the Gingin Shire will declare itself to be that of a Pro Choice Shire?

Comment:

Any decisions made at an Electors' Meeting are to be considered by Council at its next Ordinary Meeting, or if not practicable, at the first meeting after that meeting, or a Special Meeting called for that purpose. It is not possible for Council to pre-empt any decision that may be forthcoming from such a meeting.

Speaker: Andrew Darbyshire

Q1: We want to know if you will acknowledge that this matter of pro-choice on the mandates being introduced does fall within the scope of the Shire of Gingin's Councillor's responsibilities under the *Local Government Act 1995* which is to: a) represent the interests of electors, ratepayers, and residents of the district; b) provide leadership and guidance to the community in the district; and c) facilitate communication between the community and the council?

Comment:

While impacting the ratepayers and residents of the Shire of Gingin, all health measures including vaccination mandates in response to the COVID-19 pandemic are the responsibility of the Australian Government and the State Government.

Q2: If you do call a Special Meeting of Electors, would you be open to listen to a presentation on Risk Assessment on Coronavirus/mRNA vaccines?

Comment:

A presentation of risk assessment on coronavirus/mRNA vaccines can be included in the request for a Special Electors Meeting. Council may also receive presentations and/or deputations prior to its Ordinary Council Meetings. Deputation requests can be submitted via the Shire of Gingin's website and must be approved by the Shire President. Deputations to Council shall consist of a maximum of 5 people, who collectively may address Council for a period not exceeding 15 minutes.

Q3 Can you provide assurance to the community that the Shire of Gingin accepts the financial and public liability risks of adopting the vaccination mandates imposed by the WA State Government on Gingin residents, ratepayers, and business owners?

Comment:

The vaccination mandates are issued as lawful Directions under sections 157(1)(e), 157(1)(k), 180 and 190(1)(p) of the *Public Health Act 2016* (WA). As such, the Shire does not have, nor does it accept, any financial or public liability risks associated with implementation of such Directions by the State Government.

Q4: Will the Shire, if it is accepted that you are pro-choice, advise the Premier of Western Australia about the concerns of the Gingin Community and request he reconsiders any decision to introduce further restrictions for mRNA unvaccinated people?

Comment:

This would be determined by Council during its deliberations on any matters arising from a Special Meeting of Electors.

Speaker: Jacqui Lobb

Q1: In accordance with your responsibilities under the *Local Government Act 1995*, will you question and demand that the WA Chief Health Officer, Dr Andrew Robertson, abide by his duties under the *WA Public Health Act 2016* to provide true and accurate information on the known risks of mRNA vaccine and ask him to provide you with accurate statistics of those who have suffered adverse reactions?

Comment:

This would be determined by Council during its deliberations on any matters arising from a Special Meeting of Electors.

Q2: Will you choose to best represent the interests of ALL members of your community by considering age stratified risk benefit analysis for vaccine recipients and refuse to be complicit in the promotion of discriminatory and alienating mandates?

Comment:

This would be determined by Council during its deliberations on any matters arising from a Special Meeting of Electors.

Q3: Can you please advise us on the number of signatures that are required on a petition needed, to be accepted by Council?

Comment:

There is no minimum number of signatures required on a petition, although the petition must be in the format specified by the Shire of Gingin Meeting Procedures Local Law 2014.

However, a Special Meeting of Electors is to be held on the request of not less than: –

- 100 electors or 5% of the total number of electors, whichever is the lesser; or
- 1/3 of the number of elected members.

The request is to be sent to the Shire President and is to specify the matters to be discussed at the meeting and the form or content of the request is to be set out as detailed in Schedule 1 – Forms (Form 1) of the *Local Government (Administration) Regulations 1996*.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 5 Administration

Division 2 Council meetings, committees and their meetings and electors' meetings

Subdivision 4 Electors' meetings

Local Government (Administration) Regulations 1996

Reg.16 Request for special meeting, form of (Act s. 5.28(2))

Emergency Management Act 2005

Public Health Act 2016

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Governance
Objective	To demonstrate effective leadership, governance, and advocacy on behalf of community
Outcome	The Shire works productively with a range of partners to deliver outcomes for community
Key Service Area	Advocacy
Priorities	Formalise and strengthen the advocacy process of the Shire

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel

SECONDED: Councillor Peczka

That Council:

1. Note the actions of the State and Australian Governments in managing the response to the Covid-19 Pandemic, and specifically that of the State in relation to its vaccination mandate policy; and

2. Consider feedback from the community should a Special Meeting of Electors be called and held on the matter, prior to determining any position contrary to the State Government's Directions issued under the *Emergency Management Act 2005* or *Public Health Act 2016*.

CARRIED UNANIMOUSLY
8 / 0

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

12.4 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 DECEMBER 2021

File	FIN/25
Author	Karina Leonhardt - Coordinator Corporate Services
Reporting Officer	Les Crichton - Acting Chief Executive Officer
Refer	Nil
Appendices	1. Monthly Financial Statement as at 31 December 2021 [12.4.1 - 12 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To present for Council endorsement the Monthly Statements of Financial Activity for the period ending 31 December 2021.

BACKGROUND

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

COMMENT

The Financial Statements for the month ending 31 December 2021 present the financial performance of the Shire for the 2021/22 financial year and compare year to date expenditure and revenue against the corresponding year-to-date budget.

A break-up of the \$1,959,957 variance is summarised across operations, investing and financing below with a detailed explanation of variations within each area contained within **Appendix 12.4.1**.

Under budget

Operating Fund Surplus / Deficit	\$(256,114)
Operating Expenditure	\$1,117,024
Investing Activities – Revenue	\$(1,874,021)
Investing Activities – Expenditure	\$2,511,577
Financing Activities – Revenue	\$(14,672)
Financing Activities – Expenditure	\$436,025

Over budget

Operating Revenue	\$40,138
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It should be noted that while the 2020/21 year-end processes have largely been finalised, further changes may be identified as part of the final audit and may affect the operating fund surplus/deficit.

Investments

As required by Council Policy 3.2 - at this time, there are no investments to report on.

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 2.4 Investing Money Not Required for the Time Being

POLICY IMPLICATIONS

Shire of Gingin Policy 3.2 – Investments

A monthly report will be provided to Council detailing the investments portfolio in terms of performance, percentage exposure, maturity date and changes in market value.

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Governance
Objective	5. To demonstrate effective leadership, governance, and advocacy on behalf of the community
Outcome	5.1 Values - Our organisational and business values are demonstrated in all that we do
Key Service Area	Financial Management
Priorities	N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Vis

That Council endorse the Statements of Financial Activity for the period ending 31 December 2021.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



MONTHLY FINANCIAL REPORT

(Containing the Statement of Financial Activity)

FOR THE PERIOD OF 1 JULY 2021 TO 31 DECEMBER 2021

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 1996

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Shire of Gingin Statement of Financial Activity
1 July 2021 to 31 December 2021

Key Information

Report Purpose:

This report is prepared to meet the requirements of Local Government (Financial Management) Regulations 1996, Regulation 34.

Items of Significance:

The material variance adopted by the Shire of Gingin for the 2021/22 year is \$20,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure.

Note: The Statements are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

Prepared by: Karina Leonhardt

Reviewed by: Ziggy Edwards

Date Prepared: 13/01/22

**MINUTES
ORDINARY COUNCIL MEETING
18 JANUARY 2022**

APPENDIX 12.4.1



**Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 to 31 DECEMBER 2021**

Statement of Financial Activity by Program

	Current Annual Budget	Current YTD Budget	YTD Actual	Var. \$	Var. %	Comments
OPENING FUNDING SURPLUS (DEFICIT)	2,074,256	2,074,256	1,818,142	(256,114)	(12%)	Adjustments to 20/21 Annual Financial statements at auditor's request.
Revenue from operating activities						
General Purpose Funding	1,162,604	576,212	546,024	(30,188)	(5%)	Debt collection reimbursements delayed. Debt collection processes to commence January 2022. Timing of penalty interest received.
General Purpose Funding - Rates	8,876,855	8,879,480	8,873,718	(5,767)	0%	No comment required.
Governance	5,000	3,004	179	(2,825)	(94%)	Timing of legal cost reimbursements received.
Law, Order, Public Safety	1,051,850	322,074	504,366	182,295	57%	DFES Fire Mitigation reimbursement for completion of 2020/21 treatments received with no corresponding budget allocation. Timing of CESM and BRMP reimbursements.
Health	55,850	48,020	65,299	17,279	36%	Higher than expected health regulatory license billing. Timing of reimbursements for Gingin Medical Centre / Doctor accommodation.
Education and Welfare	9,500	3,252	699	(2,553)	(79%)	Timing of community bus bookings. Timing of Woodridge Hall PO Box income payments.
Housing	112,764	56,370	60,984	4,614	8%	No comment required.
Community Amenities	1,923,561	1,081,726	955,285	(126,441)	(12%)	1st payment of CMAP funding received for Coastal Management Strategy transferred to contract liability as per AA5815 until spent. Other coastal/environmental grants not yet received. Timing of proceeds of sale from 4GG and 8GG.
Recreation and Culture	120,604	54,822	91,584	36,762	67%	Recognition of Stage 1 LRCI funding for GOAS project transferred from contract liability after acquittal completed. timing of swimming lesson income, admissions income and kiosk income from Gingin Aquatic Centre.
Transport	423,403	313,403	304,578	(8,825)	(3%)	No comment required.
Economic Services	1,864,432	877,319	842,837	(34,482)	(4%)	Seasonal timing of Guilderton Holiday Park income.
Other Property and Services	155,951	77,978	96,372	18,394	24%	Worker's compensation payments received; higher than expected general reimbursements and information fees.
	35,560,974	12,293,660	12,341,923	48,263	0%	
Expenditure from operating activities						
Governance	(1,547,686)	(327,255)	(1,002,160)	(674,905)	206%	Higher than expected SAT legal fees; Timing of subscriptions and memberships; Administration costs allocated but not yet in budget - to be completed by administration staff; Employee costs allocation to be amended at budget review; Timing of election expenses.
General Purpose Funding	(536,863)	(133,746)	(190,857)	(57,111)	49%	Timing of postage for rates instalments; Administration costs allocated but not yet in budget - to be completed by administration staff; Higher than expected bank fees and charges.
Law, Order, Public Safety	(1,961,046)	(691,275)	(526,463)	164,812	(24%)	Depreciation not yet processed for 21/22; Timing of fire related expenditure including maintenance to fire vehicles; timing of maintenance to ranger vehicles.
Health	(655,014)	(226,747)	(160,943)	65,804	(29%)	Depreciation not yet processed for 21/22; timing of building maintenance and operations for Medical Centre.
Education and Welfare	(256,382)	(109,835)	(36,941)	72,894	(66%)	Depreciation not yet processed for 21/22; timing of maintenance to bus shelters; timing of community engagement activities; timing of maintenance to seniors' amenities.
Housing	(86,484)	(47,524)	(30,540)	16,984	(36%)	Depreciation not yet processed for 21/22; timing of maintenance and operational costs for staff housing.
Community Amenities	(3,149,681)	(1,321,996)	(899,231)	422,765	(32%)	Depreciation not yet processed for 21/22; timing of general tip maintenance and tip building maintenance; timing of completion of Coastal Risk Management Plan; timing of contributions to the Moore and Ellen Brockman Catchment Groups; Timing of payments for waste collection charges; timing of operational costs of public conveniences; timing of engagement of consultants; timing of maintenance to vehicles 4GG and 8GG.
Recreation & Culture	(4,011,104)	(1,887,491)	(787,881)	1,099,610	(58%)	Depreciation not yet processed for 21/22; timing of recreation ground and general parks maintenance/operations; timing of country clubs, halls and general building maintenance/operations; timing of beaches and foreshore operations.
Transport	(4,030,718)	(2,016,408)	(870,879)	1,145,529	(57%)	Depreciation not yet processed for 21/22; timing of road maintenance to built up areas; bridge work projects not completed.
Economic Services	(1,562,148)	(654,113)	(509,593)	144,520	(22%)	Depreciation not yet processed for 21/22; timing of payment to contract economic development consultants; Guilderton Holiday Park November and December 21/22 management fee yet to be paid; timing of Guilderton Holiday Park maintenance and operations; timing of maintenance to entry statements, lookouts and information bay areas.
Other Property and Services						Depreciation not yet processed for 21/22; timing of administration building maintenance; timing of payments to consultants; timing of staff training and development; bulk fuel payments still to be processed; Employee costs allocation to be amended at budget review.
	(1,088,411)	(2,023,979)	(862,880)	1,161,100	(57%)	
	(18,685,537)	(9,440,369)	(5,878,357)	3,562,002	(38%)	

**MINUTES
ORDINARY COUNCIL MEETING
18 JANUARY 2022**

APPENDIX 12.4.1



**Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 to 31 DECEMBER 2021**

Statement of Financial Activity by Program

	Current Annual Budget	Current YTD Budget	YTD Actual	Var. \$	Var. %	Comments
Operating activities excluded from budget						
(Profit)/Loss on Asset Disposals	0	0	0	0	0%	
Depreciation on Assets	4,922,951	2,461,476	16,498	(2,444,978)	(89%)	Depreciation not yet processed for 21/22.
Non cash Adjustment	0	0	(8,125)	(8,125)		20/21 end of year discrepancy currently being audited.
Amount attributable to operating activities	1,597,788	5,314,767	6,471,990	1,157,163	72%	
Investing Activities						
Non operating grants, subsidies & contributions	8,770,560	2,527,851	654,766	(1,873,085)	(74%)	Timing of recognition of LRC Phase 1 funding currently in contract liabilities; LRC Phase 2 projects yet to be started; timing of contribution for Gingin Football Club Lights contributions; timing of recognition and payment of capital grants relating to the Gingin Colocation Facility(ICC).
Purchase Land Held for Resale	0	0	0	0	0%	No comment required.
Purchase Land and Buildings	(2,782,477)	(2,239,207)	(654,717)	1,584,490	(72%)	Timing of capital purchases
Purchase Infrastructure Assets - Roads	(5,967,795)	(801,461)	(228,037)	578,424	(72%)	Timing of capital purchases
Purchase Infrastructure Assets - Parks	(719,499)	(359,748)	(109,090)	250,658	(70%)	Timing of capital purchases
Purchase Infrastructure Assets - Other	(150,000)	(25,002)	(44)	24,958	0%	No comment required.
Purchase Infrastructure Assets - Footpaths	(215,250)	(100,002)	(26,955)	73,047	(73%)	Timing of capital purchases
Purchase Infrastructure Assets - Sewerage	0	0	0	0	0%	No comment required.
Purchase Plant and Equipment	(2,944,825)	0	0	0	0%	No comment required.
Proceeds from Disposal of Assets	164,000	0	0	0	0%	No comment required.
Self-Supporting Loan Principal Income	13,553	6,684	5,748	(936)	0%	No comment required.
	(3,831,733)	(990,885)	(353,329)	637,556	(64%)	
Financing Activities						
Repayment of Debentures	(259,386)	(129,697)	(128,169)	1,528	(1%)	No comment required.
Proceeds from New Debentures	350,000	0	0	0	0%	No comment required.
Proceeds from New Self-Supporting Loans	0	0	0	0	0%	No comment required.
Payment of Principal Portion of Lease Liabilities	(31,995)	(15,990)	(15,137)	853	(5%)	No comment required.
Transfers to Reserves - Cash Backed Reserves	(670,085)	(433,644)	0	433,644	(100%)	End of year process
Transfers from Reserves - Cash Backed Reserves	971,153	14,672	0	(14,672)	0%	End of year process
	159,689	(564,659)	(143,306)	421,353	(75%)	
Net Current Assets Year to Date	0	5,833,479	7,783,436	1,959,957	34%	



Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 to 31 DECEMBER 2021

Statement of Financial Activity by Nature & Type

	Current Annual Budget	Current YTD Budget	YTD Actual	Var. \$	Var. %
OPENING FUNDING SURPLUS (DEFICIT)	2,074,256	2,074,256	1,818,142	(256,114)	(12%)
Revenue from operating activities					
Rates	8,882,052	8,879,480	8,873,713	(5,767)	0%
Grants & Subsidies (Operating)	2,641,791	1,400,377	1,233,737	(166,640)	(12%)
Fees & Charges	3,828,800	1,975,417	2,006,123	30,706	2%
Interest Earnings	137,444	68,734	48,534	(20,200)	(29%)
Other Revenue	70,287	(30,348)	179,816	210,164	(593%)
Profit on Sale of Assets	0	0	0	0	0%
	15,560,374	12,293,660	12,341,923	48,263	0%
Expenditure from operating activities					
Employee On Costs	(6,390,737)	(3,195,522)	(2,689,213)	506,309	(16%)
Materials & Contracts	(6,073,559)	(2,845,249)	(2,397,038)	448,211	(16%)
Utilities (Gas, Water etc)	(445,615)	(222,858)	(201,528)	21,330	(10%)
Insurances	(341,215)	(341,215)	(363,176)	(21,961)	6%
Depreciation of Assets	(4,922,951)	(2,461,476)	(16,498)	2,444,978	(99%)
Interest Expenses	(105,341)	(55,422)	(32,559)	22,863	(41%)
Other Expenditure	(606,109)	(318,627)	(178,354)	140,273	(44%)
Loss on Sale of Assets	0	0	0	0	0%
	(18,885,537)	(9,440,369)	(5,878,366)	3,562,002	(38%)
Operating activities excluded from budget					
Adjust Profit/Loss on asset disposals	0	0	0	0	0%
Depreciation on Assets	4,922,951	2,461,476	16,498	(2,444,978)	(99%)
Non cash Adjustment	0	0	(8,125)	(8,125)	0%
Amount attributable to operating activities	1,597,788	5,314,767	6,471,930	1,157,163	22%
Investing Activities					
Non operating grants, subsidies & contributions	8,770,560	2,527,851	654,766	(1,873,085)	(74%)
Purchase Land Held for Resale	0	0	0	0	0%
Purchase Land and Buildings	(2,782,477)	(2,239,207)	(654,717)	1,584,490	(71%)
Purchase Infrastructure Assets - Roads	(5,967,795)	(801,461)	(223,037)	578,424	(72%)
Purchase Infrastructure Assets - Parks	(719,499)	(359,748)	(109,090)	250,658	(70%)
Purchase Infrastructure Assets - Other	(150,000)	(25,002)	(44)	24,958	0%
Purchase Infrastructure Assets - Footpaths	(215,250)	(100,002)	(26,955)	73,047	(73%)
Purchase Infrastructure Assets - Sewerage	0	0	0	0	0%
Purchase Plant and Equipment	(2,944,825)	0	0	0	0%
Proceeds from Disposal of Assets	164,000	0	0	0	0%
Self-Supporting Loan Principal Income	13,553	6684	5748	(936)	0%
	(3,831,733)	(990,885)	(353,329)	637,556	(64%)
Financing Activities					
Repayment of Debentures	(259,386)	(129,697)	(128,169)	1,528	(1%)
Proceeds from New Debentures	350,000	0	0	0	0%
Proceeds from New Self-Supporting Loans	0	0	0	0	0%
Payment of Principal Portion of Lease Liabilities	(31,995)	(15,990)	(15,137)	853	(5%)
Transfers to Reserves - Cash Backed Reserves	(870,083)	(433,644)	0	433,644	(100%)
Transfers from Reserves - Cash Backed Reserves	971,153	14672	0	(14,672)	0%
	159,689	(564,659)	(143,306)	421,353	(75%)
Net Current Assets Year to Date	0	5,833,479	7,793,436	1,959,957	34%

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



Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 to 31 DECEMBER 2021

*Acquisition of Assets & Other Non-Capital Expenditure
By Program*

	Capital Expenditure Actual 21/22	Capital Expenditure Amended Budget 21/22
GENERAL PURPOSE FUNDING	0	0
LAW ORDER PUBLIC SAFETY	-	4,218,382
EDUCATION & WELFARE	6,700	22,370
HEALTH	15,583	55,681
COMMUNITY AMENITIES	20,472	378,020
RECREATION & CULTURE	185,523	1,739,463
TRANSPORT	249,992	6,579,870
ECONOMIC SERVICES	22,839	239,584
GOVERNANCE	0	0
HOUSING	0	558,585
OTHER PROPERTY & SERVICES	656,037	149,355
TOTAL	1,157,146	13,941,310

By Account Type

	Capital Expenditure Actual 21/22	Capital Expenditure Amended Budget 21/22
LOAN LIABILITY - SHIRE	128,169	259,386
RIGHT OF USE ASSETS - LEASE LIABILITY	15,137	31,995
LAND - FREEHOLD	0	0
BUILDINGS - SPECIALISED & NON SPECIALISED	654,717	2,782,477
INFRASTRUCTURE - BRIDGES	0	0
INFRASTRUCTURE - FOOTPATHS AND CYCLEWAYS	26,955	215,250
INFRASTRUCTURE - SEWERAGE	0	0
INFRASTRUCTURE - PARKS & OVALS	109,090	719,499
INFRASTRUCTURE - ROADS	223,037	5,887,795
INFRASTRUCTURE - OTHER	41	150,000
INFRASTRUCTURE - DRAINAGE	0	80,000
INFRASTRUCTURE - AIRPORTS	0	0
PLANT & EQUIPMENT	0	2,944,825
ACCUMULATED SURPLUS	0	870,083
TOTAL	1,157,146	13,941,310

**Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 - 31 DECEMBER 2021**

Disposal of Assets

Disposal of Assets	Annual Budget	Actuals
Law, Order & Public Safety		
150502500 - ANIMAL - Proceeds on Disposal of Assets	30,000	
Total Sale of Assets	30,000	0
Community Amenities		
151006500 PLAN - Proceeds on Disposal of Assets MUN	33,000	0
Total Sale of Assets	33,000	0
Recreation and Culture		
151103500 REC - Proceeds on Disposal of Assets MUN	39,000	
Total Sale of Assets	39,000	0
Other Property Services		
151402500 ADMIN - Proceeds on Disposal of Assets MUN	15,000	0
Total Sale of Assets	15,000	0
Transport		
151203500 PLANT - Proceeds on Disposal of Assets MUN	47,000	0
Total Sale of Assets	47,000	0
TOTAL SALE OF ASSETS	164,000	0
TOTAL PROFIT ON SALE OF ASSETS	0	0
TOTAL LOSS OF SALE OF ASSETS	0	0
Law, Order & Public Safety		
150502500 - GG070 - Isuzu D-Max Utility	15,000	0
150502500 - GG073 - Isuzu D-Max Utility	15,000	0
	30,000	0
Community Amenities		
151006500 4GG - Isuzu M-UX 4x4	18,000	0
151006500 8GG - Isuzu D-Max Utility	15,000	0
	33,000	0
Other Property and Services		
151402500 6GG - Isuzu M-UX 4x4	15,000	0
	15,000	0
Transport		
151203500 GG013 Isuzu D-Max Utility	15,000	0
151203500 GG049 Isuzu D-Max Utility	15,000	0
151203500 GG050 Isuzu D-Max Utility	16,000	0
151203500 GG6015 Variable Message Board Trailer	1,000	0
	47,000	0

Total Proceeds on Disposal of Assets

\$

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**MINUTES
ORDINARY COUNCIL MEETING
18 JANUARY 2022**

APPENDIX 12.4.1

Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 - 31 DECEMBER 2021

Information on Borrowings

Loan	Loan Term (Yrs)	Start Date	Remaining Term (Yrs)	Opening Balance Altus	New Loan	Principal (Actuals)	Principal (Budget)	Principal Outstanding (Actual)	Principal Outstanding (Budget)	Interest (Actuals)	Interest (Budget)
LN-100 GG Medical Centre	20	30/07/04	3	101,571		15,583	15,841	85,989	85,730	3,306	3,053
LN-111 Wannamal West Road	20	15/02/07	5	416,289		9,871	10,032	406,417	406,257	13,509	13,349
LN-114 Guilderton Country Club (Hall) Extensions	20	20/11/08	7	334,442		18,829	19,166	315,613	315,276	11,940	11,604
LN-120 Regional Hardcourt Facility	20	21/12/09	8	242,072		11,691	11,886	230,381	230,186	8,085	7,890
LN-123 Lot 44 Weld St	20	16/10/08	7	153,143		8,675	8,826	144,468	144,317	5,329	5,179
LN-124A Regional Hardcourt Facility	16	4/12/14	9	233,442		10,840	10,952	222,602	222,490	4,821	4,709
LN-126 Gingin Aquatic Centre Tiling	10	3/08/16	5	80,757		7,528	7,587	73,228	73,170	1,252	1,194
LN-127 Seabird Seawall Extension	10	27/01/17	5	124,210		10,601	10,668	113,609	113,542	1,559	1,493
LN-128 Lancelin Caravan Park Assets	5	16/02/18	1	62,651		20,623	20,753	42,028	41,898	789	660
LN-130 Ledge Point Country Club Coolroom	10	22/11/19	8	19,253		1,109	1,115	18,144	18,138	208	202
LN-131 - Upgrade of Financial Systems Platform to Altus Financials	15	20/12/21	15	157,743		4,556	4,578	153,187	153,165	1,529	1,507
LN-132 - Gingin Outdoor Activity Space	10	20/12/21	10	177,000		8,263	8,293	168,737	168,707	1,267	1,238
TOTAL				2,102,572	-	128,169	129,697	1,974,403	1,972,875	53,593	52,078



**Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 - 31 DECEMBER 2021**

Reserves Cash-Backed

Reserve	Opening Balance	Original Budget Interest Earned	Actual Interest Earned	Original Budget Transfers In (+)	Actual Transfers In (+)	Original Budget Transfers-Out (-)	Actual Transfers Out (-)	Original Budget Closing Balance	Actual YTD Closing Balance
1 LSL Annual Sick Leave and Staff Contingency	429,670	1,998						431,668	429,670
2 Office Equipment Reserve	0							0	0
3 Plant and Equipment Reserve	1,593,152	7,408				87,530		1,513,030	1,593,152
4 Lancelin Lookout Reserve	-							-	-
5 Land and Buildings Reserve	916,407	4,261		25,602		477,400		468,870	916,407
6 Guilderton Caravan Park Reserve	34,019	158						34,177	34,019
7 Shire Recreation Development Reserve	75,135	349		418,644				494,129	75,135
8 Redfield Park Reserve	31,468	146						31,615	31,468
9 Ocean Farm Recreation Reserve	31,161	145						31,305	31,161
10 Tip Rationalisation Reserve	1,606,185	7,469				50,000		1,563,654	1,606,185
11 Lancelin Community Sport and Recreation Reserve	98,640	459		19,467		13,999		104,566	98,640
13 Community Infrastructure	104,083	484		127,357		-		231,924	104,083
14 Staff Housing Reserve	33,559	156						33,715	33,559
15 Future Infrastructure Reserve	567,840	2,640						570,481	567,840
16 Guilderton Country Club Reserve	19,157	89		8,080				27,326	19,157
17 Coastal Management Reserve - Coastal Inundation	192,391	895		100,000		53,000		240,286	192,391
18 Guilderton Foreshore Reserve	-			128,191				128,191	-
19 Unspent Grants Reserve	5,014	23						5,097	5,014
21 Seniors Housing Reserve	81,188	378						81,565	81,188
22 Gingin Railway Station Reserve	5,747	27						5,774	5,747
23 Subdivisions Reserve	59,800	278						60,078	59,800
24 Contributions to Roads Reserve	511,862	2,380				289,224		225,018	511,862
25 Public Open Space	26,050	121						26,171	26,050
26 Guilderton Trailer Parking Reserve	29,896	139		12,739				42,774	29,896
	6,452,425	30,003	-	840,080	-	971,153	-	6,351,355	6,452,425



Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 to 31 DECEMBER 2021

Net Current Assets

	Actual YTD	Balance Forwarded
CURRENT ASSETS:		
Cash - Unrestricted	9,070,258	2,985,974
Cash - Restricted Reserves	6,452,425	6,452,425
Cash - Restricted General	0	0
Rates - Current	2,370,388	1,119,736
Sundry Debtors	1,287,363	1,743,104
Self-Supporting Loan Debtors	2230	7977
Inventories	146,208	34,392
Total Current Assets	19,328,872	12,343,608
LESS: CURRENT LIABILITIES		
Payables	(236,138)	(1,916,882)
Employee Provisions	(1,004,339)	(1,004,339)
Contract Liability	(3,193,760)	(530,704)
Accrued interest	0	(22,298)
Right of Use Assets - Lease Liability	(16,858)	(31,995)
Long Term Borrowings (Current)	(131,218)	(259,387)
Bonds & Deposits	(646,544)	(590,840)
Total Current Liabilities	(5,228,856)	(4,356,445)
Total Net Assets	14,100,016	7,987,163
Less: Cash - restricted reserves	(6,452,425)	(6,452,425)
Less: Self Supporting Loan Debtors	(2,230)	(7,977)
Add: Long Term Borrowings (Current)	131,218	259,387
Add: Lease Liability	16,858	31,995
NET CURRENT ASSET POSITION	7,793,436	1,818,142

**MINUTES
ORDINARY COUNCIL MEETING
18 JANUARY 2022**

APPENDIX 12.4.1



**Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 - 31 DECEMBER 2021**

Rating Information

Rating Information	Rates - Property Count	Rateable Value	General Rate	Minimum Rate	Interim Rate	Ex Gratia Rates	Other	TOTAL
03010005 Grv - Townsites 9.1890	1561	26,362,422	2,422,365					2,422,365
03010006 Grv - Other 9.1890	918	15,040,562	1,382,032					1,382,032
03010010 Uv - Rural 0.5120	364	256,884,000	1,314,989					1,314,989
03010015 Uv - Other 0.5120	3	1,993,000	10,202					10,202
03010018 Uv - Intensive 0.7610	96	64,181,000	488,674					488,674
03010025 Grv - Townsites @ \$1,166	1068	9,170,092		1,245,288				1,245,288
03010026 Grv - Other @ \$1,166	759	4,741,360		884,994				884,994
03010030 Uv - Rural @ \$1,470	422	85,019,810		689,430				689,430
03010035 Uv - Other @ \$1,470	47	7,958,000		42,630				42,630
03010038 Uv - Intensive @ \$2,675	179	30,557,424		401,250				401,250
03010045 Interim Rates					(3,957)			(3,957)
03010046 Interims - Back Rates					(4,184)			(4,184)
TOTAL		501,907,670	5,618,263	3,263,592	(8,142)	0	0	8,873,713
							Ex Gratia Rates	0
								\$8,873,713



Trust Funds

**Shire of Gingin Statement of Financial Activity
FOR THE PERIOD 1 JULY 2021 - 31 DECEMBER 2021**

Trust Type	Opening Balance	Amount Received	Amount Paid	Closing Balance
Public Open Space	11,326	-	-	11,326
TOTAL	11,326	-	-	11,326

12.5 LIST OF PAID ACCOUNTS FOR THE PERIOD ENDING 31 DECEMBER 2021

File	FIN/25
Author	Tania Ladner – Finance Support Officer
Reporting Officer	Les Crichton – Acting Chief Executive Officer
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to note the payments made in December 2021.

BACKGROUND

Council has delegated authority to the Chief Executive Officer (CEO) to exercise the power to make payments from the Municipal Fund (Delegation 2.15 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 \$2,200,114.27 were paid during the month of December 2021.

A detailed payment schedule has been provided to Councillors and can be made available to the public for viewing at the Shire's Gingin Administration Centre and Lancelin Office upon request. The schedule covers:

- Municipal Fund electronic funds transfers (EFT) \$1,653,586.64
- Municipal Fund cheques \$675.45
- Municipal Fund direct debits \$545,852.18

Total Municipal Expenditure \$2,200,114.27

Total Trust Fund Expenditure \$0

Total Expenditure \$2,200,114.27

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

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

Shire of Gingin Delegation Register – Delegation 2.1 Payment of Creditors

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocations.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Governance
Objective	5. To demonstrate effective leadership, governance, and advocacy on behalf of the community
Outcome	5.1 Values - Our organisational and business values are demonstrated in all that we do
Key Service Area	Financial Management
Priorities	Priorities N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Balcombe

That Council note all payments made by the Chief Executive Officer under Delegation 2.15 for December 2021 totalling \$2,200,114.27 as detailed in the schedule provided to Councillors comprising:

- | | |
|---|----------------|
| • Municipal Fund electronic funds transfers (EFT) | \$1,653,586.64 |
| • Municipal Fund cheques | \$675.45 |
| • Municipal Fund direct debits | \$545,852.18 |

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

13 REPORTS - REGULATORY AND DEVELOPMENT SERVICES

13.1 APPLICATION FOR RETROSPECTIVE DEVELOPMENT APPROVAL - SEA CONTAINER ON LOT 162 (193) SOVEREIGN HILL DRIVE, GABBADAH

File	BLD/7029
Applicant	Andrew Rudkin and Jo-Anne Rudkin
Location	Lot 162 (No. 193) Sovereign Hill Drive, Gabbadah
Owner	Andrew Rudkin and Jo-Anne Rudkin
Zoning	Rural Living 1
WAPC No	N/A
Author	James Bayliss – Coordinator Statutory Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	17 September 2019 - Item 11.3.4
Appendices	<ol style="list-style-type: none"> 1. Aerial Map - Lot 164 (193) Sovereign Hill Drive, Gabbadah [13.1.1 - 1 page] 2. Location Map - Lot 164 (193) Sovereign Hill Drive, Gabbadah [13.1.2 - 1 page] 3. Applicant's Proposal [13.1.3 - 1 page] 4. Schedule of Submissions and Recommended Responses [13.1.4 - 1 page] 5. Colour Swatch [13.1.5 - 1 page] 6. Site Photographs [13.1.6 - 2 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Retrospective Development Approval for a Sea Container on Lot 162 (No. 193) Sovereign Hill Drive, Gabbadah.

BACKGROUND

The subject lot is 1.1 hectare in area and currently contains a single house.

The development consists of an existing sea container 6 metres in length and 2.2 metres in width (20-foot container), with a wall height of 2.4 metres. The structure is set back 26m from the front (northern-eastern) boundary, between the street and the existing dwelling.

The landowners advise that the sea container is used as storage due to renovations.

Aerial imagery and a location plan are provided as **Appendix 13.1.1** and **Appendix 13.1.2** respectively.

The applicant's proposal is provided as **Appendix 13.1.3**.

Site photographs of the sea container are provided as **Appendix 13.1.6**.

COMMENT

Stakeholder Consultation

The application was advertised to surrounding 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 two general comments during the advertising period, both of which requesting that the sea container be painted and perhaps relocated to the rear of the property.

A copy of the Schedule of Submissions and Recommended Responses is provided at **Appendix 13.1.4**.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject land is zoned Rural Living under LPS 9, the objectives of which are to:

- a) *protect the rural environment and landscape;*
- b) *accommodate single dwellings at very low densities on individual allotments beyond the urban areas;*
- c) *restrict and limit the removal of natural vegetation and encourage revegetation where appropriate;*
- d) *prevent threats to the amenity of the zone and impacts on wildlife and native vegetation caused by the grazing of livestock;*
- e) *avoid increased fire risk to life and property through inappropriately located and designed land use, subdivision and development; and*
- f) *provide for a suitable level of physical and community infrastructure.*

The proposed development is not viewed as being inconsistent with any of the abovementioned objectives.

Setbacks

In accordance with 'Table 2 – Site Requirements' of LPS 9, all development shall be set back a minimum 20 metres from all lot boundaries. The sea container is set back from all lot boundaries adequately.

Local Planning Policy 1.9 Sea Containers (LPP 1.9)

LPP 1.9 notes that there is a general perception in local communities that sea containers present an industrial built form and have a negative impact on local visual amenity. The Shire adopted LPP 1.9 in 2013 to ensure there is a balanced approach between providing flexibility to use sea containers as temporary storage and safeguarding the visual amenity throughout the Shire.

The objectives of LPP 1.9 are:

1. *To preserve visual amenity and enhance landscape quality within the Shire;*
2. *To provide flexibility when using a sea container on a temporary basis;*
3. *To discourage alternative use of sea containers, particularly where they might become permanent fixtures in the landscape; and*
4. *To allow the use of sea containers for shipping.*

The applicant is seeking a permanent approval, which the objectives suggest should be discouraged. The permanency of the structure, in addition to its location being forward of the dwelling and clearly visible from the street is an example of development that should be avoided to preserve the visual amenity of the locality and streetscape.

Clause 5 of LPP 1.9 'General Requirements for Sea Containers' is outlined below with officer comments:

- a) *Approval is required for use of all Sea Containers;*

Officer comment:

Noted, however this application is retrospective.

- b) *Sea Containers are not to be located in setback areas, as specified in Local Planning Scheme No. 9 Table 2 - Site Requirements and in firebreaks as specified by Shire of Gingin Firebreak Order (as amended);*

Officer comment:

The development is located behind the 20-metre setback area.

- c) *Sea Containers in direct view of neighbouring properties and public places must be screened with walls, fencing, landscaping or other means approved by the Chief Executive Officer;*

Officer comment:

Notwithstanding that the sea container is set back 20 metres from the lot boundaries, the structure is positioned between the front boundary and the existing dwelling. The result is that the development is visible from the street and adjoining properties. On that basis, at a minimum, screening would be required to fulfil this provision.

The applicant has notated on the submitted plan an intention to plant an additional 'gumtree' in front the structure to act as a screening device. While this does go some way towards fulfilling this provision, further vegetation in addition to the tree should be planted to ensure that an adequate canopy, with limited visual permeability, is provided to screen the entire structure. This vegetation would need to be in place for the life of the development, given the structure's permanency.

- d) *Sea Containers are to be painted a neutral colour that is consistent with the existing buildings and kept in good condition; and*

Officer comment:

The applicant has advised of an intention to paint the sea container in the same colour as the fence that surrounds the existing dwelling. The colour is termed 'monument' and described by the applicant as 'dark grey'. The colour palette is particularly dark and may be better described as being closer to black than dark grey.

Please find a colour swatch at **Appendix 13.1.5** that outlines the various Colourbond palettes, highlighting 'Monument' for reference.

While the proposed colour is consistent with the existing fence on the property, the dark colour is likely to amplify the visibility of the sea container from the street and adjoining properties. It is noted that comments received during the consultation process suggest a neutral and earthy colour, perhaps in the form of a green which will likely blend into the required vegetation more discretely.

In the event approval was forthcoming, it is suggested that a condition be imposed requiring the structure to be painted. The colour 'Monument' is not, however, viewed as being a neutral colour, rather it would exacerbate the prominence of the structure and will likely detract from the streetscape.

- e) *No advertising or logos are permitted on Sea Containers unless they are visually acceptable as determined by the Chief Executive Officer.*

Officer comment:

The provision of a landscaping buffer and painting will in effect fulfil this provision.

In addition to the above considerations, Clause 7 of LPP 1.9 'Permanent Use of Sea Containers' is also applicable in this instance, with point (c) stating:

- c) *Permanent use of a single sea container in Rural Living zoned land subject to the requirements listed in Clause 5 above.*

Officer comment:

As the above assessment demonstrates, the provisions of Clause 5 could be satisfied subject to remedial works and the installation of screening. This notwithstanding, even with compliance of the above provisions, the objectives of LPP 1.9 would not appear to be met.

Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations)

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 with the officer comments outlined below:

- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*

Comment

The officer is of the view that the appearance of a sea container is incompatible with the current built form throughout Sovereign Hill. This estate is in particularly good visual condition in comparison to the Shire's other rural living estates, given the general observance given to the planning framework by occupants. This development could be viewed as an anomaly in the estate, with the visual appearance not being compatible with the locality and degrades the visual amenity enjoyed throughout the estate.

- (n) *The amenity of the locality including the following:*
- (i) *Environmental impacts of the development;*
 - (ii) *The character of the locality;*

Comment

Amenity is defined under the Deemed Provisions as:

All those factors which combine to form the character of an area and include the present and likely future amenity.

The development is viewed as having an adverse impact on the visual amenity of the existing streetscape and on adjoining properties. The officer has not identified any other property within the estate as having a sea container located in front of the dwelling and therefore being the prominent structure as viewed from the street.

On this basis, it is reasonable for Council to form the view that the development will adversely affect the visual amenity and character of the locality, therefore it is open to refuse the development and request that the structure be removed.

Summary

The officer is of the view that the development is an anomaly within the estate, and unless the structure is relocated to the rear of the property, behind the existing dwelling that the structure is inappropriate and should be refused. Following refusal, the officer will issue a direction notice to remove the unauthorised structure within 45 days.

Notwithstanding the above, remedial works in the form of vegetative screening and painting of the structure in a neutral and earthy colour, in addition to relocation to the rear of the property, the current adverse visual impact of the sea container on the streetscape and locality may be ameliorated. To impose conditions to this affect would be tantamount to refusal of the application, and this option would need to be voluntary from the landowners.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Scheme) Regulations 2015

Local Planning Scheme No. 9

POLICY IMPLICATIONS

Local Planning Policy 1.9 – Sea Containers

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure and Development
Objective	3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner
Outcome	3.1 Development New and existing developments meet the Shire’s Strategic Objectives and Outcomes
Key Service Area	Building and Planning Permits
Priorities	N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel **SECONDED:** Councillor Vis

That Council refuse Retrospective Development Approval for a Sea Container on Lot 162 (No. 193) Sovereign Hill Drive, Gabbadah for the following reasons:

1. The development does not satisfy Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provisions (m) and (n) as the visual appearance of the sea container is not compatible within the Sovereign Hill Estate and its permanent presence, given its location on the property, will compromise the visual amenity and character of the locality;
2. The development does not satisfy Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provision (g) as:
 - a. The development does not satisfy the objectives of Local Planning Policy 1.9 – Sea Containers, in that the structure, given its location on the property, will have an adverse impact on the visual amenity of the streetscape and character of the locality; and
 - b. The development does not satisfy the objectives of Local Planning Policy 1.9 – Sea Containers, in that the structure is proposed on a permanent basis with no cogent reason for doing so.

3. Approval of the development would be inconsistent with the principles of orderly and proper planning and set an undesirable precedent for further permanent sea containers on other lots within the Sovereign Hill Estate and in the Shire of Gingin.

Advice Notes

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*.

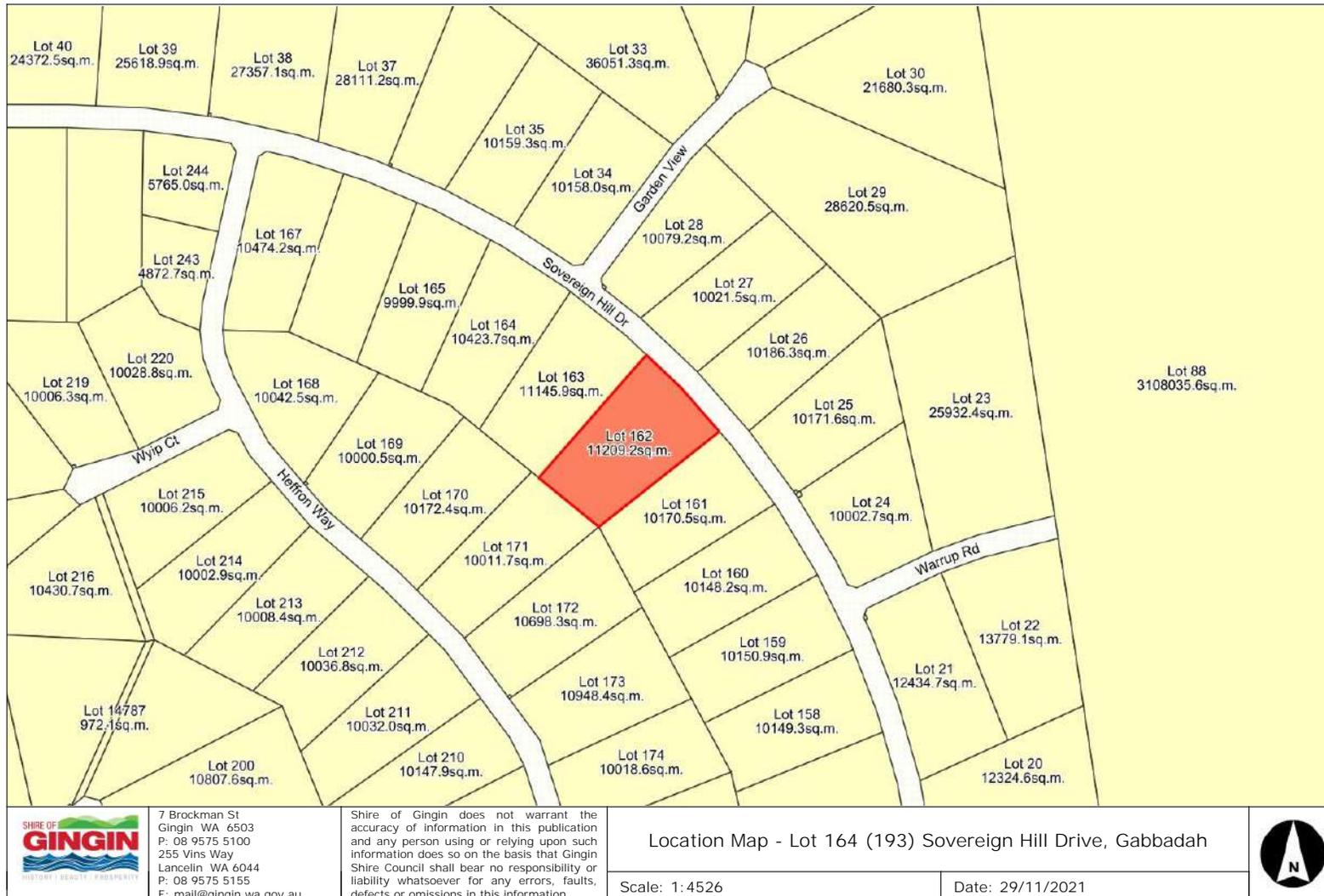
CARRIED UNANIMOUSLY
8 / 0

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



 <p>SHIRE OF GINGIN HISTORY RESILIENCE 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 Map - Lot 164 (193) Sovereign Hill Drive, Gabbadah</p>	<p>Scale: 1:1186</p>	<p>Date: 29/11/2021</p>	
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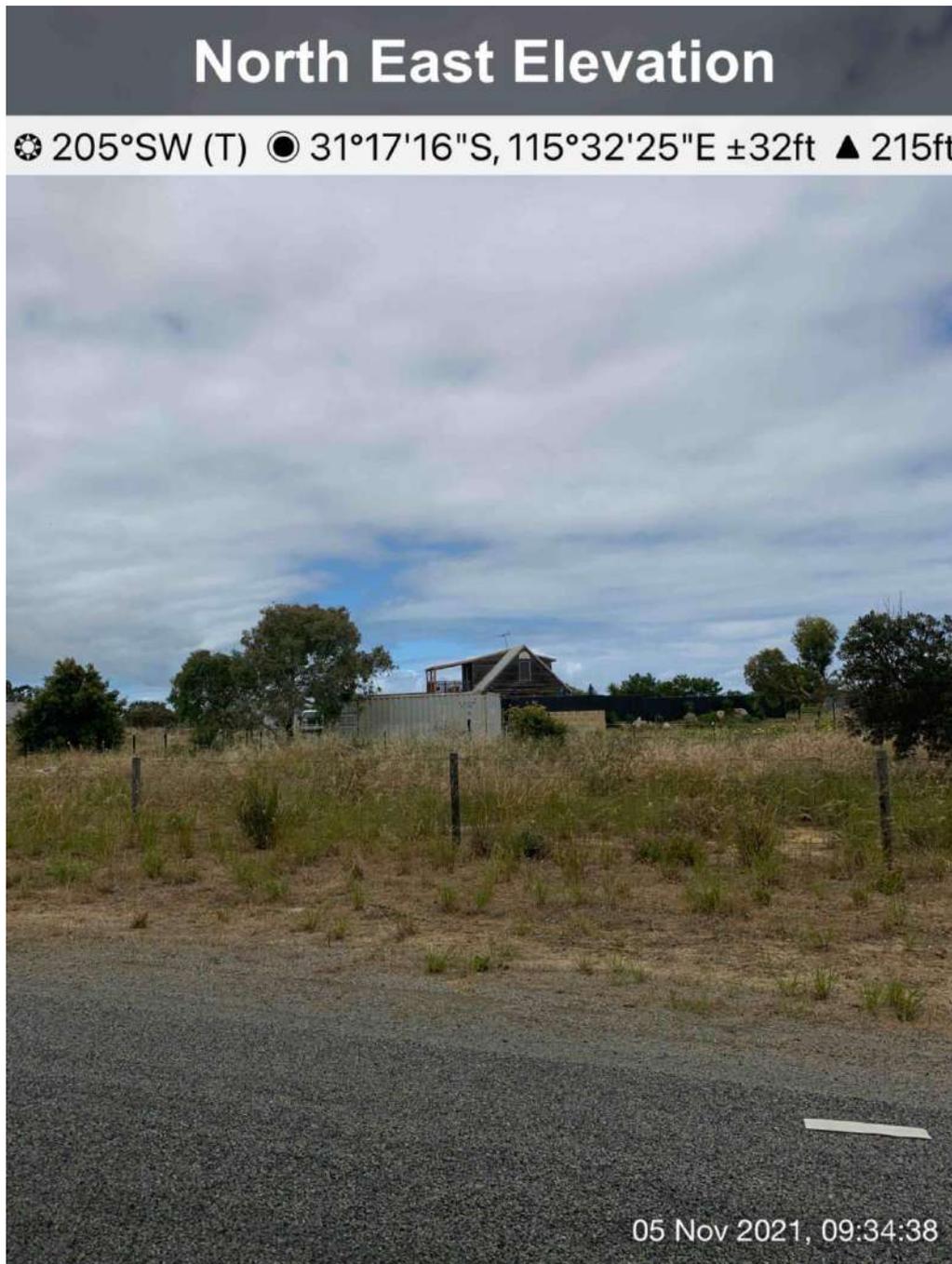
SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

DEVELOPMENT APPLICATION: RETROSPECTIVE SEA CONTAINER ON LOT 164 (193) SOVEREIGN HILL DRIVE, GABBADAH

No.	Submitter	Submission details	Recommended response
1	Ratepayer	The submitter provides the following general comment: <i>" We feel the sea container needs to be moved to the back of the property and painted or covered. If unable, it should be removed."</i>	Noted. The officer concurs.
2.	Ratepayer	The submitter supports the proposal and provides the following general comment: <i>" My opinion is to have the sea container painted green and plant quick growing bushes in the front of it so it can't be seen from the road."</i>	Noted. The officer concurs.







**13.2 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED OUTBUILDING AT LOT 12
(29) CUNLIFFE STREET, LANCELIN**

File	BLD/7107
Applicant	Claudio Marino
Location	Lot 12 (29) Cunliffe Street, Lancelin
Owner	J. Prunster
Zoning	Residential R12.5 / 20
WAPC No	NA
Author	Matthew Tallon – Statutory Planning Officer
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	16 June 2020, Item 11.3.6 15 September 2020, Item 11.3.3
Appendices	1. Location Plan & Aerial Imagery [13.2.1 - 2 pages] 2. Appendix 2 - Applicants Proposal [13.2.2 - 7 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for a proposed outbuilding on Lot 12 (29) Cunliffe Street, Lancelin.

BACKGROUND

The Shire is in receipt of an Application for Development Approval for a proposed outbuilding on the subject lot which is 1011m² in area and has a current approval for a single house approved at the Ordinary Meeting of Council dated 16 June 2020 and subsequently amended at the Ordinary Meeting dated 15 September 2020.

The proposal seeks to construct an outbuilding which is 17 metres in length and 7 metres in width (119m²) and is located on the rear portion of the subject lot. The outbuilding is proposed to have a nil setback along the side (northern) boundary and a setback of 3 metres from the rear (eastern) lot boundary.

The proposal seeks variations to clause 5.4.3 – Outbuildings under State Planning Policy 7.3 – Residential Design Codes (R-Codes) with respect to the wall height, ridge height and overall area. The proposal also seeks a 300mm variation to Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1) with respect to the wall height.

A location plan and aerial imagery are attached as **Appendix 13.2.1**.

The applicant's proposal is provided as **Appendix 13.2.2**.

COMMENT

Stakeholder Consultation

The application was advertised to surrounding landowners for a period of 14 days in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. No comments were received during this period.

The applicant did however provide comments from the side and rear adjoining landowners as part of the submission. Those submissions are included in the applicant's proposal which is provided as **Appendix 13.2.2**.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject land is zoned Residential R12.5/20 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 states:

Within areas that are dual coded on the Scheme Map, development and subdivision in accordance with the higher code shall only be supported where reticulated sewerage is available.

In this instance the subject lot is not serviced by reticulated sewerage, and as such the R12.5 coding applies.

Clause 5.2.2 states:

Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provision of those codes.

The relevant objective of the Residential zone is outlined below with officer comments:

b) *Maintain and enhance the residential character and amenity of the zone.*

Officer comments

The proposal seeks variations to the deemed-to-comply provisions of the R-Codes with respect to area, height and setbacks. However, the proposal is consistent with the provisions of LPP 2.1 except for a 300mm variation to the wall height. The variations have been supported by the adjoining landowners including, most importantly by the adjoining landowner to the north where the nil setback is proposed.

LPP 2.1 provides for large residential outbuildings which are common within the coastal townsites. Therefore the design and scale may be viewed as being consistent with the character of Lancelin.

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 does not meet 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 an 'Outbuilding' as:

An enclosed non-habitable structure that is detached from any dwelling.

Officer comment

The deemed-to-comply provisions of the R-Codes relating to outbuildings stipulate, amongst other things, that the overall collective floor area cannot exceed 60m², and that a wall height of 2.4 metres and an overall height of 4.2 metres are not to be exceeded. The proposed wall height is 3.9 metres tapering to an overall height of 5 metres, with an overall outbuilding area of 119m².

The relevant design principle for outbuildings is as follows:

Design Principle	Officer comment
<p><i>Clause 5.4.3 – Outbuildings P3 “Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.”</i></p>	<p>The overall scale of the outbuilding is influenced by previously approved site works which formed part of the proposal for a single house. However, as the site works have been completed the outbuilding is proposed at the existing natural ground level. Given the outbuilding is proposed along the northern boundary of the subject lot, the shadow cast from the proposed building is retained wholly within the subject lot. Noting the above, the location of the outbuilding is set back substantially from the street and therefore does not detract from the streetscape or the visual amenity of the site and locality.</p>

Clause 4.7.4 – Coastal Development’ of LPS 9 is applicable in this instance 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 (SPP 2.6)

The Shire’s Planning Department has previously taken guidance from the Department of Planning, Lands and Heritage (DPLH) regarding SPP 2.6 and the application of the Planning Controls recommended in the Shire’s Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) to ensure that development takes into account coastal processes and coastal hazards. The CHRMAP provides a long term view of the potential coastal processes (erosion and storm surge inundation) for affected areas and recommends measures to reduce risk.

The subject property constitutes infill development under section 5.6 of SPP 2.6, which 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 outbuilding is located on the least vulnerable (eastern-most) portion of the lot.

- (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, ‘accommodation measures’ by way of modification to the building design to facilitate future relocation of the building are desirable and are outlined within the Shire’s CHRMAP. It is noted that the development is not designed to be transportable or removable, however is constructed of lightweight materials which can be readily disassembled and relocated at such a time that coastal hazards occur. Accordingly, upon coastal trigger points being reached, the development would need to be removed.

Shire of Gingin Coastal Hazard Risk Management and Adaption Plan 2019

Council adopted the CHRMAP at the Ordinary Meeting held on 16 April 2019. The CHRMAP identifies the site as being located within ‘LA2 - Lancelin Township South’, with a key outcome concluding:

- *Residential properties have high vulnerability ratings by 2070 and very high vulnerability ratings by 2110.*

As such, a period of 50 years is anticipated to lapse before coastal hazards affect the site. 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.

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 is not designed to be transportable or removable, however it is made of lightweight material which is readily removable.

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 expiration of the approval, the development is of a design capable of relocation. As outlined above, this development is not relocatable and will therefore require the asset to be demolished once the coastal trigger point is reached.

Section H4.1, Appendix H of the CHRMAP outlines various recommendations such as the following:

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 outbuilding consists of lightweight construction materials and on that basis the development is permissible subject to appropriate conditions, such as event limited conditions consistent with previous Council decisions.

Local Planning Policy 2.1 (LPP 2.1) – Residential Outbuildings

The Shire adopted LPP 2.1 in January 2013 to complement the provisions of the R-Codes relating to outbuildings to better reflect community expectations.

‘Clause 3.5 – Scale of Outbuilding Development’ outlines the maximum allowable standards for outbuildings throughout the Shire based on lot size and location. The table below is applicable to the subject lot.

TOWNSITE	STANDARD	MAXIMUM	PROVIDED
Coastal – 1001m ² – 4000m ²	Area Wall Height Overall Height	120m ² 3.6m 5m	119m ² – compliant 3.9m – non-compliant 5m – compliant

LPP 2.1 provides dimensions for the maximum allowable standards that are considered to be acceptable throughout the Shire as stated in Clause 3.5. The maximum standards were created to prevent unwanted built form and prescribe standards to prevent excessively large outbuildings being constructed.

The applicant could have proposed site works (cutting) to achieve a 3.6m wall height above natural ground level (NGL), which would be the preferred option, but has not proposed to do so. The variation to the wall height is minor, but when paired with the proposal meeting the maximum standards for the other two dimensions (area and pitch height), the structure can be seen as imposing. However, the officer is of the view that the proposal achieves a suitable built form finish which, paired with its location on the site, is in keeping with the anticipated built form of the locality via the R-Codes and LPP 2.1.

Summary

The proposed outbuilding is significant and internal site works (i.e. cutting) could reduce the impact of the wall height. However, the adjoining landowners are in support of the proposal, the shadow cast from the building is retained within the subject lot and the design is consistent with previously approved outbuildings within Lancelin.

The officer is therefore of the view that the proposed outbuilding is consistent with the relevant design principles of the R-Codes with consideration of the additional standards of LPP 2.1. It is therefore recommended that the development be approved subject to conditions.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Scheme) Regulations 2015
Schedule 2 – Deemed Provisions for Local Planning Schemes

POLICY IMPLICATIONS

Local Planning Policy 2.1 - Residential Outbuildings

State Planning Policy 2.6 – State Coastal Planning Policy

State Planning Policy 7.3 - Residential Design Codes Volume 1

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure and Development
Objective	3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner
Outcome	3.1 Development New and existing developments meet the Shire’s Strategic Objectives and Outcomes
Key Service Area	Building And Planning Permits
Priorities	N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule **SECONDED:** Councillor Balcombe

That Council grant development approval for an outbuilding at Lot 12 (29) Cunliffe Street, Lancelin subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans unless conditioned otherwise in this approval;
2. This approval is for an outbuilding only as indicated on the approved plans;
3. The finished floor level of the outbuilding must be set at the existing average natural ground level to the satisfaction of the Shire of Gingin;
4. The outbuilding is not to be used for human habitation or any other industrial or commercial use;
5. The approved outbuilding is to be constructed using new materials and be of a consistent colour scheme;
6. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire of Gingin;
7. This development approval shall expire upon the earliest occurrence of any one of the following events:
 - a. the most landward part of the Horizontal Shoreline Datum being within 11 metres of the most seaward part of the building; or
 - b. a public road no longer being available or able to provide legal access to the lot; or
 - c. when 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;
8. Upon the expiration of the development approval in accordance with Condition 7, the owner shall at the owner's cost:
 - a. remove the development; and

- b. rehabilitate the land to its pre-development condition, to the specifications and satisfaction of the Shire of Gingin.

Advice Notes:

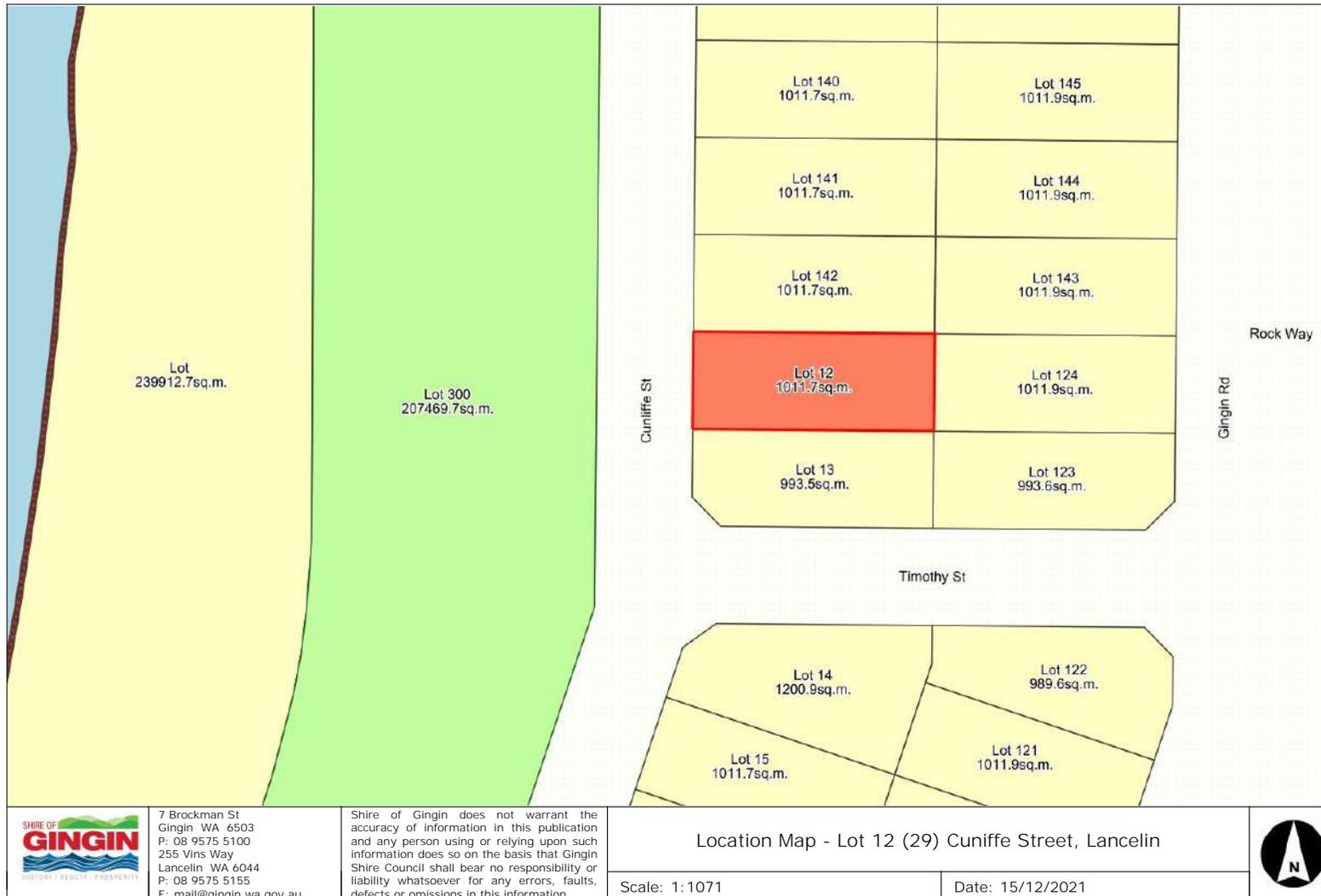
- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: If the development subject to this approval is not substantially commenced within a period of 2 years, the approval shall lapse and have no further effect.
- Note 3: 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 4: 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 5: 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 (2013).
- Note 6: 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 is obtained from the MP Rogers (2016) Shire of Gingin and Dandaragan Coastal Erosion Hazard Assessment Ledge Point, Lancelin and Cervantes (R721 Rev 0) prepared for the Shires of Gingin and Dandaragan. S1 is the allowance for absorbing the current risk of storm erosion, as defined in State Planning Policy 2.6 – State Coastal Planning Policy (2013).
- Note 7: Should the development be affected by Coastal Hazards in the future the applicant will be responsible for relocating/removing the development and all costs associated. The local government is under no obligation to assist or protect structures from coastal erosion/inundation threats and accepts no liability and will pay no costs associated with any protection from or damages caused by coastal processes.
- Note 8: In relation to Condition 8(b), upon removal of the development the site is to be rehabilitated to pre-development condition which comprises of a bare earth lot, free of any buildings, demolition rubble or remnants of the approved development.

Note 9: 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.

**CARRIED
6 / 2**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel and Councillor Vis*

AGAINST: *Councillor Peczka and Councillor Sorensen*





**MINUTES
ORDINARY COUNCIL MEETING
18 JANUARY 2022**

APPENDIX 13.2.2

Shire of Gin Gin
mail@gingin.wa.gov.au
PO Box 510, Gingin WA 6503

Re : Lot 12 # 29 Cunliffe St , Lancelin Wa 6044
Attention : Planning Department

We wish to seek variations to development standards in regards to Height of Garage / Shed.

The Local Planning Policy Statement No 2.1 Residential Outbuildings.

The Policy States that the maximum wall height is to be 3.6 metres high, the proposed height is 3.9 metres , the overall height (single storey) of 5.0 metres is maintain and the maximum floor area of 120 sqm is maintained.

The reasoning for height of wall is over is because the owner has purchased a boat with trailer which is 3.2 metres high and the height of opening to the garage is to be 3.3 metres high to allow for access and also allow for the roller door to recessed above.

The boat and trailer is to be stored in the Garage / Shed away from the elements and to provide security for the boat / trailer while the owner's are away.

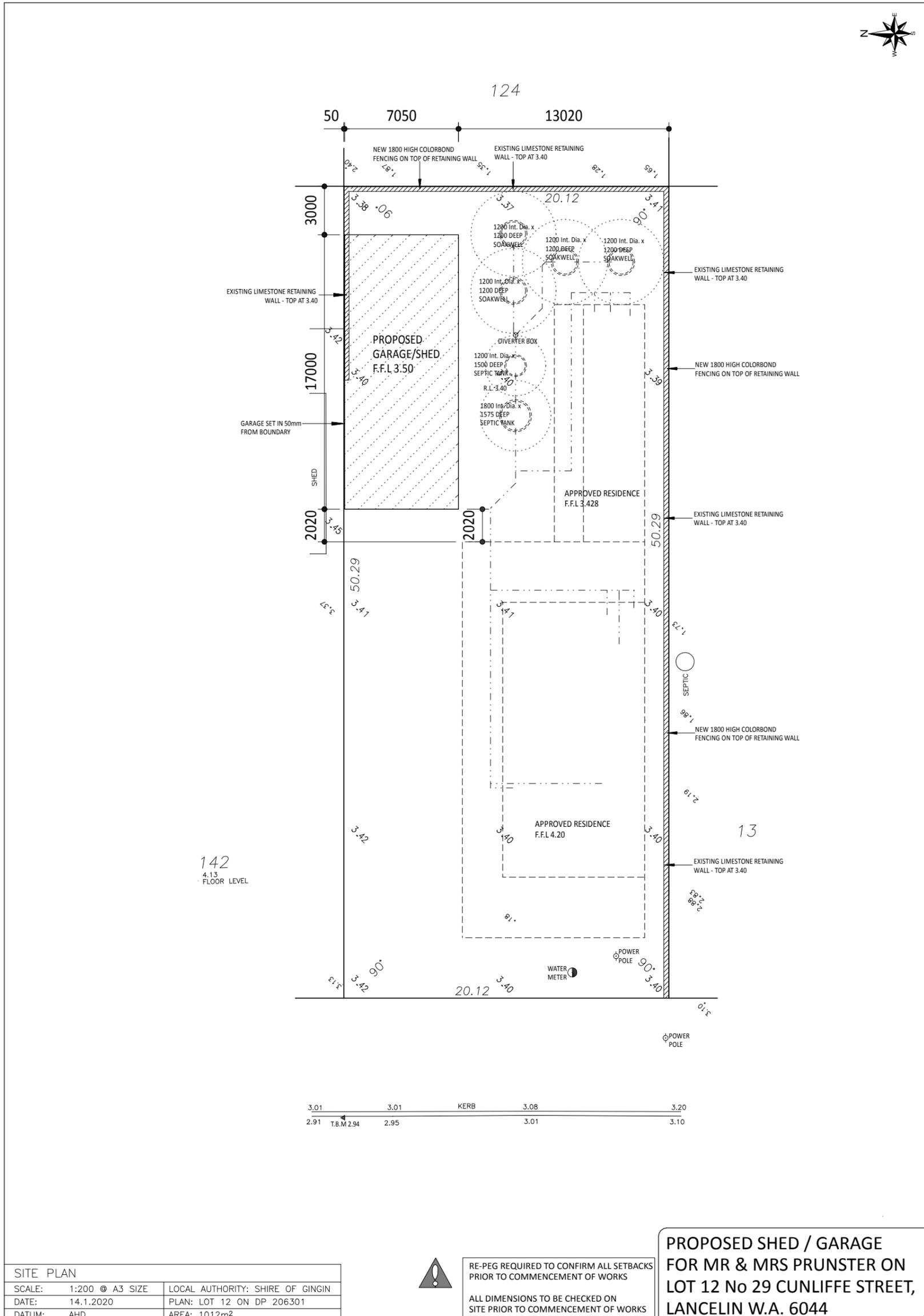
The Garage / Shed is located on the Northern boundary which has no impact on neighbouring property in regards to light and any overshadowing.

The owner's Gavan and Janelle Prunster have also joined the Lancelin Angling and Aquatic Fishing Club which supports the local community.

Looking forward to a favourable response .

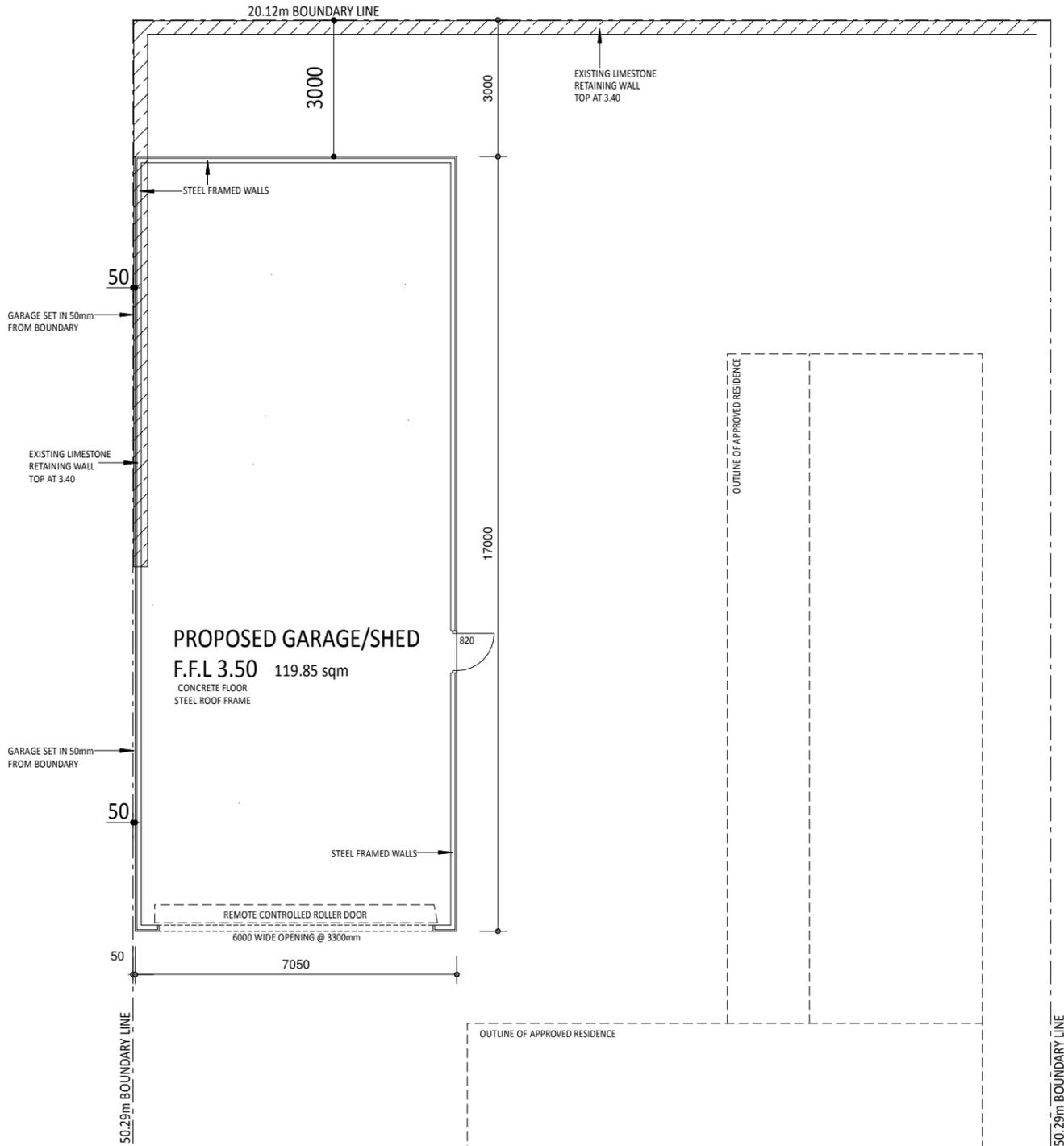
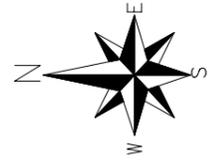
Regards
Claudio Marino





OWNER / BUILDER SHALL TAKE ALL RESPONSIBILITY FOR ANY PHYSICAL ON SITE CHANGES TO THE PROPOSED WORKS SHOWN IN THESE DOCUMENTS, INCLUDING ANY ADJOINING NEIGHBOURS LEVELS, FEATURES, DETAILS, METHOD OF CONSTRUCTION, COMPLIANCE WITH ALL RELEVANT AUSTRALIAN STANDARDS, BUILDING CODES OF AUSTRALIA AND ALL OTHER RELEVANT STATUTORY AUTHORITY REQUIREMENTS THAT HAVE OCCURRED AFTER THE ISSUE OF THESE DOCUMENTS. THE OWNER / BUILDER IS SOLELY & ENTIRELY RESPONSIBLE TO COMPLY WITH THE LOCAL AUTHORITIES BUILDING LICENCE DOCUMENTS.

NOTE: ALL INTERNAL DIMENSIONS ARE TO BRICKWORK & STUDWORK ONLY, NOT TO FINISHED SIZES



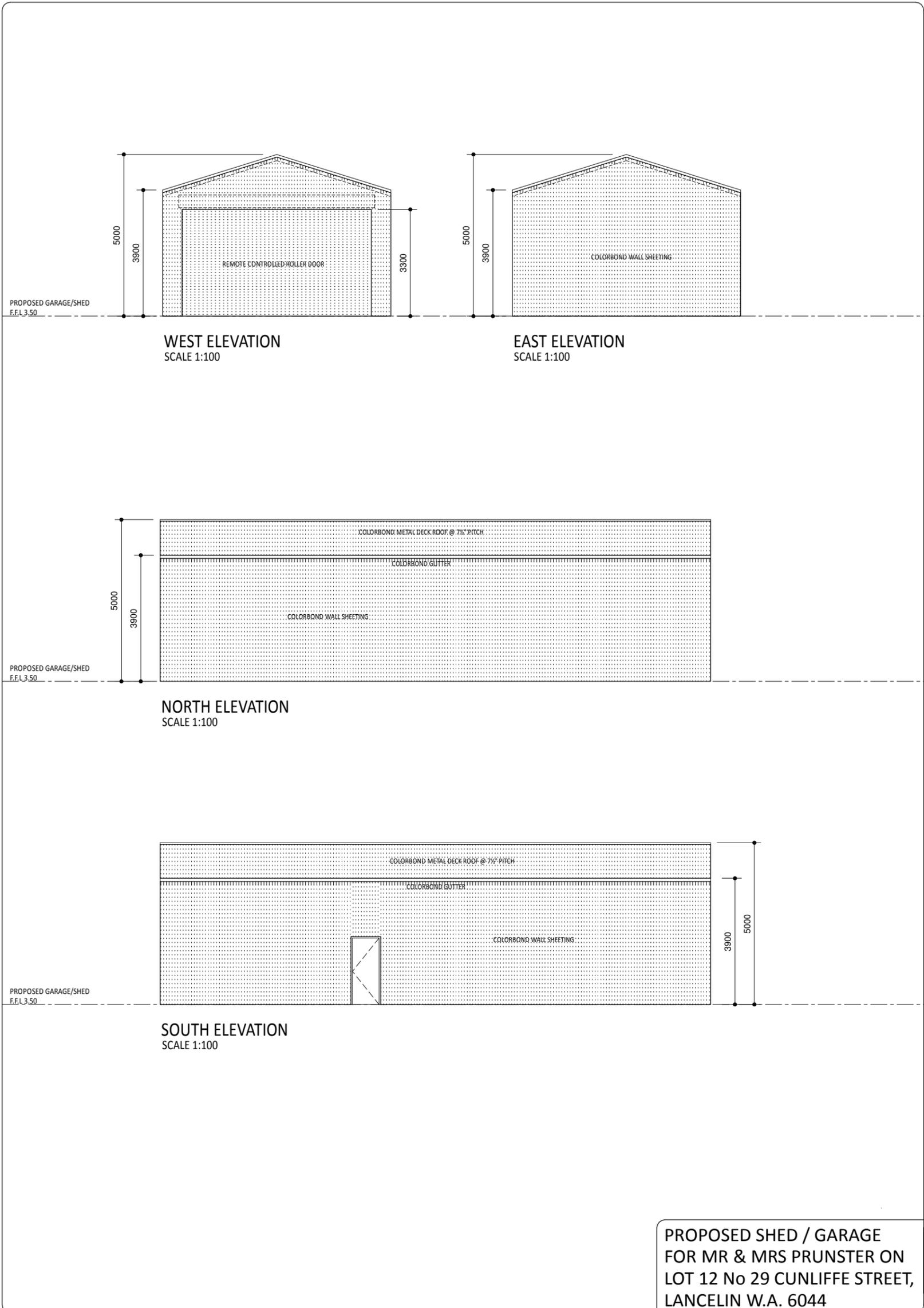
FLOOR PLAN
SCALE 1:100

FILE = E:\29 CUNLIFFE - PRUNSTER\Cunliffe Shed\29 Cunliffe SHED Floor Plan.SKF



RE-PEG REQUIRED TO CONFIRM ALL SETBACKS
PRIOR TO COMMENCEMENT OF WORKS
ALL DIMENSIONS TO BE CHECKED ON
SITE PRIOR TO COMMENCEMENT OF WORKS

**PROPOSED SHED / GARAGE
FOR MR & MRS PRUNSTER ON
LOT 12 No 29 CUNLIFFE STREET,
LANCELIN W.A. 6044**



FILE = E:\29 CUNLIFFE - PRUNSTER\Cunliffe Shed\29 Cunliffe SHED Floor Plan.SKF

Matthew Tallon

From: Peter Morrison [REDACTED]
Sent: Sunday, 21 November 2021 11:15 PM
To: Gavan
Subject: Re: Lot 12 #29 Cunliffe Street Lancelin/ Neighbour #27 Cunliffe Street

Hi Gavan. Ive a look at the drawings and have no issues with your proposed garage. Regards Peter Morrison. 27 Cunliffe St.

From: [REDACTED]
Sent: Thursday, 18 November 2021 3:17 PM
To: [REDACTED]
Subject: Lot 12 #29 Cunliffe Street Lancelin

Hi Peter,

As discussed the plans for my proposed new shed are attached for your review furthermore comments – as I am seeking your approval prior to submitting to Council.

Thanks in advance,

Gavan & Janelle Prunster
[REDACTED]

Matthew Tallon

From: [REDACTED]
Sent: Friday, 19 November 2021 11:31 AM
To: Gavan
Subject: RE: Lot 12 #29 Cunliffe Street Lancelin/ Neighbour #31 Cunliffe Street

Thanks Gavan,

I have no objections to your shed plans, and I am happy for you to relay that to Council.

My contact details are;

[REDACTED]

Kind Regards,

Mark

From: Gavan [REDACTED]
Sent: Thursday, 18 November 2021 3:36 PM
To: [REDACTED]
Subject: Lot 12 #29 Cunliffe Street Lancelin

Hi Mark,

As discussed the plans for my proposed new shed are attached for your review furthermore comments – as I am seeking your approval prior to submitting to Council.

Thanks in advance,

Gavan & Janelle Prunster

[REDACTED]

Matthew Tallon

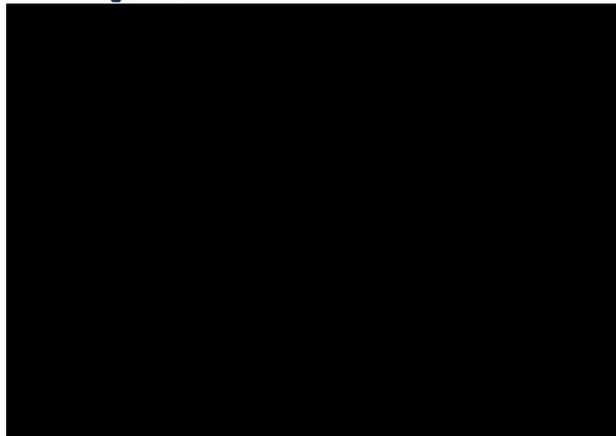
From: Paul Figliomeni [REDACTED]
Sent: Thursday, 25 November 2021 8:30 AM
To: Gavan
Cc: Steve Figliomeni; Jenene Figliomeni
Subject: RE: Lot 12 #29 Cunliffe Street Lancelin/ Rear Neighbour #122 Gingin Rd

Gavan

Apologies for the delay. I have spoken to the other owners and the consensus is .If you take care of the fence then we are more than happy for you to proceed with the Shed.

Kind

Paul Figliomeni



From: Gavan [REDACTED]
Sent: Thursday, 18 November 2021 3:32 PM
To: Paul Figliomeni [REDACTED]
Subject: Lot 12 #29 Cunliffe Street Lancelin

Hi Paul,

I tried calling you today to kindly ask for you to review furthermore comment on the plans for my proposed new shed – as I am seeking your approval prior to submitting to Council.

Thanks in advance,

Gavan & Janelle Prunster
[REDACTED]

**13.3 SUBDIVISION REFERRAL - PROPOSED SURVEY STRATA SUBDIVISION ON LOT 9 (84)
GINGIN ROAD, LANCELIN**

File	LND/694
Applicant	Hemsley Planning
Location	Lot 9 (84) Gingin Road, Lancelin
Owner	Jill De Grussa, Annette Emery and Kenneth Emery
Zoning	Tourism
WAPC No	508 - 21
Author	James Bayliss – Statutory Planning Officer
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	17 August 2021 - Item 13.3
Appendices	<ol style="list-style-type: none"> 1. Location Map - Lot 9 (84) Gingin Road, Lancelin [13.3.1 - 1 page] 2. Aerial Map - Lot 9 (84) Gingin Road, Lancelin [13.3.2 - 1 page] 3. Applicant's proposal [13.3.3 - 24 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To re-consider a subdivision referral from the Western Australian Planning Commission (WAPC) to create three survey strata lots and common property area from Lot 9 (84) Gingin Road, Lancelin.

BACKGROUND

The WAPC is the responsible authority for subdivision approvals in Western Australia. Subdivision applications are registered by the Department of Planning, Lands and Heritage (DPLH) and then referred to relevant State agencies and the local government for comment.

This subdivision proposal was previously considered by Council at its Ordinary Meeting on 21 August 2021 and it was resolved to support the application and advise the WAPC as follows:

1. *Prior to subdivision clearance, each property must contain a holiday accommodation development that has been substantially commenced to the satisfaction of the local government;*

2. *Prior to subdivision clearance, the Applicant/Landowner(s) must submit a revised subdivision plan that increases the area of SSL1, SSL2 and SSL3 to at least 700m²;*
3. *Suitable arrangements are to be made with the local government for the provision of vehicular crossover(s) to service the lots shown on the approved plan of subdivision;*
4. *A notification, pursuant to Section 70A of the Transfer of Land Act 1893, is to be placed on the Certificates of Title for all lots. Notice of this notification is to be placed on the diagram or plan of survey (deposited plan). The notification is to state as follows:*

“VULNERABLE COASTAL AREA – This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years. Additional planning and building requirements may apply to development on this land”

4. *Prior to subdivision clearance, a Site and Soil Evaluation (SSE) report shall be submitted to and approved by the local government that demonstrates the land is capable of disposing of effluent associated with the approved holiday accommodation development.*

Advice Notes:

- Note 1: With regard to removal of existing structures on the property, a demolition license may be required to be obtained from the local government prior to the commencement of demolition works.*
- Note 2: In relation to the installation of vehicle crossovers, please be advised that a crossover application is required to be submitted to the local government prior to installation of the crossover.*
- Note 3: Should the land be affected by coastal hazards in the future, the landowners may be responsible for relocating/removing the development and all associated costs. The local government is under no obligation to assist or protect structures from coastal erosion/inundation threats and accepts no liability and will pay no costs associated with any protection from or damages caused by coastal processes.*
- Note 4: Please note that the basis for subdivision is reliant upon the construction of holiday accommodation in order to satisfy the relevant provisions of the Shire of Gingin’s Local Planning Scheme No. 9. On that basis, substantial commencement of the development means each holiday accommodation unit shall be constructed to plate height prior to clearance being issued.*

On 17 September 2021, the WAPC refused the proposed subdivision for the following reasons:

1. *The proposed subdivision is inconsistent with State Planning Policy 2.6: State Coastal Planning, the associated State Coastal Planning Policy Guidelines and the Shire of Gingin's Coastal Hazard Risk Management and Adaptation Plan because:*
 - a) *it would result in intensified use and development of a site identified as being highly vulnerable to coastal hazards including storm surge, erosion and/or inundation within the next 100 years;*
 - b) *the proposal does not set aside land for a coastal foreshore reserve, and the site is not capable of supporting development where both as coastal reserve and onsite wastewater disposal is provided;*
 - c) *it would introduce new land titles (and potentially new owners) in an area where a retreat from the coast will be required in the future, and there is no ability to make time-limited decisions for land titles; and*
 - d) *it would have an adverse impact on current and future generations and the environment, warranting application of the precautionary principle; and*
2. *Approval of the subdivision would be inconsistent with the principles of orderly and proper planning and set an undesirable precedent for the further subdivision of other lots in the locality, and in the Shire of Gingin.*

The applicant subsequently appealed the refusal to the State Administrative Tribunal (SAT), with the officer attending a mediation session between the parties on 23 November 2021. The respondent (WAPC) has been invited by the Tribunal to reconsider its previous decision and therefore an additional opportunity has also been provided to the Shire to comment on the subdivision proposal.

The officer does not seek to duplicate the previous assessment or respond to each new issue raised by the applicant. The officer is of the view that the earlier assessment is sound and that the Shire's position ought to remain unchanged. This notwithstanding, it does seem pertinent to comment on a concern raised by the applicant with respect to the reliability/accuracy of the Shire's CHRMAP.

The property is 90 metres in length and 32 metres in width with an area of 2,914 m². The land abuts Gingin Road to the east and the coastal foreshore reserve to the west. The approved development on the parent lot comprises a total of five accommodation units and a single caretaker's dwelling located within three separate buildings.

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

A location plan and aerial photograph are provided as **Appendix 13.3.1** and **Appendix 13.3.2** respectively.

A copy of the applicant's additional information in support of the subdivision is provided as Appendix 13.3.3.

COMMENT

Stakeholder Consultation

Not applicable.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject land is zoned Tourism under LPS 9, the objectives of which are to:

- (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.*

The proposed subdivision is viewed as being consistent with the objectives of the zone.

Shire of Gingin Coastal Hazard Risk Management and Adaption Plan (2019)

The applicant asserts that the Shire's CHRMAP fails to consider a sustained pattern of beach widening in Lancelin Bay and the uniform appearance of the (S1) 30 year, (S2) 50 year, and (S3) 100 year setback lines, and that the document has not had to understand nor explain this occurrence.

The concerns raised are not able to be addressed by planning staff nor clarified as part of this Item. This would require commentary from coastal engineers in a holistic review of the CHRMAP data. The officer notes that the concerns raised with respect to the data and science used for establishing predicted sea level rise should be presented by an appropriately qualified coastal engineer.

Irrespective of the issues raised, the officer has previously determined, from a local authority perspective, that the subdivision proposal is acceptable in the applicable circumstances.

Summary

The Shire's CHRMAP does suggest that subdivision seaward of the 2110 hazard line should not be permitted. In this particular instance, given the tourism zoning and unusual circumstances applicable to this site, being that an approved tourism development may be erected on the land regardless of the subdivision outcome, the intensity of development on the land does not seem to be amplified by approval of the proposed subdivision. It should be noted that this position would not ordinarily apply to residential zoned land.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 9

POLICY IMPLICATIONS

Operational Policy 1.1 Subdivision of Land – General Principles

Government Sewerage Policy 2019

State Planning Policy No. 2.6 – State Coastal Planning Policy

State Coastal Planning Policy Guidelines

Shire of Gingin Coastal Hazard Risk Management and Adaption Plan 2019 (CHRMAP)

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure & Development
Objective	3. To effectively manage growth and provide for community through the delivery infrastructure in a financially responsible manner.
Outcome	3.1 Development New and existing developments meet the Shire's Strategic Objectives and Outcomes.
Key Service Area	Building and Planning Permits
Priorities	Infrastructure & Development

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Balcombe

That Council advise the Western Australian Planning Commission that it has no further comments in relation to the proposed survey strata subdivision of Lot 9 (84) Gingin Road, Lancelin.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



	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	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.	Location Map - Lot 9 (84) Gingin Road, Lancelin Scale: 1: 1703	Date: 31/03/2021	
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	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	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.	Aerial Map - Lot 9 (84) Gingin Road, Lancelin	Scale: 1: 558 Date: 31/03/2021	
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Chairman – Statutory Planning Commission
Department of Planning Lands and Heritage
140 William Street Perth
WA 6000



ACN 619 383 407
168 Stirling Highway
Nedlands WA 6009
info@hplanning.com.au

Friday, 17 December 2021

Tourism Subdivision Application | 84 (Lot 9) Gingin Road, Lancelin

Dear Sir,

During the course of mediation at the tribunal, it was resolved between the party's, additional information would be provided by Hemsley Planning Pty Ltd (the 'Applicant'), to the DPLH to facilitate the reconsideration of the small-scale infill tourism-based Subdivision Application (SA) at the WAPC's Statutory Planning Committee (SPC) in February 2022.

PROPOSED TOURISM DEVELOPMENT

The proponent proposes the completed development will comprise a total of five (5) accommodation units and a single Caretakers Dwelling located within three (3) separate buildings.

The development is designed to have an external built form being visually consistent with the appearance of three (3) residential dwellings. Consistent with this appearance single garages and internalised lobbies are provided such that only a single-entry door is visible to the street. This design approach maintains the streetscape rhythm by not appearing as a commercial development and in keeping with existing and highly-valued Lancelin coastal character.

The design utilised the existing high-ground closest to beach as the only means of achieving views of significance of the ocean which is a critical aspect to the viability of the high end tourism proposal seeking to provide a premium holiday accommodation product. The positioning on the high ground also avoids a risk of inundation.



Figure 1 Streetscape render of proposed development.



Figure 2 'Beachscape' render. Solid wall facing north now removed.



Figure 3 Elevated perspective of subject site facing north.

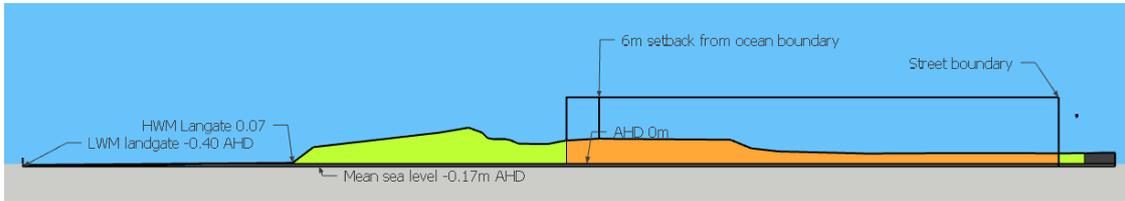


Figure 4 Cross section of the subject site (orange) relative to location of the beach (LHS) and tidal markers.

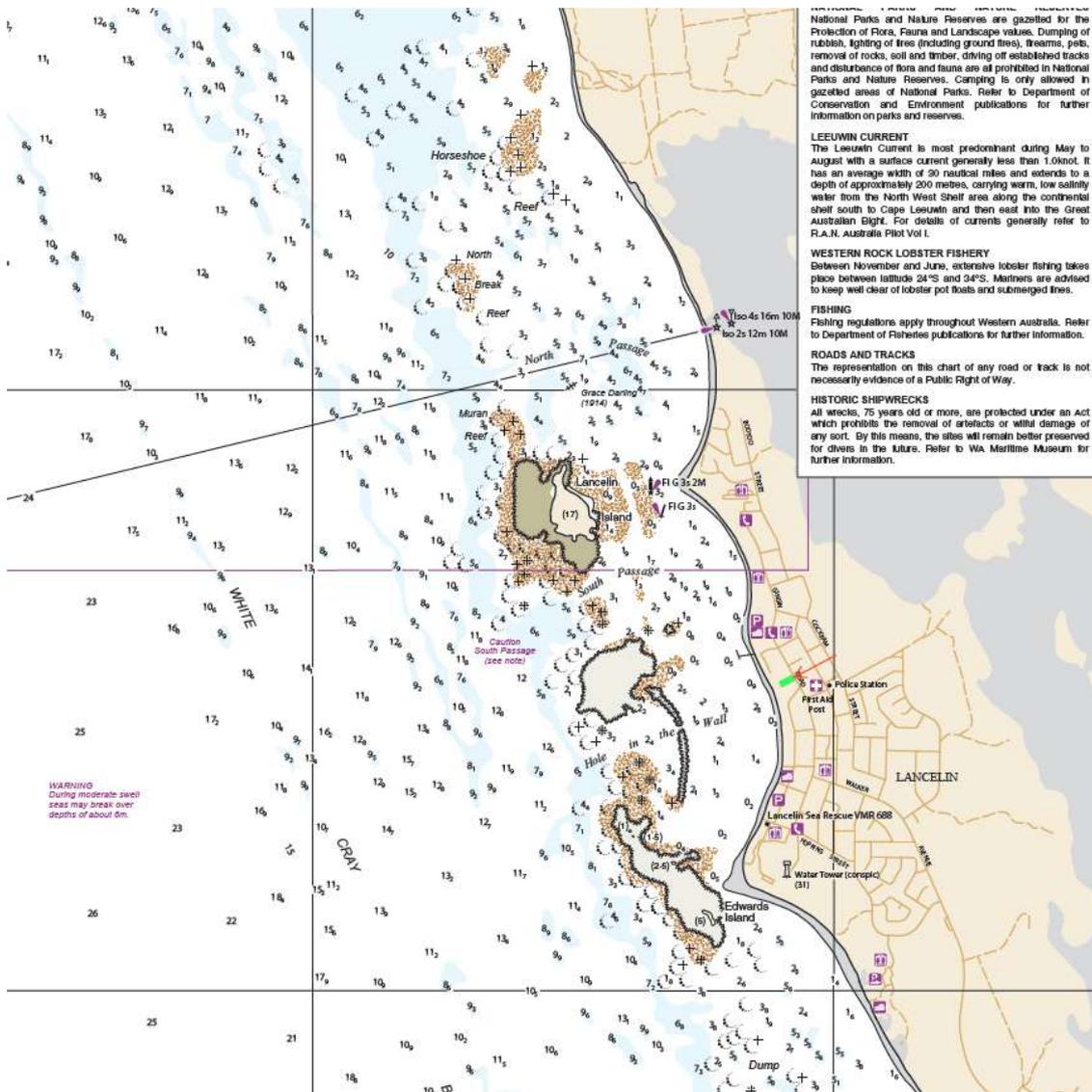


Figure 5 Location of site relative to protective offshore coastal features. (Department of Transport October 2012)

BACKGROUND TO INITIAL REFUSAL

4. During subdivision pre-lodgement the DPLH officer who subsequently processed the application advised the following material requirements through email:
5. 'With regard to the potential subdivision of the subject land in the manner proposed, Development Control Policy 1.1: Subdivision of Land – general principles (DC 1.1) states that lots can only be created if they are capable of lawful development. As such, and, given the site constraints detailed above and the tourism development requirements in the Shire of Gingin Local Planning Scheme No. 9 (the Scheme), it is unlikely that the Western Australian Planning Commission (WAPC) would support subdivision of the subject land in the manner proposed prior to a development approval being issued by the Shire. This is to ensure that the site is capable of lawful development and is able to comply with the built form, parking, sewerage and tourism specific requirements of the Scheme. Further, if the subdivision proposal is supported, the WAPC will consider whether a plate height condition is appropriate to ensure that the approved development is implemented in part, prior to the deposited plan being endorsed.' (via email to applicant from DPLH assessing officer 14 January 2020)
6. 'As per Clause 5.5 of SPP 2.6, sufficient justification would need to be provided to support locating the proposal within the coastal hazard area.' (via email to applicant from DPLH assessing officer 14 January 2020)
7. At no point during the processing period of the SA did any DPLH officer contact the Applicant to discuss any aspect of the proposal nor request any further information. Contact was limited solely to discussing and formalising the extension of time to allow the Shire of Lancelin ('Shire') to determine the Tourism Accommodation DA lodged three weeks prior to the SA.
8. The DPLH/WAPC determined the SA under delegated authority, 13 days prior to the expiry of their statutory processing timeframe and 11 days before the Shire conditionally approved the DA and one (1) day after the Applicant requested a further extension from the DPLH.
9. Based on the information at hand the DPLH/WAPC, quite rightly, although in a capricious and haphazard manner refused the SA having not awaited the completion of a key milestone specifically sought in pre-lodgement by the DPLH.
10. The preceding summary outlined that the SA was determined prematurely, without affording the Applicant due process as the DPLH specifically requested the proponent seek and receive development approval for the proposal but did not await the achievement of this key milestone despite its known and imminent determination.
11. The SPC is now afforded the opportunity to make an alternative determination with the benefit of substantially altered circumstances and new information otherwise not having existed or nor being available to the DPLH officers making the initial determination. These factors are detailed below.

NEW CIRCUMSTANCE ONE DEVELOPMENT APPROVAL GRANTED AFTER REFUSAL

Development Approval has been granted by the Shire (DA 28 September 2021 BLD/7276 P2169).

NEW CIRCUMSTANCE TWO LANDOWNER ACCEPTANCE OF PLATE-HEIGHT CONDITION

All three landowners have now agreed at mediation they are willing to accept a 'plate height condition' to ensure no vacant lot titles are issued.

NEW CIRCUMSTANCE THREE EVENT-LIMITED DEVELOPMENT APPROVAL

In response to a Coastal Hazard Risk identified in a CHR mapping exercise the Shire has conditioned the Development Approval to require demolition of the properties at the first occurrence of either possible event:

6. This development approval shall expire upon the earliest occurrence of any one of the following events:
- a. the most landward part of the Horizontal Shoreline Datum being within 11 metres of the most seaward part of the building(s); or
 - b. a public road no longer being available or able to provide legal access to the lot; or
 - c. when water, sewerage or electricity to the lot are no longer available as they have been removed/decommissioned by the relevant authority due to coastal hazards.

(Shire of Lancelin DA 28 September 2021 BLD/7276 P2169)

NEW CIRCUMSTANCE FOUR NOTIFICATIONS ON TITLE

The Shire has conditioned (No. 8) the Development Approval to require a Notification on each Title per Sec.70A TLA 1893 created warning all interested parties in perpetuity of the following:

Registered proprietors and prospective purchasers of the land described above are notified that the use and enjoyment of the land is affected by the following factors:

- a) Vulnerable Coastal Area - This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years and is subject to conditions of development approval which require removal and/or rehabilitation of development to pre-development conditions if any one of the following events occurs:
 - i) the most landward part of the Horizontal Shoreline Datum being within 11 metres of the most seaward part of the buildings(s);
 - ii) a public road no longer being available or able to provide legal access to the property;
 - iii) when water, sewerage or electricity to the lot are no longer available as they have been removed/decommissioned by the relevant authority due to coastal hazards.

NEW CIRCUMSTANCE FOUR NOTIFICATIONS ON TITLE

- b) Occupation of the caretaker's dwelling on the land is restricted to persons supervising/managing the holiday accommodation.
- c) The holiday accommodation units are not to be occupied by the same person or group of persons for a period in excess of 3 months in any one 12-month period.
- d) Bushfire Prone Area - This lot is located in a bushfire prone area. Additional planning and building requirements may apply to development on this land.

(Shire of Lancelin DA 28 September 2021 BLD/7276 P2169)

NEW INFORMATION FIVE ON-SITE EFFLUENT DISPOSAL SOLUTION

Individual survey strata titles cannot be issued if the Development does not proceed first due to the 'plate-height condition.' Development cannot proceed until a separate Department of Health approval can be granted for an acceptable on site sewerage disposal system. The Applicant successfully sought a similar approval for the southern adjoining lot 1 (No. 88B) Gingin Road of 805m² which has been recently completed with three (3) holiday chalets. This intensity of land use being far greater than what has been approved on the subject site. The adjoining site has an NGL lower than the subject site.

The Applicant now provides the SPC with additional information regarding the capacity for on site effluent treatment and disposal on site within the common property area. The method of on-site disposal is benefited by the now revised subdivision configuration (enclosed) and opportunity for shared treatment infrastructure if desired as well as a shared 540m²+ land application area within an elevated limestone terraced landscaped area. The land application area is capable of being raised to have an RL up to 2.8AHD without exceeding a permissible solid fence height of 1.2m.

Total accommodation approved as part of the development by the Shire is as per the table below.

Unit	Bed / Toilet	Estimated Persons	Soil Type
1A GF	2 x 1	2.5	Sand to at least 1800*
1B UF	2 x 2	2.5	
2A GF	2 x 1	2.5	
2B UF (Caretaker Unit)	2 x 1	2	
3A GF	2 x 1	2.5	
3B UF	2 x 2	2.5	
Total	16 Bed x 7 Toilet	14.5 Persons	

Notes

14.5 Persons(Total PAX calculated) is equivalent to 2.41 Single Houses* as per GSP 2019 calculation methods.

*A Single House is assumed to have 6 persons and 5 bedrooms and will require 180m² of land application area when Secondary Treatment is employed in conditions where gravel and sands exist.

NEW INFORMATION FIVE

ON-SITE EFFLUENT DISPOSAL SOLUTION

+Sand was determined to be the on site to a depth of 1800mm per Structerre 19 Aug 2020 soil profiling/site classification.

Conservatively, 540m² of land application area (3 x 180m²) in the 1,368.75m² common property area (CP4) has been designated. This provides a substantial land application area surplus allowing for flexibility to accommodate changes (subject to Health approval) as new options becomes available through constant technology advances in small scale ATU systems before Development is completed.

The proponent intends presently to implement an industry leading underground Fujjclean Aerobic Treatment Unit (ATU) wastewater system which employs Secondary Treatment systems, reducing to the total land application area, removing the need for buffers and allowing the safe use of the discharge area. Fujjclean ATU's are suitable for areas with a high ground water level or risk of inundation.

The Fujjclean CE-1500 EX (domestic) is designed for 1500L/day of wastewater, which is the equivalent of 10 adults. Three (3) of these units would be installed on each SSL underground, alternatively a single commercial unit, the CE4200 will cater for waste demands of 4200L/day (21 persons loading).

Limiting any concerns arising from a seasonally high ground water table or inundation, an elevated landscaped orchard area is demonstrated to be more than adequately capable of accommodating peak effluent generated within the development. A substantial planting of a coastally-appropriate Olive grove would assist in lowering a water table.

NEW INFORMATION FIVE

ON-SITE EFFLUENT DISPOSAL SOLUTION

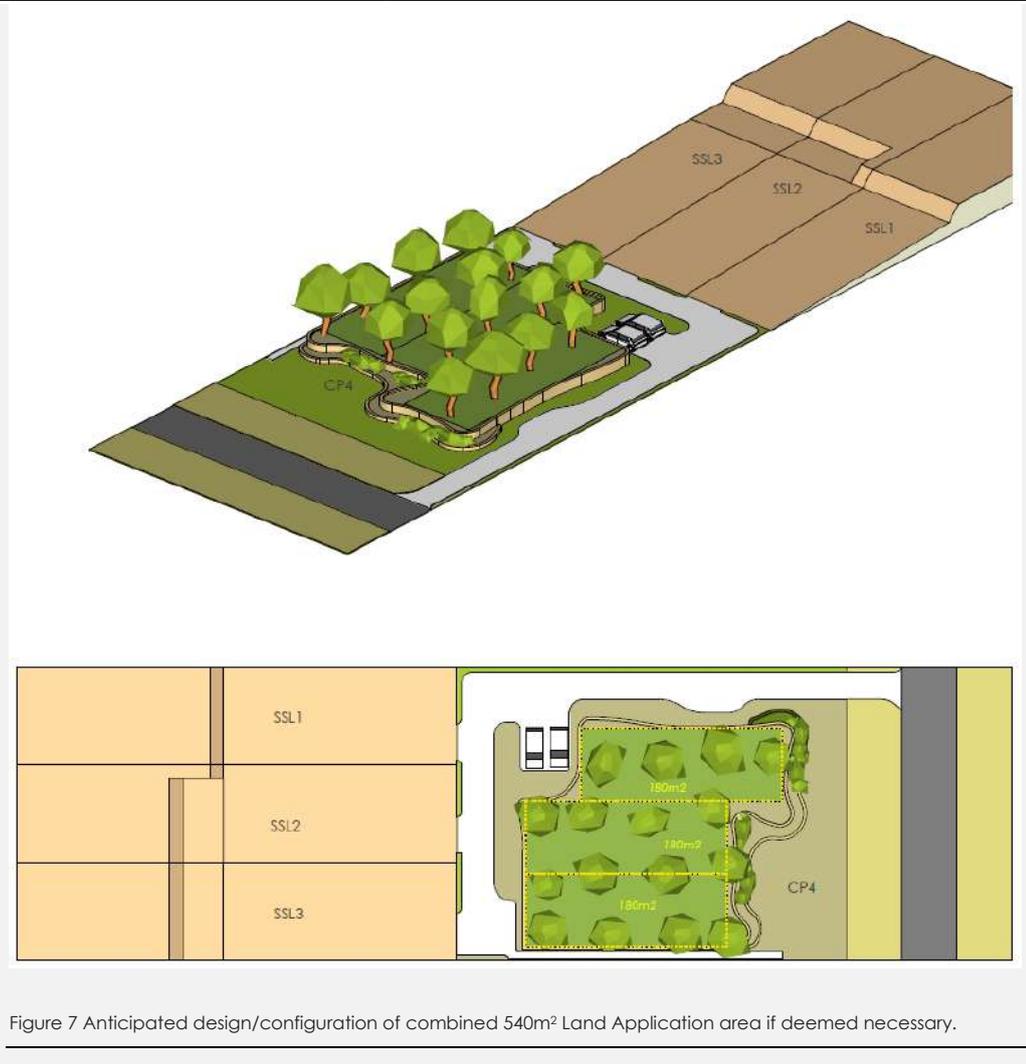


Figure 7 Anticipated design/configuration of combined 540m² Land Application area if deemed necessary.

NEW CIRCUMSTANCE SIX

(TOURISM) MANAGEMENT PLAN

The Applicant is content to accept a condition of SA requiring a Management Plan with the express purpose of ensuring that all units will be let out for tourism, notwithstanding Development Approval conditions and a Notification on each Title to this effect. This was not prefaced as a potential condition of subdivision approval until the Statement of Issues had been prepared by the Respondent.

NEW CIRCUMSTANCE SEVEN

MODIFIED SUBDIVISION CONFIGURATION

A modified subdivision configuration is enclosed, we will remain firmly of the opinion this will resolve the primary concern of the DPLH's coastal team. This concern being there is presently no legislative mechanism available to the WAPC to issue a temporary subdivision approval which would otherwise allow a subsequent ceding of a ~37m

NEW CIRCUMSTANCE SEVEN

MODIFIED SUBDIVISION CONFIGURATION

deep Coastal Reserve (1,200m² or 41% of total freehold lot area), if/as and only when it is required to preserve public access to the Beach.

SPP2.6 State Coastal Planning Policy, in its policy purpose statement 'encourages innovative approaches to managing coastal hazard risk'. In the context of the development being classified without dispute as 'Infill Development,' the modified subdivision configuration delivers on this policy objective for 'innovative approaches' to coastal hazard risk when this SA is tied to the conditions of the DA as issued by the Shire of Lancelin.

The Shire's 'event-limited' conditions of approval (No. 6 and 7) will trigger a statutory requirement to demolish each structure on each Survey Strata Lot when 'the most landward part of the Horizontal Shoreline Datum (HSD) being within 11 metres of the most seaward part of the building(s)' (Shire of Lancelin DA 28 September 2021 BLD/7276 P2169).

The now modified subdivision plan has reduced each lot size and increased the common property area such that in ~70 years-time there would be insufficient space to rebuild on any of the survey strata lots as the HSD would be 4m from the western lot boundary. Hypothetically, a landowner being in possession of a now vacant Strata lot in immediate proximity to an active coastal hazard, will necessitate agreement between each landowner to lodge an application to the WAPC to subdivide the parent lot/survey strata scheme to evenly allocate the common property lot area between each landowner. The Development's Strata By-Laws will include the provision for a staged subdivision as provided for under the amended Strata Titles Act 1985 under sections 36, 42, and 48-53.

Under the current legislative framework, the collective need of each landowner will ensure an application for (re)subdivision will be made to the WAPC when the Shire's event-limited condition is triggered. This will provide the WAPC the opportunity they desire to have a foreshore ceded without compensation to the State, however, at a more appropriate time. This delayed action will allowed the value of the site to be derived for the purposes of tourism without risk to the State or individual landowners.

This outcome is entirely consistent with SPP2.6 State Coastal Planning Policy clause 5.6 Infill development stating:

- (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 [our emphasis].

In further support of the proposal, under the appropriate headings we respond to several items raised by the DPLH following the their initial decision.

APPROPRIATE WEIGHT AFFORDED TO THE SHIRE CHRMAP

We have concerns relating to the reliability/accuracy of the CHRMAP and subsequent weight the SPC should afford this document to inform its decision making relating to a Tourism Proposal. It is not our intent to disprove the science of global warming and sea level rise nor ask the SPC to completely disregard the document's finding, our concern lies the failure of the document to have become aware of and adopted into its modelling a sustained pattern of beach widening in Lancelin Bay and the uniform appearance of the (S1) 30 year, (S2) 50 year, and (S3) 100 year setback lines.

Having not been aware of this localised phenomena, the document has not had to understand nor explain its occurrence and incorporate whatever findings it may make into its modelling.

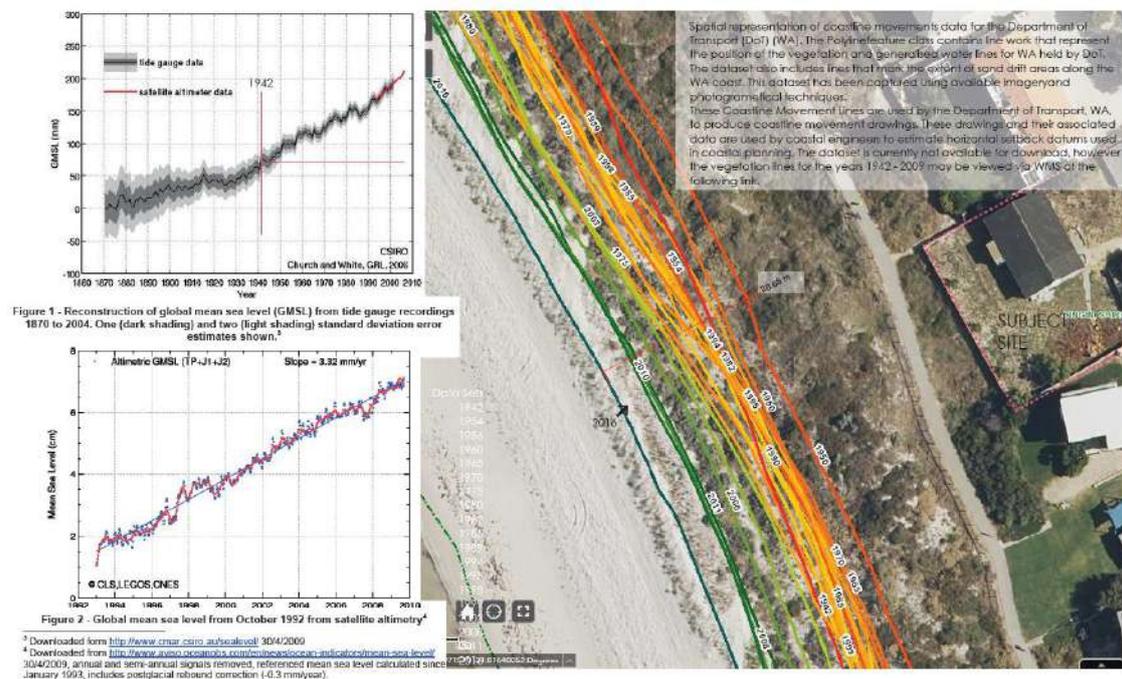


Figure 8 Comparison of sea level rise compared to beach widening of 28.66m since 1942 (full graphic enclosed)

The beach has been widening at this location substantially (28.66m net) since records from 1940 were kept despite the accepted and documented sea level rise. In contrast to this the CHRMAP states that 'For sandy coastlines, increases in local MSL [mean sea level] generally result in shoreline recession, with a "rule of thumb" often used, that a 1cm rise will result in 1 m of landward recession of the shore.'

The CHRMAP's hazard lines (S1 S2 etc) estimates were prepared in 2016, however the DoT Historical Coastline Erosion Data was only made available in 2018 for use. This expansive study has seen the State's coastal lines were captured from *aero triangulated aerial photography for all decades from 1940 – 2016, providing a long-term systematic measure of coastline movement.* The Shire's CHRMAP did not have the benefit of being able to use this critically important data as it was not available to the authors of the CHRMAP. If the authors had it would have provided context to submissions made during the CHRMAP community consultation period. We note that the Draft CHRMAP itself requires the Review [of] Hazard line estimates

(S1, S2, S3 and S4) to be delivered on the 21 April '21. This has not occurred despite a very pressing need for this to occur on account of materially relevant new data being made available.

One factor which may only in part contribute to the delayed coastal action in this location is frequent occurrence of dredging of the bay as undertaken by the DoT. In order to ensure the Townsite natural marina, for which the Rock Lobster industry relies, the DoT regularly performs significant dredging activities immediately opposite the subject site. The economically important activity appears to have been unknown the author of the CHRMAP as no reference in made within the substantial document.

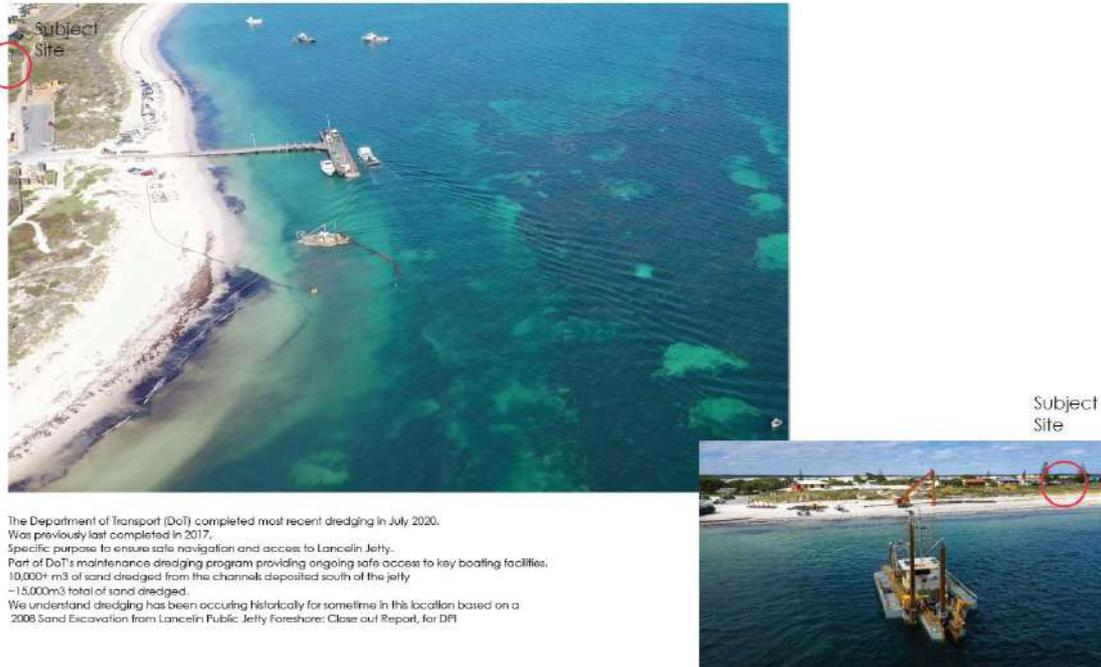


Figure 9 DoT dredging program.

We are firmly of the opinion it is reasonable to expect any comprehensively prepared CHRMAP to have performed appropriate background research and consultation with the community to become of aware of and incorporated:

- A significantly expanding beach width in contrast to predictions;
- Frequently conducted dredging of 15,000m³ of sand by a State Government agency; and
- Historical aerial surveys of coastline movement.

Disregarding the multiple layers of risk mitigation and adaption strategies already being applied to the proposal, we maintain that a decision maker in relying on a document which by its own measure has in effect expired in 2021, to have the effect of sterilising a Tourism zoned infill allotment of land zoned for Tourism development, would not reflect principles of orderly and proper planning.

REQUEST TO CEDE LAND FOR COASTAL RESERVE

With respect to the respondents Issue 3: *Whether the proposed subdivision is inconsistent with the foreshore reserve requirements under SPP 2.6*, we respond as follows:

The subdivision plan to the immediate north which provided a 'reserve' when subdivided, is exactly 9.67 % of the total area subdivided excluding the balance lot which is Commercial which formed part of the parent lot. We assert this Reserve to be a POS contribution at ~10%. The express intention of the Reserve adjoining to the north when created was '**recreation**' not , **foreshore management** OR **waterway management** as was available to the decision maker.

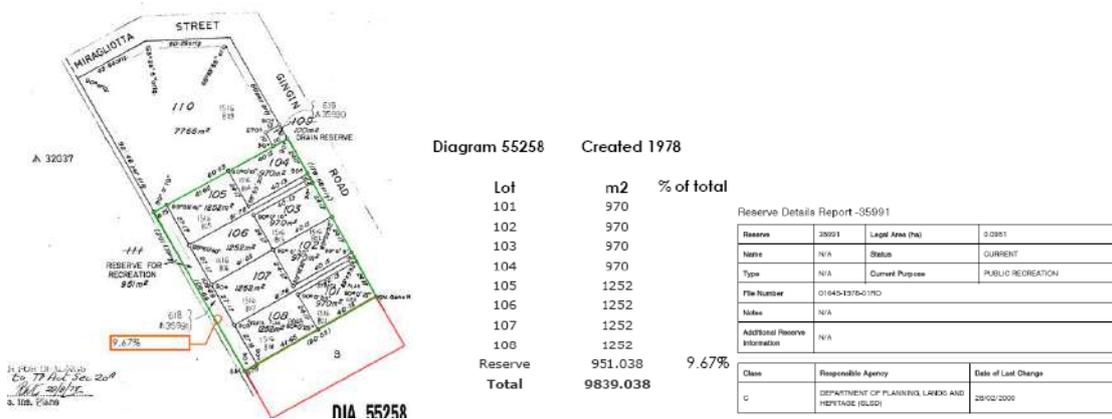


Figure 10 Calculation of Reserve adjoining to immediate north.

A requirement for the landowner to cede land, specifically 41% of the total site, was not raised during pre-lodgement communications with the DPLH, in fact they contemplated development within that area.

The planning purpose which would necessitate the preservation of a foreshore strip has not been achieved by its reservation for that purpose under the provisions of the Local Planning Scheme i.e. there is no SCA. A requirement for the land be ceded to the State without compensation would appear to be motivated by an unfounded fear of liability in case of an adverse coastal event in the future, rather than a valid planning purpose. The purpose which the reservation would serve does not reasonably nor fairly relate to the particular development/subdivision proposed.

The various instruments which together comprise the 'planning framework' relating to the subject land relies on flawed and overly cautious scientific study, and collectively, do not provide sufficient authority to the Commission to impose a requirement to cede land for the purpose of a coastal reservation.

IMPORTANCE OF TOURISM

Planning Bulletin 83/2013 Planning for Tourism states that Tourism is a significant contributor to the state and local economies in Western Australia, particularly in regional areas of the State. The planning system has a vital role to play in facilitating investment in tourism product in appropriate locations.

The decline in WA's western rock lobster fishery exports is placing greater emphasis on the need for the tourism sector in Lancelin to be development. A position supported by the referral agency Tourism WA.

Given the immediate proximity and view of the coast is the tourism attraction the development relies on, is only delivered by the elevated position to deliver on the initial A of the 5As of a tourism development, 'Attraction.' In fearing a questionable likelihood of erosion in 70 years we point out that being a tourism development, the return on capital investment will have already occurred, multiple times over and the buildings would have been fully depreciated.

In this instance of a tourism based development, the risk of coastal hazard is lowered as the asset created is not citizens homes and primary asset, it is a commercial investment providing an annual return, to refuse an application for subdivision, when all 'risk' factors are known, accepted and communicated to the current landowners and any future landowners by way of a raft of notifications on title through conditions of development approval, a refusal is in effect sterilising the land.

We understand its was the DPLH's position that was in effect, a policy presumption against the subdivision of Tourism Zoned land and a preference that no development occur. Whilst the DPLH may be tied to a position that it won't stay in the way of development occurring, we reference Planning Bulletin 83/2013 Planning for Tourism which states 'it is acknowledged that strata schemes are an important component in the funding of tourist accommodation development.'

SUMMARY

Hemsley Planning is of the opinion that the proposal is consistent with the objectives of SPP2.6 as established in the context of it being infill development. In support of the proposal we reiterate the following:

- The subject site overlooks the town's well protected commercial fishing boat anchorage. This is the least vulnerable part of the townsite's coast as it is protected by two layers of reef and an island which collectively forms a unique setting which will continue to passively protect the subject site from the worst effects of sea level rise;
- The tourism-based development is in line with the Scheme's Tourism zoning and a broader strategic focus on the tourism industry. This proposal is good for the town, it will provide a positive economic contribution through both the initial construction phase and through the long-term attraction of visitors to the town in diversifying the existing holiday accommodation supply;
- The adverse precedent argument is not a relevant consideration and it does not defeat, on its own a subdivision of merit. Each subsequent case shall be considered and determined on its own merits;
- Existing conditions of approval which specifically deal with warning purchasers. All risk factors are going to be known, accepted and communicated to the current landowners and as well as any hypothetical future landowners through conditions of approval and notifications on title;
- No issues were raised through any agency referrals;
- The coastal hazard risk is more than acceptable and it is up to the purchaser to make that decision and accept personal risk; and
- Regardless of the ones confidence in the Coastal Hazard Mapping available and designated possible event timeframes, in instances such as this proposal, when all risk factors are known, accepted and communicated to the current landowners and any hypothetical future landowners through conditions of approval and notifications on title, to consider the development, as it is setback as being not suitable on coastal hazard risk grounds, is, in effect implying this whole site 2,917m² as being undevelopable to its three individual landowners.

It is a matter of circumstance relating to topography, not preference that the accommodation is positioned in close proximity to the ocean rather than the road. Approval a supportable position for the SPC to in this instance.

Should clarification on any aspects of this matter, please do not hesitate to contact the undersigned on 0415 337 100 or by email at alex@hplanning.com.au.

Kind regards



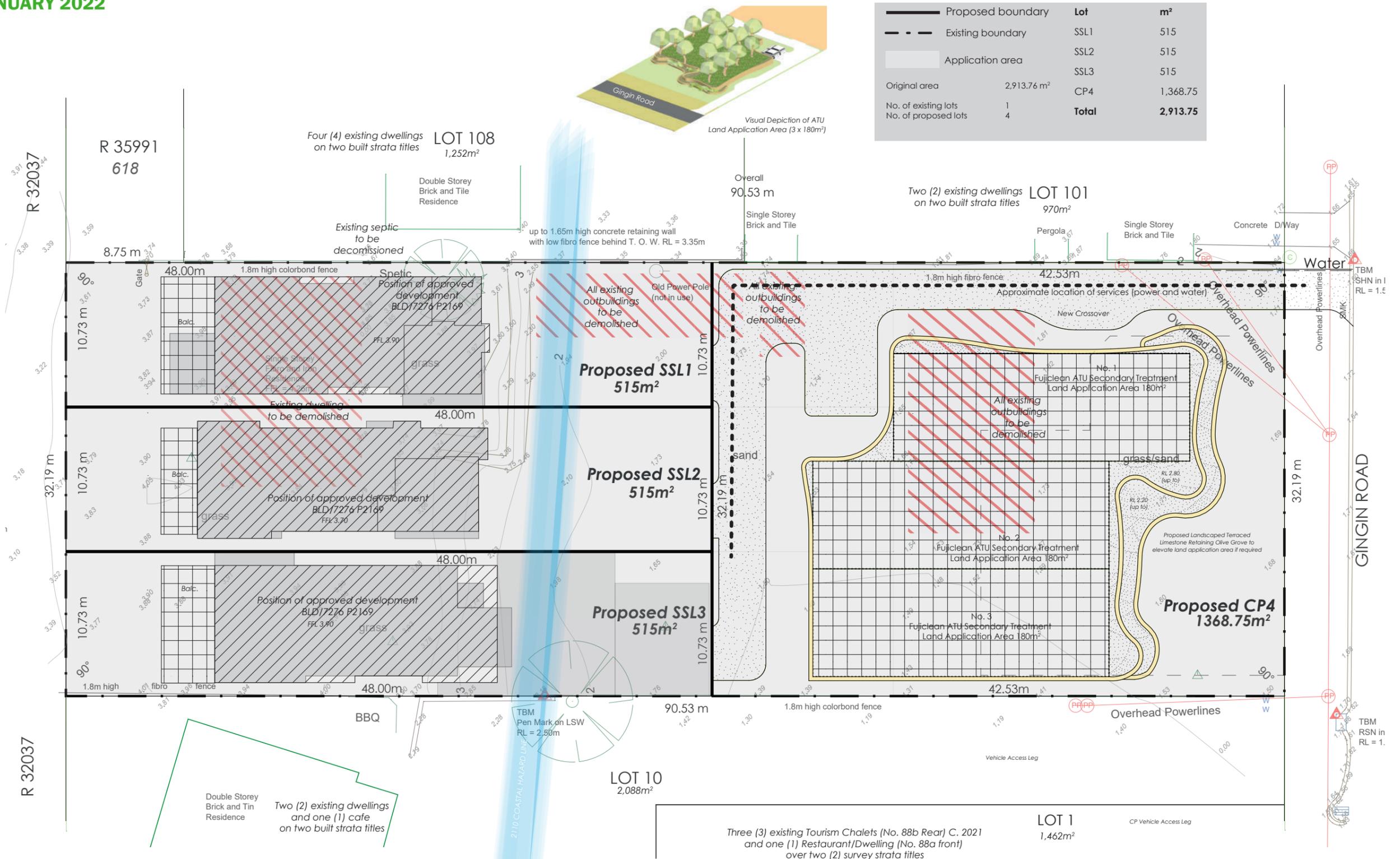
Alex Hemsley

Director | Principal Planner

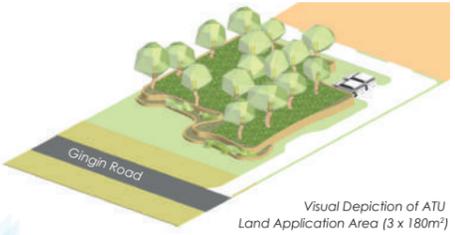
BA Urban & Regional Planning (Curtin) LGPA

Enc.

1. Revised Subdivision Plan
2. Correspondence with DPLH date 14 Jan 2020
3. Context Plan
4. Coastal Movement Graphics 4 sheets
5. Fujiclean ATU Specification Sheet



	Lot	m ²
Proposed boundary	SSL1	515
Existing boundary	SSL2	515
Application area	SSL3	515
	CP4	1,368.75
Original area		2,913.76 m ²
No. of existing lots	1	
No. of proposed lots	4	
Total		2,913.75



Project
84 (Lot 9) Gingin Road
Lancelin
Shire of Gingin

Scale
1:250 @ A3

2110 CHR LINE NOTE
2110 year Coastal Hazard Line derived from 2016 Shire of Gingin CHRMAPP available of a scale of 1:5,000 in rasterized format only. The line delineates where coastal processes (eg erosion) MAY occur in to as far back as this line in the event of a severe storm and given a certain amount of sea level rise.

**PROPOSED
SURVEY-STRATA TITLE
SUBDIVISION**

Job No.
J00N/A

Revision
2A
17/012/2021



168 Stirling Highway, Nedlands hplanning.com.au



LEGEND

Ground Floor 

Upper Floor 

Project
Holiday Accommodation
84 (lot 9) Gingin Road
Lancelin
Shire of Gingin

Scale
1:500 @ A3



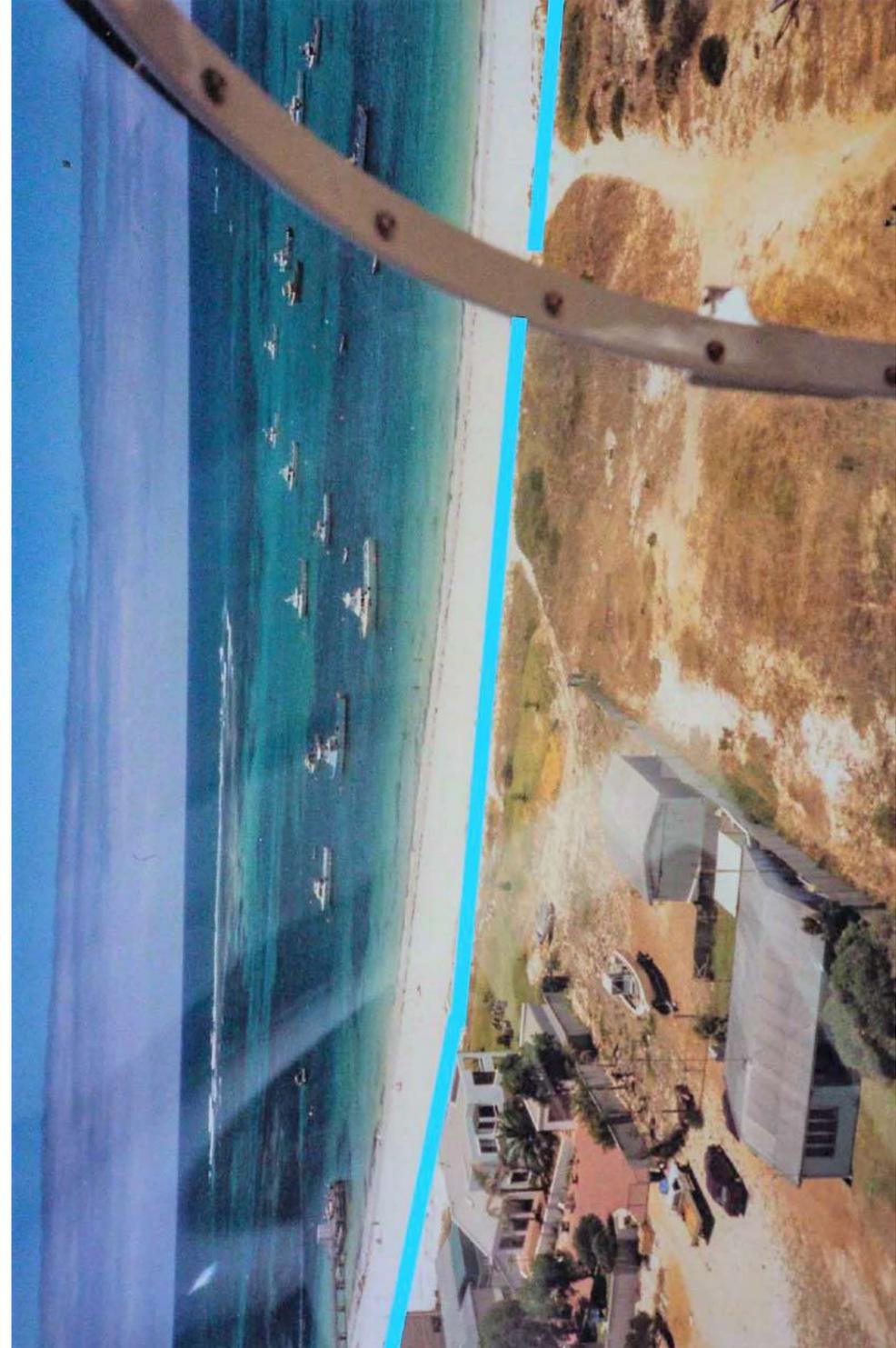
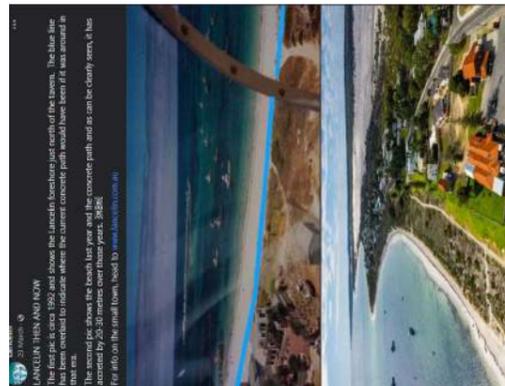
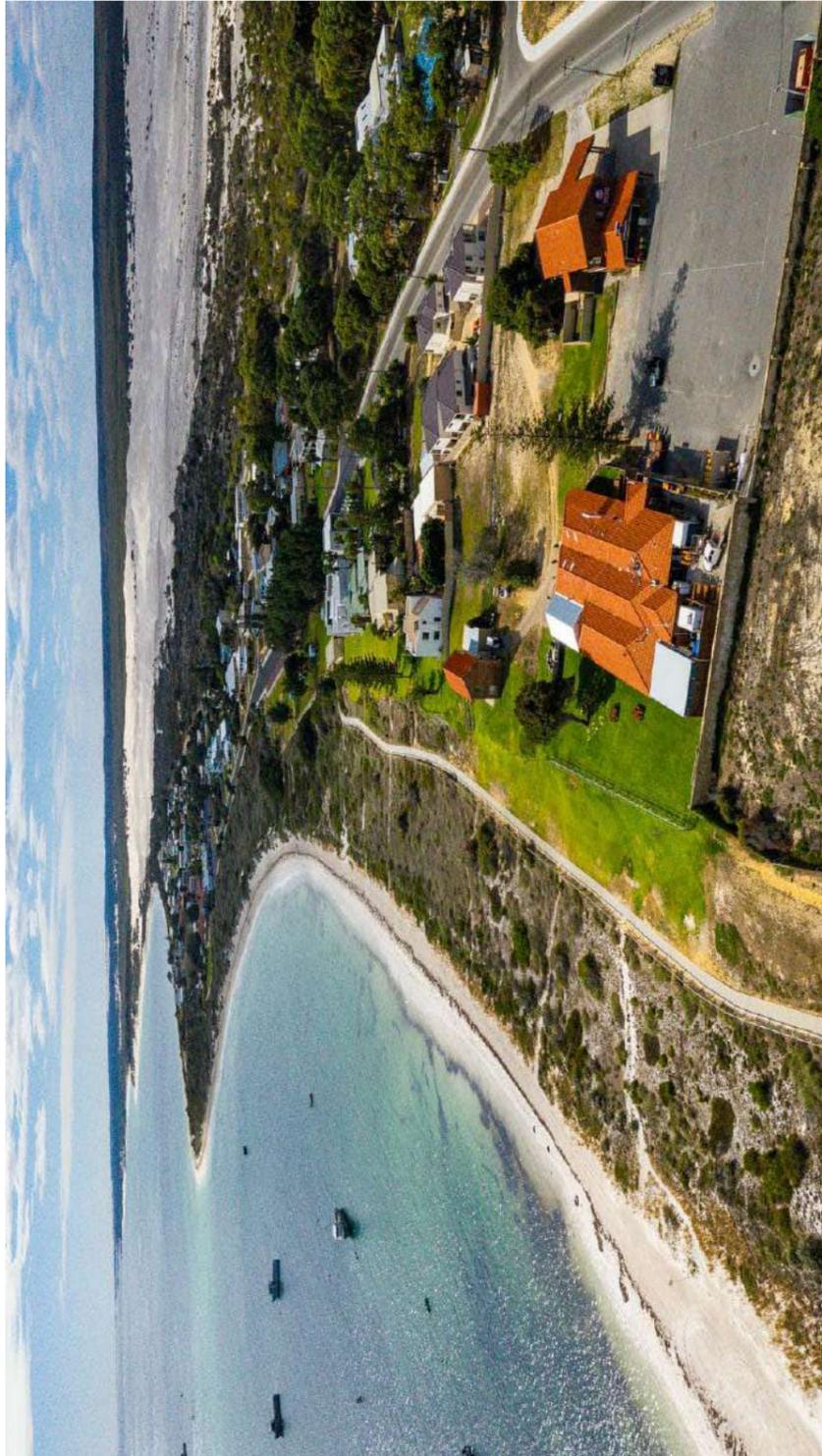

Prepared for illustrative and planning justification purposes only. Whilst all efforts are made to ensure accuracy, all areas and dimensions are subject to detail design and survey.

CONTEXT PLAN & SITE ANALYSIS

Job No.
J000N/A

Revision
1A
04/02/2020





Project
TOURISM SUBDIVISION
84 Gingin Road
Lancelin
Shire of Gingin

Scale
1:2/4/800 @ A3
2/4/8 4/8/16

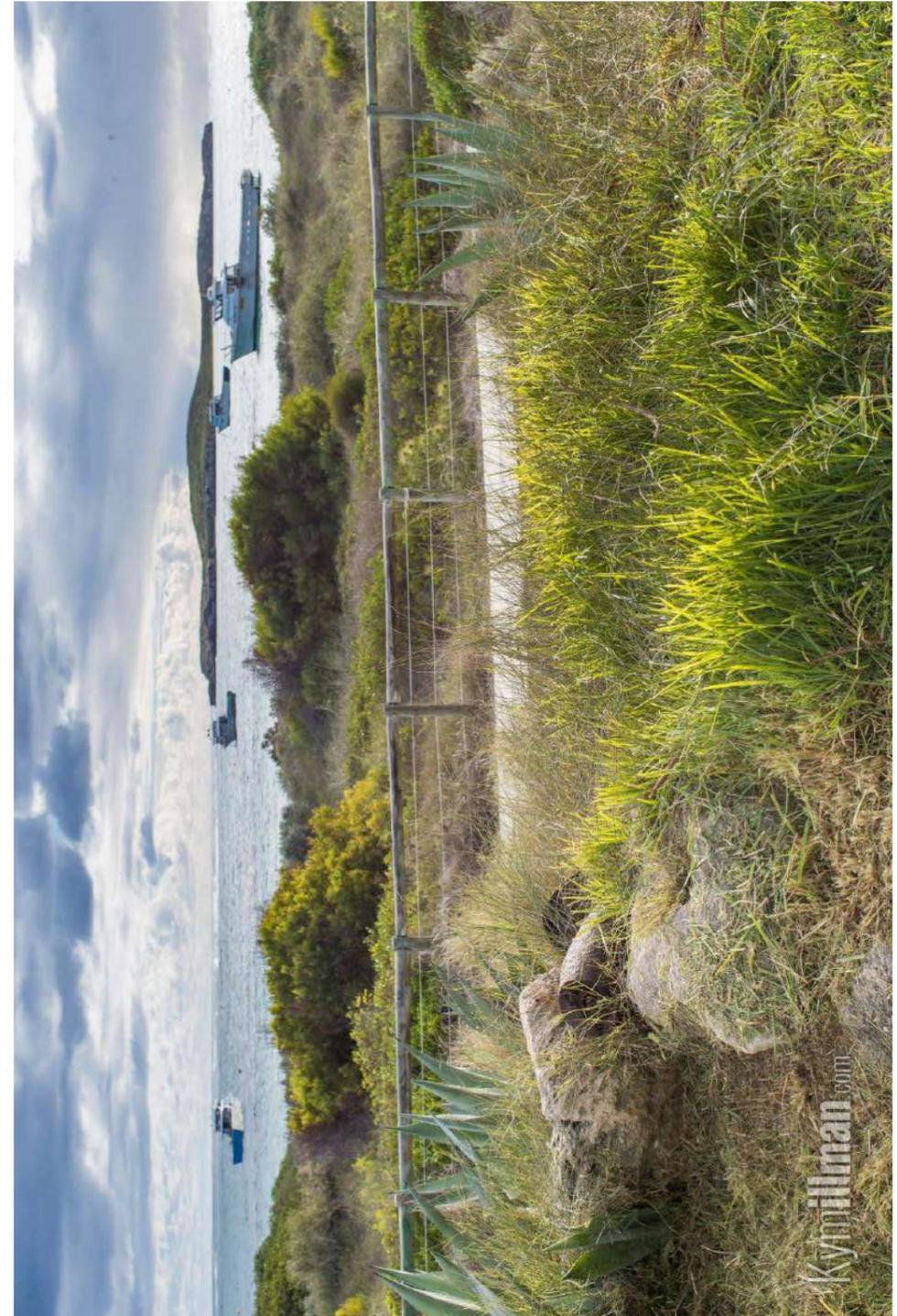
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COASTAL VEGETATION WIDENING 1

Job No.
J000N/A

Revision
1A
XX/XX/2021





Project
TOURISM SUBDIVISION
84 Gingin Road
Lancelin
Shire of Gingin

Scale
1:2/4/800 @ A3



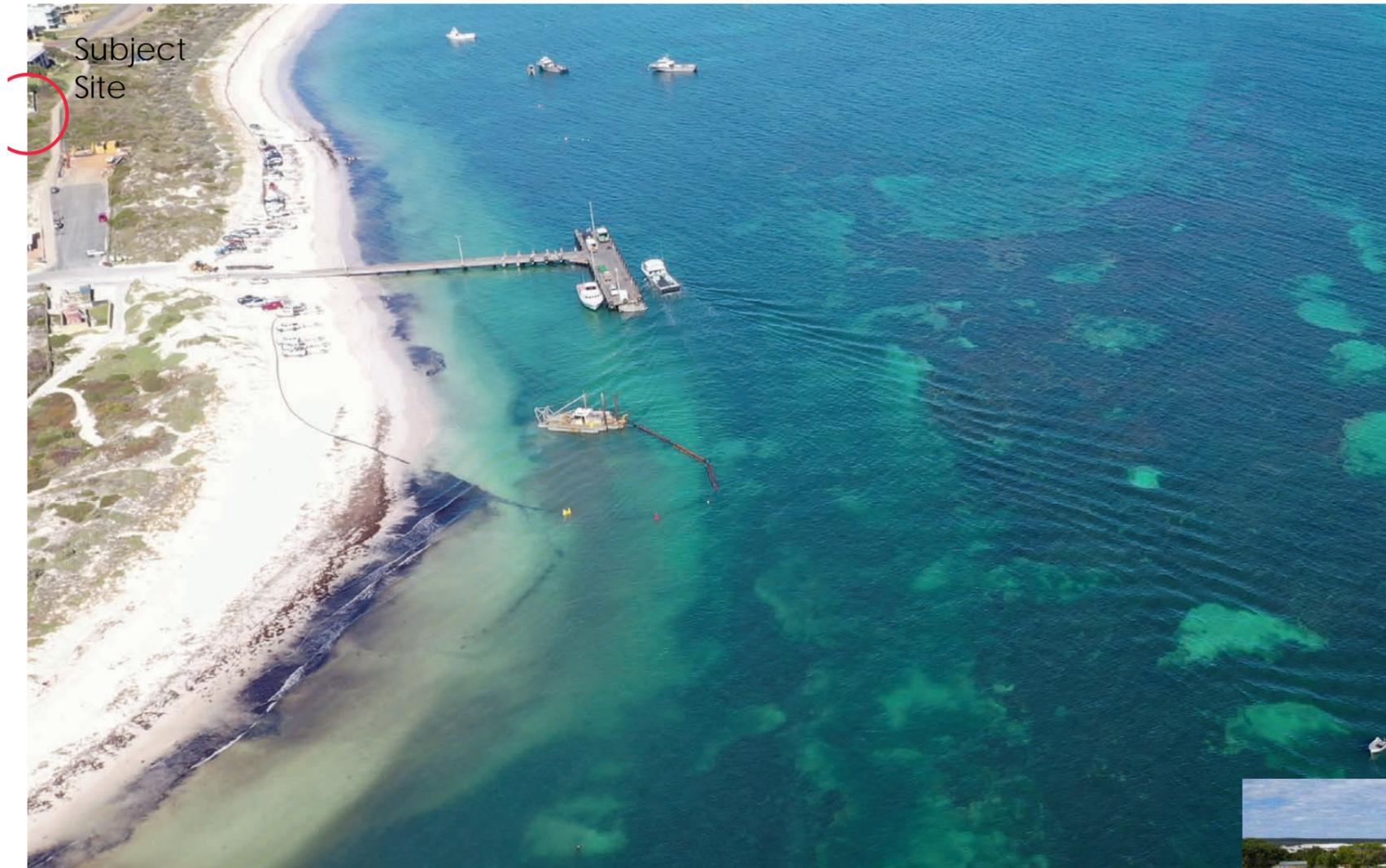

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COASTAL VEGETATION WIDENING 2

Job No.
J000N/A

Revision
1A
XX/XX/2021





Subject Site



The Department of Transport (DoT) completed most recent dredging in July 2020.
 Was previously last completed in 2017,
 Specific purpose to ensure safe navigation and access to Lancelin Jetty.
 Part of DoT's maintenance dredging program providing ongoing safe access to key boating facilities.
 10,000+ m3 of sand dredged from the channels deposited south of the jetty
 ~15,000m3 total of sand dredged.
 We understand dredging has been occurring historically for sometime in this location based on a
 2008 Sand Excavation from Lancelin Public Jetty Foreshore: Close out Report, for DPI

Project
 TOURISM SUBDIVISION
 84 Gingin Road
 Lancelin
 Shire of Gingin

Scale
 1:2/4/800 @ A3

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DREDGING OF THE BAY

Job No.
 J000N/A

Revision
 1A
 XX/XX/2021



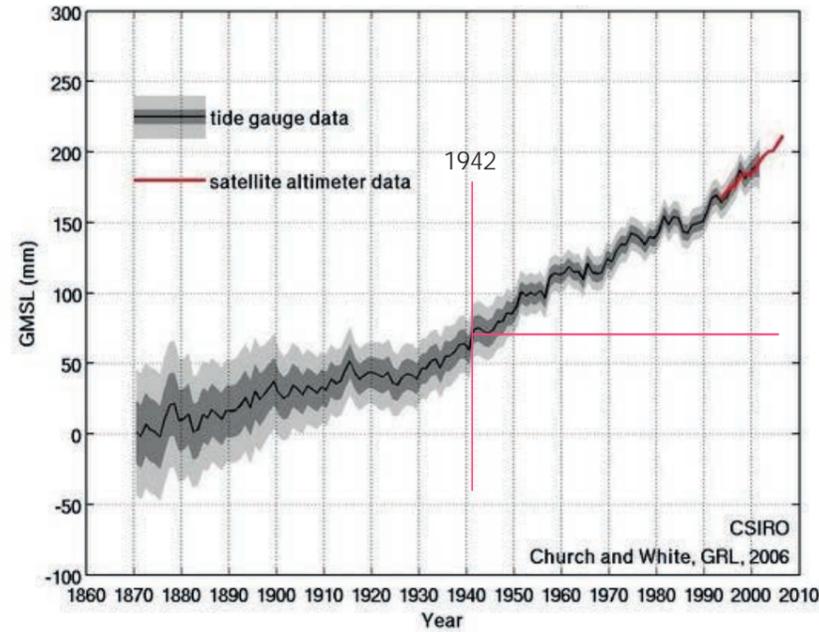


Figure 1 - Reconstruction of global mean sea level (GMSL) from tide gauge recordings 1870 to 2004. One (dark shading) and two (light shading) standard deviation error estimates shown.³

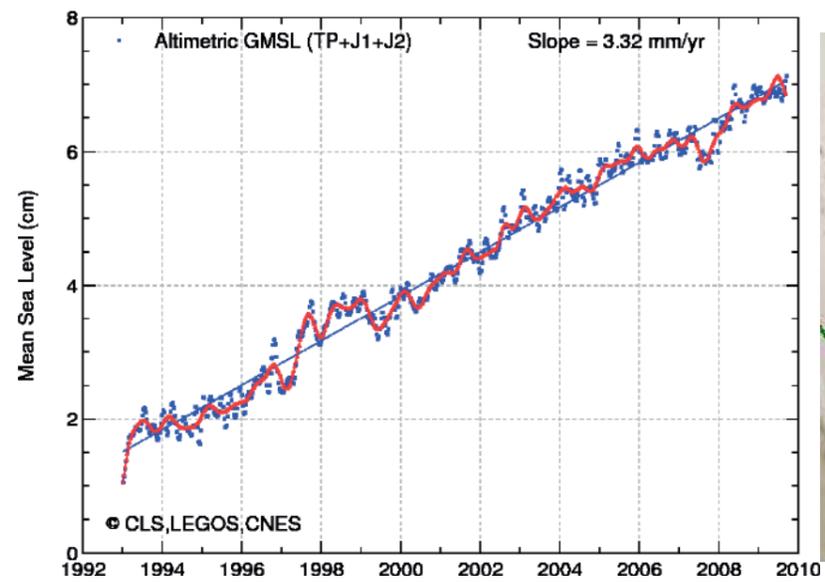
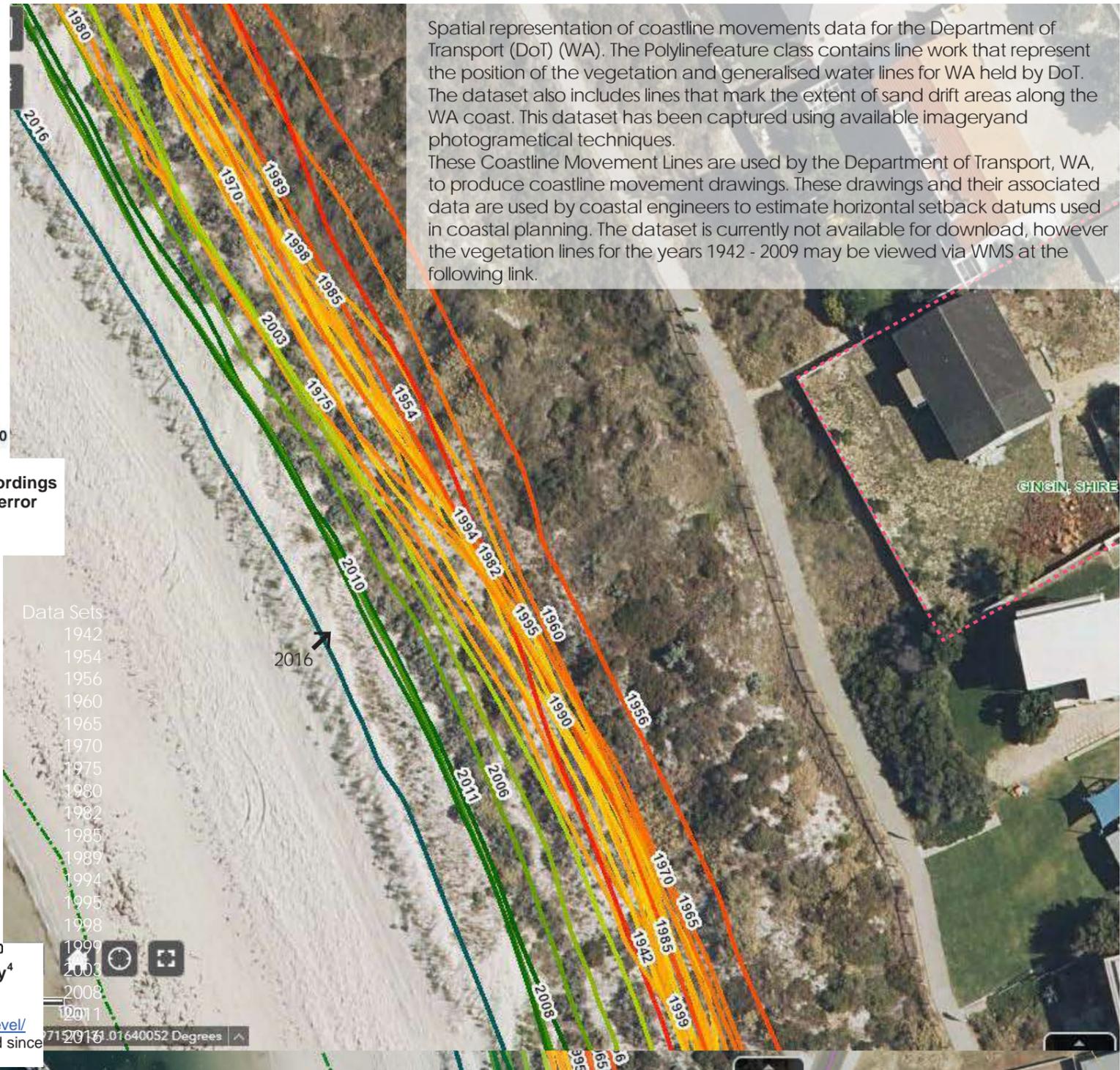


Figure 2 - Global mean sea level from October 1992 from satellite altimetry⁴

³ Downloaded from <http://www.cmar.csiro.au/sealevel/> 30/4/2009

⁴ Downloaded from <http://www.aviso.oceanobs.com/en/news/ocean-indicators/mean-sea-level/> 30/4/2009, annual and semi-annual signals removed, referenced mean sea level calculated since January 1993, includes postglacial rebound correction (-0.3 mm/year).



Spatial representation of coastline movements data for the Department of Transport (DoT) (WA). The Polylinefeature class contains line work that represent the position of the vegetation and generalised water lines for WA held by DoT. The dataset also includes lines that mark the extent of sand drift areas along the WA coast. This dataset has been captured using available imagery and photogrammetrical techniques. These Coastline Movement Lines are used by the Department of Transport, WA, to produce coastline movement drawings. These drawings and their associated data are used by coastal engineers to estimate horizontal setback datums used in coastal planning. The dataset is currently not available for download, however the vegetation lines for the years 1942 - 2009 may be viewed via WMS at the following link.

Project
TOURISM SUBDIVISION
84 Gingin Road
Lancelin
Shire of Gingin

Scale
1:2/4/800 @ A3



Prepared for illustrative and planning justification purposes only. Whilst all efforts are made to ensure accuracy, all areas and dimensions are subject to detail design and survey.

SEA LEVEL RISE VS COASTAL VEGETATION

Job No.
J000N/A

Revision
1A
XX/XX/2021



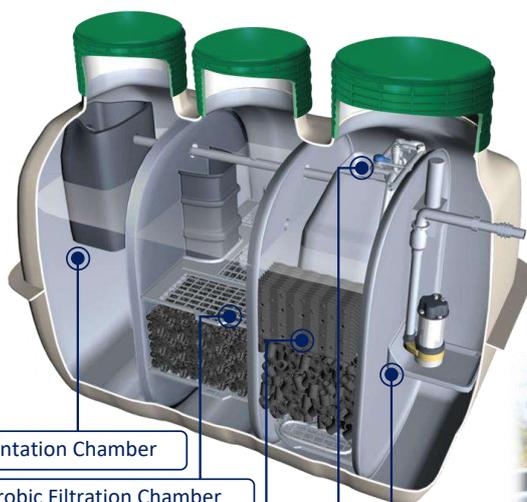


Wastewater Treatment Systems

Towards Clean Water
Fuji Clean Australia Pty Ltd
ABN 74 129 181 317
1300 733 619
www.fujiclean.com.au

Advanced Wastewater Treatment System

FujiClean CE-1500EX AWTS



Sedimentation Chamber

Anaerobic Filtration Chamber

Aerobic Contact Filtration Chamber

Clarification Chamber

Pump Chamber



10
EP

1,500
L/day

Advanced
Secondary

The FujiClean CE-1500EX Aerated Wastewater Treatment System successfully treats all household wastewater to advanced secondary quality, enabling the recycled water to be used for lawn & garden irrigation.



COMPACT

- Lightweight single tank design
- Minimal footprint
- Visually discrete installation

SAFE & SECURE

- Produces high quality treated effluent
- Treatment process contained inside the tank
- Alarm monitor protection

EFFICIENT

- Light weight transport & installation
- Low operation and running costs (47W Blower)
- Minimum maintenance requirements

SUSTAINABLE

- Extended service life - 15 years minimum
- Reuse all water for garden and lawn irrigation
- Minimal environmental impact

RELIABLE

- Proudly manufactured in Australia
- Effectively handles shock loading
- Dependable quality & performance

PROVEN DESIGN

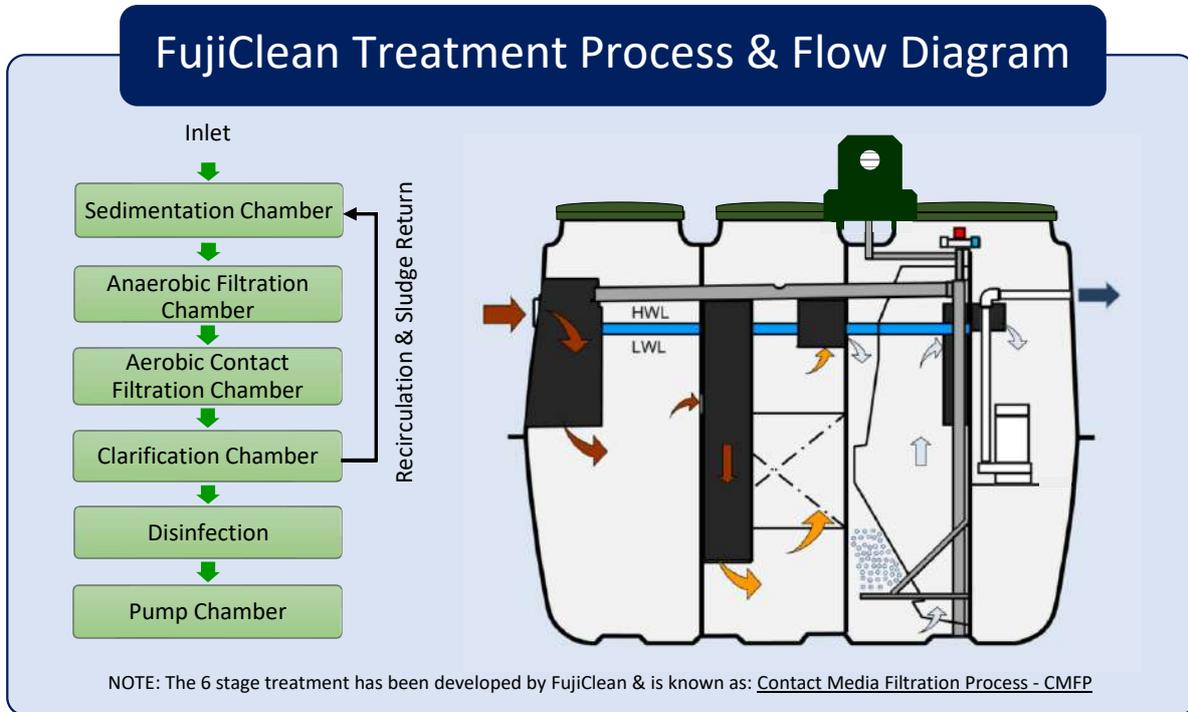
- 50 Years experience with wastewater treatment
- Continued research & development
- 50,000 installations per year worldwide

World Leaders in Onsite Wastewater Treatment Technology



Wastewater Treatment Systems

Towards Clean Water
Fuji Clean Australia Pty Ltd
ABN 74 129 181 317
1300 733 619
www.fujiclean.com.au



Warranty

Structural Tank 15 years

Electrical Components 2 years

Treatment: Advanced Secondary

BOD <10mg/L	Nutrient Removal 54% Nitrogen Reduction 87% Phosphorus Reduction
SS <10mg/L	
E.coli <10cfu/100ml	

NOTE: The FujiClean CE-1500EX is approved for use in all states and territories of Australia.

System Dimensions

Weight (empty)	430kg
Length	2,510mm
Width	1,440mm
Height – No risers	1,870mm
Height – 300mm risers	2,170mm
Height – 500mm risers	2,370mm
Inlet Invert Options	500, 800 or 950mm
Inlet Pipe	100mm dia
Outlet Pipe	40mm dia

Working Capacity

Sedimentation Chamber	1,114L
Anaerobic Filtration Chamber	982L
Aerobic Filtration Chamber	580L
Clarification Chamber	281L
Pump Chamber	308L
Total Working Capacity	3,265L
Emergency Storage	1,094L
Total Volume	4,359L
Aeration – MAC80 (47W)	80L/min

**13.4 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED OUTBUILDING AT LOT 657
(15) HARVEY DRIVE, LEDGE POINT**

File	BLD/7196
Applicant	Mitchell Maindok
Location	Lot 657 (15) Harvey Drive, Ledge Point
Owner	Mitchell Maindok
Zoning	Residential R15
WAPC No	NA
Author	Matthew Tallon – Statutory Planning Officer
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> 1. Location Plan & Aerial Imagery [13.4.1 - 2 pages] 2. Applicant's proposal [13.4.2 - 2 pages] 3. Schedule of Submissions and Recommended Responses [13.4.3 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for a proposed outbuilding and carport on Lot 657 (15) Harvey Drive, Ledge Point.

BACKGROUND

The Shire is in receipt of a Development Application for a proposed outbuilding and carport on the subject lot which is 806m² in area and has recently been developed with a two storey single house.

The proposed outbuilding is 9 metres in length and 10 metres in width (90m²) and is set back 1.5m from the side (southern) lot boundary and 600mm from the rear (western) lot boundary. The proposal includes a carport attached to the southern façade of the outbuilding which is 3 metres in length and 10 metres in width (30m²) consistent with the abovementioned heights of the outbuilding.

The proposal seeks variations to clause 5.4.3 – Outbuildings under State Planning Policy 7.3 – Residential Design Codes (R-Codes) with respect to the rear setback, wall height, ridge height and overall area. The proposal is, however, consistent with Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1).

A location plan and aerial imagery are attached as **Appendix 13.4.1.**

The applicant's proposal is provided as **Appendix 13.4.2.**

COMMENT

Stakeholder Consultation

The application was advertised to surrounding landowners for a period of 14 days in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

During this period, one submission was received objecting to the proposal and one submission was received providing a general comment on the proposal.

The Schedule of Submissions and Recommended Responses is attached as **Appendix 13.4.3.**

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The subject land is zoned Residential R15 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.*

The relevant objective of the Residential zone is outlined below with officer comments:

- b) *Maintain and enhance the residential character and amenity of the zone.*

Officer comments

The proposal seeks variations to the deemed-to-comply provisions of the R-Codes with respect to area, heights and setbacks. However, the outbuilding is consistent with LPP 2.1 and is anticipated in the locality. The rear lot boundary abuts the rear of two lots but the outbuilding does not overshadow either of the lots and achieves the same built form outcome regardless of the setback distance. The overall design and location of the outbuilding maintains the anticipated residential character of Ledge Point.

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 does not meet 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 an 'Outbuilding' as:

An enclosed non-habitable structure that is detached from any dwelling.

Officer comment

The deemed-to-comply provisions of the R-Codes relating to outbuildings stipulate, amongst other things, that the overall collective floor area cannot exceed 60m², and that a wall height of 2.4 metres and an overall height of 4.2 metres are not to be exceeded. The proposed wall height is 3.6 metres, with an overall height of 4.5 metres and an overall outbuilding area of 90m².

The relevant design principle for outbuildings is as follows:

Design Principle	Officer comment
<p><i>Clause 5.4.3 - Outbuildings</i> <i>P3</i> <i>Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.</i></p>	<p>The outbuilding is proposed to the rear of the lot and therefore does not detract from the streetscape. The scale is consistent with LPP 2.1 and is therefore suitable in its locality.</p>

Local Planning Policy 2.1 (LPP 2.1) - Residential Outbuildings

The Shire adopted LPP 2.1 in January 2013 to complement the provisions of the R-Codes relating to outbuildings to better reflect community expectations.

'Clause 3.5 - Scale of Outbuilding Development' outlines the maximum allowable standards for outbuildings throughout the Shire based on lot size and location. The maximum standards were created to prevent unwanted built form and prescribe standards to prevent excessively large outbuildings being constructed. The table below is applicable to the subject lot.

TOWNSITE	STANDARD	MAXIMUM	PROVIDED
Coastal Townsites 601m ² – 1000m ²	Area Wall Height Overall Height	90m ² 3.6m 5m	90m ² – compliant 3.6m – compliant 4.5m – compliant

The application complies with LPP 2.1 and is located to the rear of the subject lot. The overall design and scale is anticipated in the locality and the setback variation to the rear is appropriate given the location. This is benefitted by those rear adjoining landowners not providing objections to the proposal.

The outbuilding is accessible via Harvey Drive only, which is not proposed to be serviced by a new crossover. The officer notes that, in order to access this portion of the site with a vehicle, an additional crossover is required.

The officer is of the view that the outbuilding is consistent with the provisions of LPP 2.1 and satisfies the design principles of the R-Codes.

Summary

The proposal complies with the provisions of LPP 2.1 and is consistent with the objectives of the zone. The officer therefore recommends that the proposal be approved subject to conditions.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015
Schedule 2 – Deemed provisions

Shire of Gingin Local Planning Scheme No. 9

POLICY IMPLICATIONS

State Planning Policy 7.3 - Residential Design Codes

Local Planning Policy 2.1 - Residential Outbuildings

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure and Development
Objective	3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner
Outcome	3.1 Development New and existing developments meet the Shire's Strategic Objectives and Outcomes
Key Service Area	Building And Planning Permits
Priorities	N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Court

That Council grant Development Approval for an outbuilding and carport at Lot 657 (15) Harvey Drive, Ledge Point subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans unless conditioned otherwise in this approval;
2. This approval is for an outbuilding and carport only as indicated on the approved plans;
3. The finished floor level of the outbuilding must be set at the existing average natural ground level to the satisfaction of the Shire of Gingin;
4. The development shall be serviced by a new crossover from Harvey Drive which is to be designed and constructed to the satisfaction of the Shire of Gingin;
5. The approved outbuilding is to be constructed using new materials and be of a consistent colour scheme;
6. The outbuilding is not to be used for human habitation or any other industrial or commercial use; and
7. Stormwater from all roofed and paved areas shall 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.

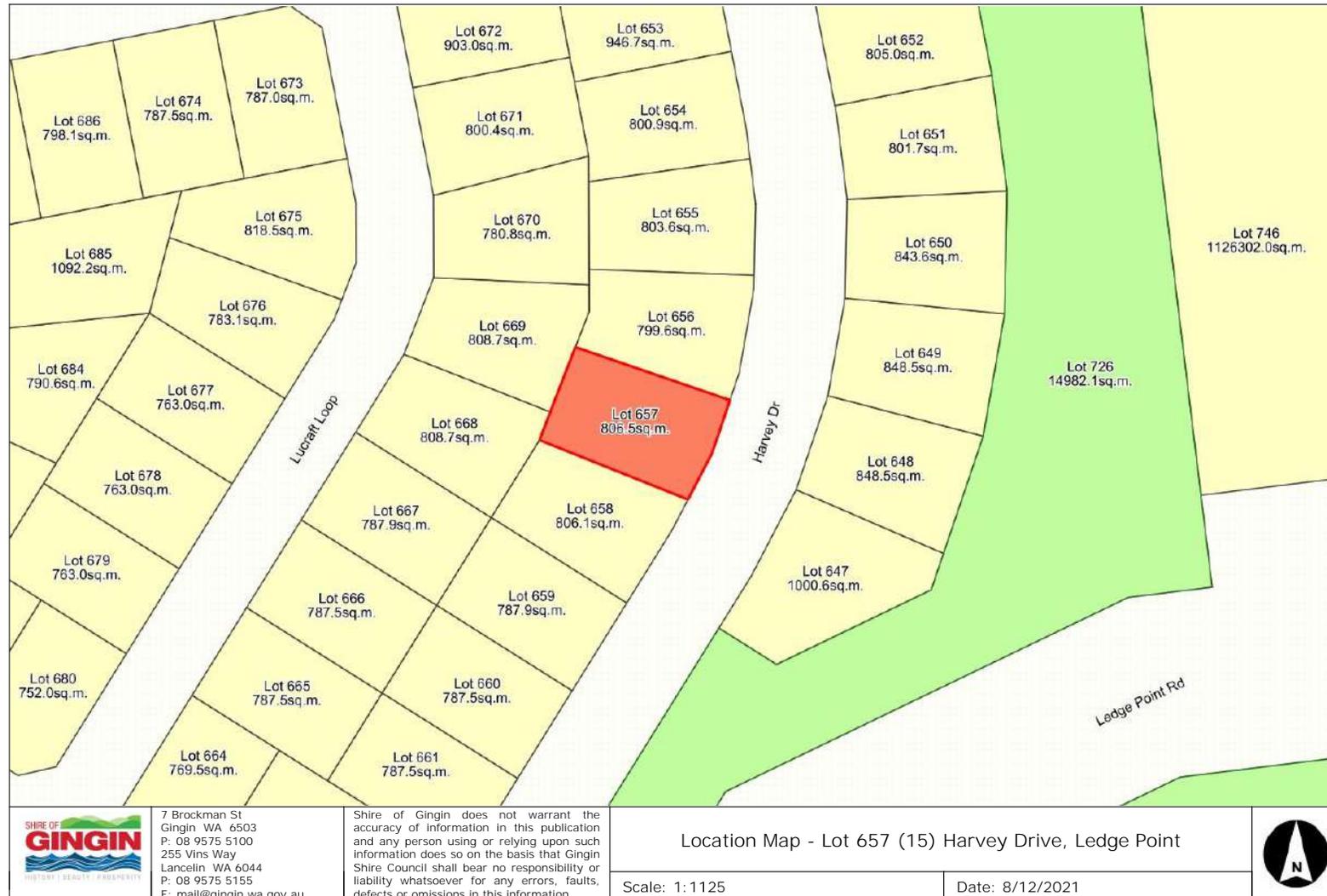
Note 3: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.

Note 4: 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.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



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

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.

Location Map - Lot 657 (15) Harvey Drive, Ledge Point

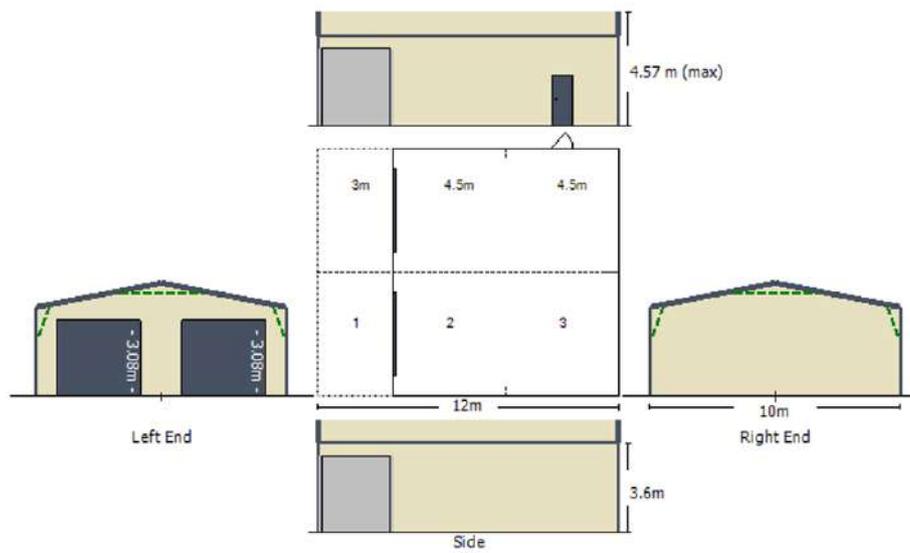
Scale: 1:1125

Date: 8/12/2021





 <p>SHIRE OF GINGIN HISTORY RESILIENCE 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 Map - Lot 657 (15) Harvey Drive, Ledge Point</p>	
		<p>Scale: 1:236</p>	<p>Date: 8/12/2021</p>	



SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

DEVELOPMENT APPLICATION: PROPOSED OUTBUILDING ON LOT 657 (15) HARVEY DRIVE, LEDGE POINT

No.	Submitter	Submission details	Recommended response
1.	Ratepayer	<p>The submitter does not support the proposal and provides the following general comment:</p> <p><i>“The outbuilding proposed is too high (4.5m) and too big (with a roof area of 12m x 10m i.e. 120m²) when roofed patio and shed are considered. From my point of view (literally and figuratively) it is like another 2-storey building on an adjacent block which already has an over height house on it. Considering there are 2-storey building directly to the rear and rear-right of me, I feel that being totally encased would be not in keeping with the ethos of development in this area.”</i></p>	<p>Not support, the outbuilding complies with the provisions of LPP 2.1 and the submitter is provided an 8m setback from the outbuilding within this proposal. The officer has assessed the scale of the outbuilding in the report and with respect to this landowner, there are no impacts.</p> <p>With respect to the submitter’s comments on the existing heights, the subject lot contains a two-storey dwelling that complies with the height provisions of the R-Codes</p>
2.	Ratepayer	<p>The submitter provides the following general comment:</p> <p><i>“1. Habitable/non-habitable building 2. Boundary setback only 0.6m vs. 1.5m 3. Drainage details re. setback distance and boundary integrity and 1 and 2 4. Usage/noise anticipated</i></p> <p><i>Is it just a storage shed vs. workshop/machinery?”</i></p>	<p>Noted.</p> <p>1. Outbuildings are non-habitable, conditions are enforced to that affect.</p> <p>2. The lot boundary setback variation is suitable as discussed in the officer’s report.</p> <p>3. Stormwater is required to be retained onsite and is included as a condition.</p> <p>4. Outbuildings are for residential storage purposes and not for a commercial or industrial use, this is also included in the conditions.</p>

13.5 SOUTH WEST NATIVE TITLE SETTLEMENT - LAND BASE CONSULTATION

File	CPT/2
Author	Kylie Bacon - Coordinator Strategic Planning & Projects
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	16 November 2021, Item 13.5
Appendices	1. 180122 PIN 986141 [13.5.1 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider a proposal for the transfer of Lot PIN 986141 Red Gully identified in Table 1 (below) and on the location plan in **Appendix 13.5.1** to the Noongar People under the South West Native Title Settlement (the Settlement).

BACKGROUND

The State of Western Australia has committed to allocating up to 320,000 hectares of Crown land to the Noongar People to create the Noongar Land Estate, in accordance with the six registered Indigenous Land Use Agreements (ILUA) for the Settlement. The ILUAs were registered at the Native Title Tribunal on 17 October 2018 and required legal processes are occurring.

The Department of Planning, Lands and Heritage (DPLH) is responsible for undertaking an identification and assessment process for land parcels within the boundaries of the Settlement. This process includes referring land to relevant agencies for comment. Whilst awaiting conclusive registration and the subsequent date upon which the Settlement becomes effective, DPLH is undertaking necessary referrals to ensure that land parcels as identified by the Noongar People are made ready for transfer.

A small portion of the subject lot (south of the Moore River boundary) lies within the Shire of Gingin with the remaining portion being within the Shire of Dandaragan (SoD). The portion of the lot within the Shire of Gingin is zoned Parks and Recreation under the Shire of Gingin's Local Planning Scheme No. 9 (LPS 9). The SoD, in a report to their Council dated 23 September 2021, advises the following with respect to its zoning.

The Regans Ford parcel of land is zoned 'Rural' under their Scheme, as such consideration is to be given to Table 1 – Zoning Table of the Scheme for the various land uses currently capable of development approval for this lot. Rezoning to accommodate development proposals may be required.

With respect to land rates, it should be noted that land rates may apply to the subject lot (in conjunction/discussion with the Shire of Dandaragan). Organisations seeking exemption from rates in accordance with section 6.26 of the *Local Government Act 1995* (the Act) are required to make application in writing. If freehold land is used for a commercial purpose or leased for a commercial enterprise, it will not be exempt from rates.

COMMENT

Table 1 below outlines the lot particulars, LPS 9 zoning and any environmental considerations.

Lot Details	Area (Hectares)	LPS 9 Zoning	Environmental Considerations
PIN 986141 Red Gully	33.03	*Parks and Recreation	Riparian Vegetation Bush Fire Prone Area

**Local Planning Policy (LPP 1.4) Foreshore Reserves along water courses is also applies which its objective is to protect the margins and foreshores of water courses from future development.*

DPLH Questions

- 1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?**

The above question will be addressed as part of Council's resolution.

- 2. Does the Shire have any interest in the land?**

No.

- 3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection?**

No.

- 4. Is the land parcel subject to any mandatory connection to services?**

Not applicable to this portion of the lot.

- 5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?**

There are no identified future proposals for the portion of the lot within the boundaries of the Shire of Gingin.

6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?

Surrounding land could be developed in accordance with its zoning under LPS 9. It should also be noted that some of the surrounding land may be subject to the omnibus local planning scheme review, which may affect their current zoning. The omnibus scheme review is currently being undertaken.

7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

There are no proposed planning scheme amendments that may affect the zoning of the land located within the Shire of Gingin.

8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

None known.

Summary

As mentioned above, the northern portion of the subject lot is located within the SoD. At the SoD's 23 September 2021 Ordinary Council Meeting, Council resolved to endorse the transfer of the lot under the South West Native Title Settlement. It is therefore recommended that transfer to the Settlement of the portion of the lot located within the Shire of Gingin also be supported.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015
Local Planning Scheme No. 9

POLICY IMPLICATIONS

State Planning Policy 3.7 Planning in Bushfire Prone Areas
Shire of Gingin Local Planning Strategy 2012

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure and Development
Objective	3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner.
Outcome	3.1 Development of new and existing developments meet the Shire's Strategic Objectives and Outcomes
Key Service Area	Building And Planning Permits
Priorities	NA

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Vis

That Council support the transfer of Lot PIN 986141 Red Gully (as depicted in Appendix 13.5.1) to the Noongar People under the South West Native Title Settlement.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



Land south of black border (Moore River) is within the Shire of Gingin, to the north is within the Shire of Dandaragan.

14 REPORTS - OPERATIONS AND ASSETS

14.1 RESTRICTED ACCESS VEHICLES (RAV) – NETWORK RAV 7, TRI DRIVE D4, PBS 42M AMMS LEVEL 3 ON HUNTER ROAD, ORANGE SPRINGS

File	RDS/10
Author	Danica Todd – Operations Support Officer
Reporting Officer	Vanessa Crispe – Executive Manager Operations and Assets
Refer	Nil
Appendices	1. RAV Application [14.1.1 - 7 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an application from Main Roads WA (MRWA) regarding the use of Restricted Access Vehicles (RAV) – Network RAV 7, Tri Drive D4, PBS 42m AMMS level 3 on Hunter Road, Orange Springs.

BACKGROUND

A RAV application has been received from MRWA seeking approval to use Network PBS TD4, AMMS Level 3 Vehicles on Hunter Road from Brand Highway 0.00 to the end of Hunter Road, being 9.74km. The first 6.03km of Hunter Road (the east-west section) is in the Shire of Dandaragan and will be subject to that local government's assessment in the first instance. The ensuing 3.57km of Hunter Road that is constructed is located in the Shire of Gingin. The remaining section of Hunter Road is an unconstructed road reserve with a four-wheel drive track in banksia woodland sand.

A Network PBS TD4, AMMS Level 3 RAV is a heavy vehicle combination consisting of a Tri Drive Prime Mover and semi-trailer towing a two axle dog trailer. This combination is permissible up to a length of 42 metres and a gross weight of not more than 153 tonnes.

Council Policy 7.6 Road Transport – Restricted Access Vehicles (RAV), Part 2 relates to the approval of Concessional Loading (AMMS) applications and states:

2. Concessional Loading (Accredited Mass Management Scheme)

All Concessional Loading applications through the HVS Accredited Mass Management Scheme (AMMS) shall be assessed and taken to Council for consideration.

It is a requirement of RAV operators that, first and foremost, approval must be gained from the local government before applying to Main Roads WA Heavy Vehicle Services (HVS) for a permit.

Concept design drawings including location showing the proposed route are attached as **Appendix 14.1.1**

COMMENT

The constructed portion of Hunter Road is currently an unsealed road with the following standards:

- Very thin gravel pavement (less than 100mm in depth on all sections and most areas less than 50mm of gravel) for the 9.6km constructed length of the road.
- The current surface from Brand Highway to the western extremity is very rough and potholed after the January 2021 bushfire that ravaged this area.
- The width of the pavement ranges from 4m to 6m.
- The Shire has only repaired pavement failures on this road over the last ten years.
- The date of the installation of the road or it's last renewal (resheet) is unknown.

The current condition of Hunter Road (pavement condition and width of pavement) in the Shire of Gingin would not be able to accommodate the traffic proposed by this application at this point in time.

There are no identified issues to date with Hunter Road regarding stacking distances (distance from railway crossings to intersections not being sufficient to stop a RAV combination). There are issues with horizontal curves, vertical curves and sight distances within the Shire of Gingin section of Hunter Road that would require attention.

Consideration must, however, be given to the extra wear on the pavement due to the additional 74 tonnes per combination (increase of 93.67%). The additional weight per axle will increase deterioration of the road leading to higher maintenance costs, decrease in the pavement's useful life, and premature replacement of the asset.

The road was designed based on the current demand, environment and expected level of service. Furthermore, the Shire of Gingin does not receive any additional grant funding to deal with PBS and/or AMMS approvals and resulting increased deterioration of local government assets.

The Shire may impose conditions on the PBS and AMMS application should it be approved, and HVS recommends that a 'CA07' condition (requiring that a letter from the local government must be carried in the vehicle at all times and be presented on request) be imposed on all AMMS approvals.

As the Shire of Gingin has an annual renewal process for RAV (and AMMS) applications, this gives the Shire a control mechanism whereby if the pavements deteriorate at a rate that is deemed to be too rapid by Shire Officers, then the AMMS can be removed by not approving the AMMS application the following year. All RAV and AMMS approvals expire on 30 June annually with pavements being assessed at the time of renewal.

It is recommended that the application not be supported, based on the current condition of Hunter Road, and given that there are no formal agreements with any parties to contribute to the upgrading and/or maintenance of the road to a suitable standard.

Any agreement that may be entered in to with any parties in the future in this regard should be undertaken in consultation with the Shire of Dandaragan to ensure that the agreement/s are the same or similar in nature for the entire length of the road.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Approval of this application would potentially result in significantly increased maintenance costs for this section of road proportionate to the increase in traffic volume.

STRATEGIC IMPLICATIONS

<i>Focus Area</i>	Infrastructure and Development
<i>Objective</i>	3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner
<i>Outcome</i>	3.2 Community Infrastructure The Shire provides fit for purpose community infrastructure in a financially responsible manner.
<i>Key Service Areas</i>	Community Infrastructure
<i>Priorities</i>	N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Balcombe

That Council:

1. Refuse the application from Main Roads WA for the use of Restricted Access Vehicles (RAV) – Network RAV 7, Tri Drive D4, PBS 42m AMMS level 3 on the portion of Hunter Road, Orange Springs; within the Shire of Gingin; and
2. Advise Main Roads WA that it may be prepared to reconsider the application if and when a formal Deed of Agreement is entered into between the Shire of Gingin, Shire of Dandaragan and the relevant landowner (origin of RAV traffic) with respect to contributions towards the upgrading and/or maintenance of the road.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



**Application and Road Owner Support to Add or Amend
a Road on a Restricted Access Vehicle Network**

Main Roads Heavy Vehicle Services will consider adding a road to the Restricted Access Vehicle (RAV) Network provided support from the relevant road owner is obtained. This application must be completed by the applicant and forwarded to Main Roads who will liaise directly with the relevant road owner to ensure they have no objections to the access.

Applicant Details

Operator Name / Company	QUBE / Desameja Pty Ltd		
Contact Name	David Howell	Contact Phone Number	
Mobile Phone Number	0407 435 503	Contact Fax Number	
Email Address	dsmjhowell@outlook.com		

RAV Networks to be assessed

Tandem Drive RAV Categories 2-10 Refer to the **Prime Mover, Trailer or Truck, Trailer** operating conditions for approved combinations on our website.

RAV 7.3 PBS 42m

Tri Drive Categories 1-5 Refer to the **Tri Drive Prime Mover, Trailer or Tri Drive Truck, Trailer** operating conditions for approved combinations on our website.

RAV 4.3 PBS 42m

Other Categories (i.e. Oversize Road Train) Refer to the operating conditions of the particular **Permit Product** for approved combinations on our website

Concessional Networks to be assessed

Vehicle combinations operating on Level 1 must only operate on the relevant RAV Network that is permitted for the equivalent vehicle combination under the Prime Mover, Trailer or Truck, Trailer Combinations.

For Concessional Levels 2 and 3 please select the relevant category below

Requested Axle Mass Level	Requested Axle Mass Level	
	Tandem Axle Group	Tri Axle Group
Level 1	17.0t	21.5t
Level 2	17.0t	22.5t
Level 3	17.5t	23.5t

Tandem Drive Concessional RAV Categories 2-10 Refer to the **AMMS Page** for approved combinations.

Tri Drive Concessional Categories 1-5 Refer to the **AMMS Page** for approved combinations.

Roads to be assessed Please list all requested roads where RAV Access is required (including start and end points) and attach maps.

Brand Hwy and Hunter Road,
Shire of Dandaragan





Application and Road Owner Support to Add or Amend a Road on a Restricted Access Vehicle Network

Main Roads will liaise directly with the relevant road owner to complete this section.

Road Owner	<input type="text"/>		
Road Name	<input type="text"/>	Road Number	<input type="text"/>

Contact Details			
Contact Name	<input type="text"/>	Position	<input type="text"/>
Contact Phone Number	<input type="text"/>	Contact Fax Number	<input type="text"/>
Mobile Phone Number	<input type="text"/>	Email Address	<input type="text"/>

Required Traffic Data
Please provide the AADT, Speed Limit and if the road is on a School Bus Route. If the application is for more than one road, please provide the AADT, speed limit and if the roads are on a School Bus Route for each road in comments box provided below.

Posted Speed Limit **School Bus Route?** Yes No

AADT
Annual Average Daily Traffic is determined by the total yearly two-way traffic volume divided by 365, expressed as vehicles per day(VPD). Please tick box below.

<input type="radio"/> 0 to 15 vpd	<input type="radio"/> 16 to 30 vpd	<input type="radio"/> 31 to 50 vpd	<input type="radio"/> 51 to 75 vpd	<input type="radio"/> 75 to 150 vpd	<input type="radio"/> 150 to 500 vpd	<input type="radio"/> 500 to 1000 vpd	<input type="radio"/> 1000+ vpd
-----------------------------------	------------------------------------	------------------------------------	------------------------------------	-------------------------------------	--------------------------------------	---------------------------------------	---------------------------------

Comments: Please detail any community concerns, required conditions and other relevant information.
If RAV access is endorsed, as the road owner please specify any access conditions that you would like Main Roads to consider (i.e. No operation on unsealed road when visibly wet, without road owner's approval, Headlights to be switch on at all times etc.)
If RAV access is not endorsed please provide reasoning behind your decision.
NOTE - If condition CA07 (Current written support from the Road Asset Owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.) is required, the road owner is responsible for the administration of condition CA07.

Road Owner Support
As the road owner you are required to conduct a preliminary assessment of the requested road/s to ensure there are no obvious issues that would deem RAV access unsuitable.

I On behalf of
support the above decisions, subject to Main Roads final approval.

Signature _____ Date

Email completed form to: hvsrouteassessments@mainroads.wa.gov.au
Heavy Vehicle Services Main Roads WA
 PO Box 374 | WELSHPOOL DC | WA 6986 | Telephone 138 HVO (486) | Fax (08) 9475 8455
www.mainroads.wa.gov.au



**Application and Road Owner Support to Add or Amend
a Road on a Restricted Access Vehicle Network**

Main Roads Heavy Vehicle Services will consider adding a road to the Restricted Access Vehicle (RAV) Network provided support from the relevant road owner is obtained. This application must be completed by the applicant and forwarded to Main Roads who will liaise directly with the relevant road owner to ensure they have no objections to the access.

Applicant Details

Operator Name / Company	Pro Ten Western Australia Pty Ltd		
Contact Name	Raymond Rachmat	Contact Phone Number	08 64610744
Mobile Phone Number		Contact Fax Number	
Email Address	Raymond.Rachmat@cardno.com.au		

RAV Networks to be assessed

Tandem Drive RAV Categories 2-10 Refer to the **Prime Mover, Trailer or Truck, Trailer** operating conditions for approved combinations on our website.

RAV 4 ▼

Tri Drive Categories 1-5 Refer to the **Tri Drive Prime Mover, Trailer or Tri Drive Truck, Trailer** operating conditions for approved combinations on our website.

▼

Other Categories (i.e. Oversize Road Train) Refer to the operating conditions of the particular **Permit Product** for approved combinations on our website

▼

Concessional Networks to be assessed

Vehicle combinations operating on Level 1 must only operate on the relevant RAV Network that is permitted for the equivalent vehicle combination under the Prime Mover, Trailer or Truck, Trailer Combinations.

For Concessional Levels 2 and 3 please select the relevant category below

Tandem Drive Concessional RAV Categories 2-10 Refer to the **AMMS Page** for approved combinations.

▼

Tri Drive Concessional Categories 1-5 Refer to the **AMMS Page** for approved combinations.

▼

Requested Axle Mass Level		
	Tandem Axle Group	Tri Axle Group
Level 1	17.0t	21.5t
Level 2	17.0t	22.5t
Level 3	17.5t	23.5t

Roads to be assessed Please list all requested roads where RAV Access is required (including start and end points) and attach maps.

Brand Hwy and Hunter Road,
Shire of Dandaragan





Application and Road Owner Support to Add or Amend a Road on a Restricted Access Vehicle Network

Main Roads will liaise directly with the relevant road owner to complete this section.

Road Owner	<input type="text"/>		
Road Name	<input type="text"/>	Road Number	<input type="text"/>

Contact Details

Contact Name	<input type="text"/>	Position	<input type="text"/>
Contact Phone Number	<input type="text"/>	Contact Fax Number	<input type="text"/>
Mobile Phone Number	<input type="text"/>	Email Address	<input type="text"/>

Required Traffic Data

Please provide the AADT, Speed Limit and if the road is on a School Bus Route. If the application is for more than one road, please provide the AADT, speed limit and if the roads are on a School Bus Route for each road in comments box provided below.

Posted Speed Limit School Bus Route ? Yes No

AADT

Annual Average Daily Traffic is determined by the total yearly two-way traffic volume divided by 365, expressed as vehicles per day(VPD). Please tick box below.

0 to 15 vpd
 16 to 30 vpd
 31 to 50 vpd
 51 to 75 vpd
 75 to 150 vpd
 150 to 500 vpd
 500 to 1000 vpd
 1000+ vpd

Comments:

Please detail any community concerns, required conditions and other relevant information.
 If RAV access is endorsed, as the road owner please specify any access conditions that you would like Main Roads to consider (i.e. No operation on unsealed road when visibly wet, without road owner's approval, Headlights to be switched on at all times etc.)
If RAV access is not endorsed please provide reasoning behind your decision.
 NOTE - If condition CA07 (Current written support from the Road Asset Owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.) is required, the road owner is responsible for the administration of condition CA07.

Road Owner Support

As the road owner you are required to conduct a preliminary assessment of the requested road/s to ensure there are no obvious issues that would deem RAV access unsuitable.

I On behalf of
 support the above decisions, subject to Main Roads final approval.

Signature _____ Date

Email completed form to: hvsrouteassessments@mainroads.wa.gov.au
Heavy Vehicle Services Main Roads WA
 PO Box 374 | WELSHPOOL DC | WA 6986 | Telephone 138 HVO (486) | Fax (08) 9475 8455
www.mainroads.wa.gov.au



THE ORIGINAL OF THIS DRAWING WAS PRODUCED USING COLOUR SEPARATION FOR GREATER CLARITY. WORKING WITH BLACK AND WHITE COPY MAY CAUSE ERRORS.

THIS DRAWING IS SUBJECT TO ALTERATION

UNSIGNED DRAWING

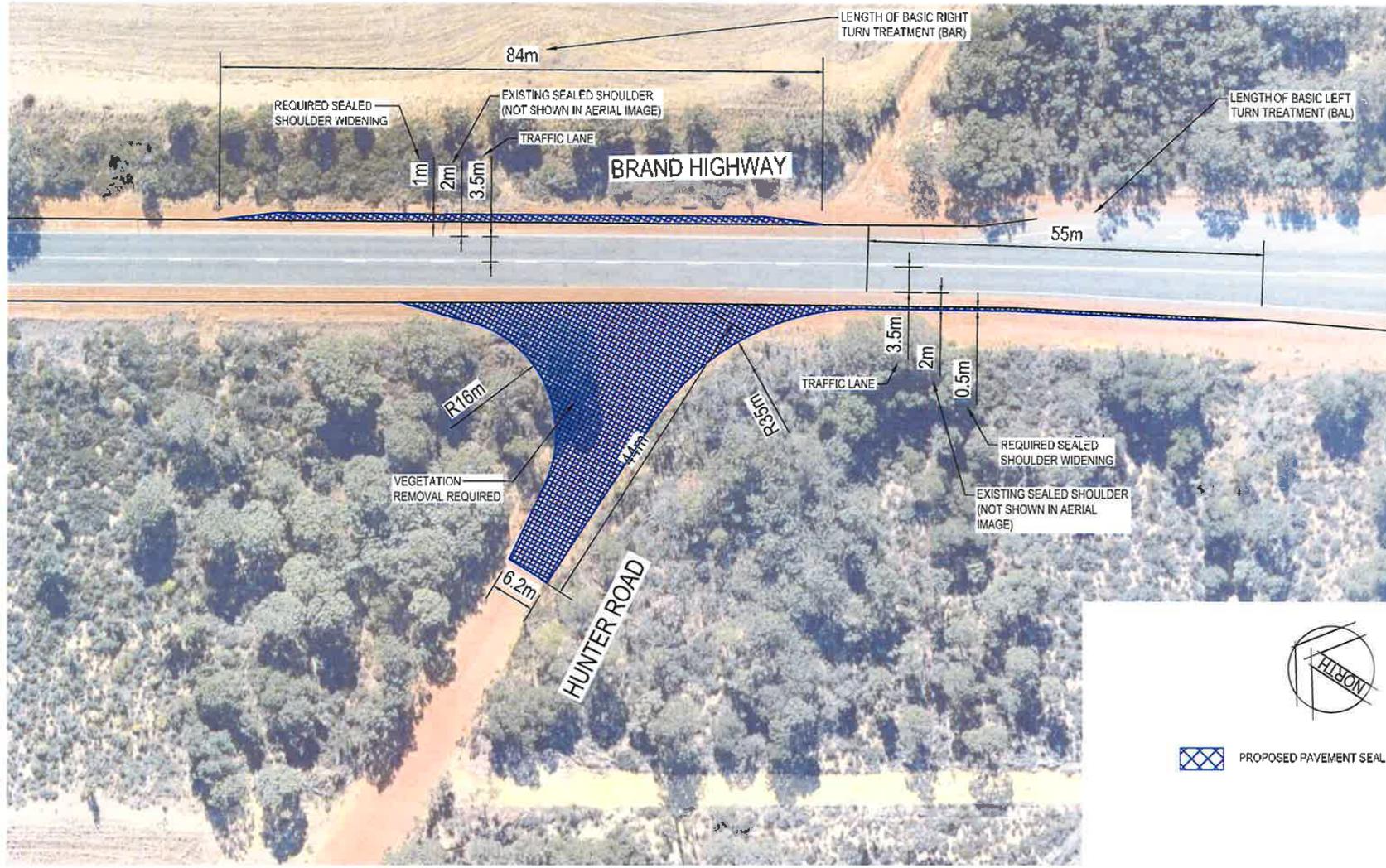
SKETCH-02

- NOTES**
1. THIS IS A CONCEPT SKETCH AND IS FOR DISCUSSION PURPOSES ONLY. IT MUST NOT BE USED FOR CONSTRUCTION.
 2. REFER TO MAIN ROADS GUIDELINE DRAWING 2016-21-0001-3.
 3. THE CADASTRAL BOUNDARY AND ANY LAND TAKE REQUIREMENTS WILL NEED TO BE CONFIRMED AT THE NEXT DESIGN PHASE. THE BOUNDARY LOCATION SHOULD ONLY BE TAKEN AS AN APPROXIMATE.
 4. ALL PAVEMENT MARKINGS SHOWN IS INDICATIVE ONLY. PAVEMENT MARKING TO BE DETERMINED AT PRELIMINARY DESIGN.
 5. SIGNAGE SHOWN IS INDICATIVE ONLY TO BE DETERMINED AT PRELIMINARY DESIGN.
 6. SERVICE RELOCATION (IF ANY) TO BE DETERMINED AT PRELIMINARY DESIGN.
 7. DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.

LEGEND

CADASTRAL BOUNDARY

<p>CONCEPT DESIGN DRAWING</p>	<p>METADATA</p>		<p>DESIGNED: S INGRAM DRAWN: S INGRAM DATE: JUNE 2021 SCALE: 1:1000</p>	<p>BRAND HIGHWAY - HUNTER ROAD T - INTERSECTION SLK 77-4 PLAN LAYOUT SHEET 1</p>
	<p>GROUND SURVEY STANDARD: N/A DATE OF CAPTURE: N/A MAPPING SURVEY STANDARD: DANDARAGAN 2017 DATE OF CAPTURE: N/A MAIN ROADS PROJECT ZONE: DANDARAGAN2020 HEIGHT DATUM: N/A</p>	<p>EASTERN ROAD Tasmania 684 9954 031</p>		



CONSULTING ENGINEER: MURRAY BRIDGES
 50/150 GARDNER STREET, PERTH WA 6000
 TEL: 08 9447 1000 FAX: 08 9447 1001
 www.murraybridges.com.au



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PROTEN WA
 LOT M1254 HUNTER ROAD
 BRAND HIGHWAY & HUNTER ROAD INTERSECTION
 INDICATIVE UPGRADE REQUIRED

Date
 14.05.2021
 Drawing Number
 CW1176500-TR-SK001

Scale
1:500

Sheet
 A3
 Revision
 A

14.2 UNBUDGETED EXPENDITURE - CULVERT REPAIRS WANNAMAL ROAD WEST

File	RDS/25; FIN/46-2122
Reporting Officer	Vanessa Crispe - Executive Manager Operations and Assets
Refer	N/A
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider amending the adopted 2021/22 Budget to allow for repairs to a flood way crossing on Wannamal Road West.

BACKGROUND

On Thursday 30 December 2021 a report was received with reference to a hole in the middle of the road due to a culvert breaking through resulting in a section of Wannamal Road West becoming unsafe for traffic. Police attended to the area and Shire staff installed safety signs reopening the road to a single lane only.

Wannamal Road West is currently constructed to a sealed standard for a length of approximately 10km from Brand Highway. The remaining section of road to Mindarra Farm is unsealed to a gravel standard. Over the last six financial years (2013/14 to 2020/21), the annual maintenance cost for the unsealed section of Wannamal Road West has been \$2,462 per kilometre per annum (fifth highest cost across the Shire) and in that same period the annual maintenance cost for the sealed section of Wannamal Road West has been \$317 per kilometre per annum (all excluding GST), which is about middle of the field.

COMMENT

Upon inspection of the flood way in January 2022 it was confirmed that the existing culverts are deteriorating and require immediate replacement. On inspection further restrictions have been applied including a weight limit due to the severity of the condition of this asset. Recently due to reports and requests a gravel detour has been put in place for heavy vehicles to pass as a temporary measure only. The entire flood way consisting of a mixture of box culverts and round culverts measuring 9.8m wide (road width) and 11m in length requires replacement.

Culverts are important hydraulic structures used to convey water across a road corridor or in one of a range of other situations. Culverts must be designed to convey this flow in an acceptable way, considering the hydraulic conditions and the required performance (level of flood immunity) of the road.

The road network is increasingly subjected to vehicles carrying heavy loads, including a significant increase in the number of vehicles due to the recent Transfer Station currently been installed on Wannamal Road South.

We currently do not have allocated funds in the 2021/22 budget to undertake replacement of the asset. There has been some direct cost savings encountered with the current budgeted Capital Roadworks Program. These savings have been outlined in the table below:

Acct No.	Description	Budget (direct costs)	Actual (direct costs)	Variance
141201420	Mimegarra Road (Capital) resheet	\$350,741	\$210,000	\$140,741
TOTAL				\$140,741

These savings provide more than enough funds to finance the replacement of the floodway crossing on Wannamal Road West. The \$350,741 in funds budgeted for this project are made up of \$168,000 Local Roads and Community Infrastructure Program (C/wealth) funds and \$182,000 Council contribution. Given that the Mimegarra Road project has been completed significantly under budget, it is proposed that the 2021/22 budget be amended as per the table below to fund the Wannamal Road West works.

Acct No.	Description	Current Budget	Revised Budget	Surplus/Deficit
141201420	Mimegarra Road resheet	\$350741	\$210000	\$140,741
NEW	Wannamal Road West Floodway replacement	\$0	-\$140,741	-\$140,741
Net Effect				NIL

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

s. 6.8 Expenditure from municipal fund not included in annual budget

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

If the funding contribution for the Wannamal Road West floodway crossing works were to be endorsed by Council, a budget amendment would be required and it is proposed to be as per the table below:

Acct No.	Description	Current Budget	Revised Budget	Surplus/Deficit
141201420	Mimegarra Road resheet	\$350741	\$210000	\$140,741
NEW	Wannamal Road West Floodway replacement	\$0	-\$140,741	-\$140,741
Net Effect				NIL

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Infrastructure and Development
Objective	3 – To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner.
Outcome	3.2 Community Infrastructure The Shire provides fit for purpose community infrastructure in a financially responsible manner.
Key Service Area	Community Infrastructure
Priorities	N/A

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel **SECONDED:** Councillor Court

That Council:

1. Approve unbudgeted expenditure of \$140,741 (excluding GST) for the culvert repairs to Wannamal Road West.
2. Agree to amend the adopted 2021/22 budget as per the table below:

Acct No.	Description	Current Budget	Revised Budget	Surplus/Deficit
141201420	Mimegarra Road resheet	\$350741	\$210000	\$140,741
NEW	Wannamal West Road Floodway replacement	{resolution}	-\$140,741	-\$140,741
Net Effect				NIL

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 COUNCILLORS' OFFICIAL REPORTS

Nil

17 NEW BUSINESS OF AN URGENT NATURE

Nil

18 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule SECONDED: Councillor Balcombe

That Council move into a Confidential Session to discuss Item 18.1.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

The meeting was closed to the public at 3.50pm and all members of the public present in the Gallery, together with R Kelly (Executive Manager Regulatory and Development Services), J Bayliss (Coordinator Statutory Planning) and K Bacon (Coordinator Strategic Planning and Projects) left Council Chambers.

18.1 ASSIGNMENT OF SUBLEASE - PORTION OF LOT 500 JONES STREET, GINGIN (GINGIN RAILWAY STATION)

File	CPT/90
Author	Les Crichton - Executive Manager Corporate and Community Services
Reporting Officer	Les Crichton - Acting Chief Executive Officer
Refer	20 July 2021, Item 12.1

Reasons for Confidentiality

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- c. a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Sorensen SECONDED: Councillor Vis

That Council:

1. Consent to the assignment of the sublease of portion of Lot 500 Jones Street, Gingin from Lovela Dela Cruz to Teresa Helm.
2. Subject to Notice of Consent from the Minister of Lands and National Trust of Western Australia, authorise the Chief Executive Officer to prepare and execute the Deed of Assignment including application of the Common Seal.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe **SECONDED:** Councillor Court

That the meeting be re-opened to the public.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

The meeting re-opened to the public at 3.51pm. No members of the public returned to the Gallery.

19 CLOSURE

There being no further business, the Shire President declared the meeting closed at 03:52pm.

The next Ordinary Council Meeting will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on 15 February 2022, commencing at 3:00pm.