



MINUTES

Ordinary Council Meeting

19 October 2021

CONFIRMATION OF MINUTES

These Minutes have been CONFIRMED by Council as the official record for the Shire of Gingin's Ordinary Council Meeting held on 19 October 2021.



**Councillor C W Fewster
SHIRE PRESIDENT**

Date of Confirmation: 16 November 2021

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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19 OCTOBER 2021**



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ORDER OF BUSINESS

1 DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 03:17 pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – C W Fewster, J K Rule, L Balcombe, J Court, F J Johnson, E Sorensen, R Kestel, F J Peczka and A R Vis.

Staff – A Cook (Chief Executive Officer), L Crichton (Executive Manager Corporate and Community Services), R Kelly (Executive Manager Regulatory and Development Services), K Bacon (Coordinator Planning Projects), J Bayliss (Coordinator Statutory Planning) L Burt (Coordinator Governance), M Tallon (Statutory Planning Officer), M Wallace (Communications and Marketing Officer) and E Mackey (Governance Support Officer/Minute Officer)

Gallery – There were 3 members of the public present in the Gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3 ELECTION OF SHIRE PRESIDENT AND DEPUTY SHIRE PRESIDENT

3.1 ELECTION OF SHIRE PRESIDENT

Schedule 2.3, Division 1 of the *Local Government Act 1995* requires that an election be conducted for the position of Shire President as the first item of business at the first meeting of Council following an ordinary local government election.

The Chief Executive Officer is to preside at the meeting until the office of Shire President is filled and is to act as Returning Officer for the electoral process.

The election must be conducted by the Chief Executive Officer in accordance with the prescribed procedure.

In essence, the election will be conducted as follows:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief Executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.
2. If a Councillor is nominated by another Councillor, then the Chief Executive Officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count then the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.
8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.

10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.

The result will be declared by the Chief Executive Officer. The successful candidate will be called upon to make their Declaration of Office and will then assume the Chair as Presiding Member for the remainder of the meeting.

The Chief Executive Officer advised that he had received one nomination for the position of President, being for Councillor Fewster. The Chief Executive Officer then called for any further nominations.

There being no further nominations, the Chief Executive Officer declared Councillor Fewster elected unopposed to the position of President of the Shire of Gingin for a two year term ending at the October 2023 local government elections.

Councillor Fewster made his Declaration of Office before Mrs Margaret Greenwell JP and assumed the Chair at 3:20 pm

3.2 ELECTION OF DEPUTY SHIRE PRESIDENT

Schedule 2.3, Division 2 of the *Local Government Act 1995* requires that an election be conducted for the position of Deputy Shire President as the next item of business after the election of the Shire President at the first meeting of Council following an ordinary local government election.

The election must be conducted in accordance with the procedure prescribed by the Shire President, as follows, with the Chief Executive Officer acting as Returning Officer:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief Executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.
2. If a Councillor is nominated by another Councillor, then the Chief Executive Officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing

- a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
 5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
 6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count then the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
 7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.
 8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
 9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.
 10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.

The result will be declared by the Returning Officer. The successful candidate will be called upon to make their Declaration of Office and will then assume the seat reserved for the Deputy Shire President.

The Chief Executive Officer advised that he had received two nominations for the position of Deputy Shire President, being for Councillor Rule and Councillor Vis. He then called for further nominations.

No further nominations being received, the Chief Executive Officer advised that an election would be conducted for the position of Deputy Shire President of the Shire of Gingin, in accordance with Schedule 2.3 of the Local Government Act 1995.

Both candidates confirmed that they were happy for names to appear on the ballot paper in alphabetical order. Ballot papers were prepared in accordance with Schedule 10 of the

Local Government (Elections) Regulations 1997 and issued to all Councillors. Once all votes had been cast, a count of ballot papers was conducted, with the following result being declared:

- 1. Councillor Rule – 5 votes*
- 2. Councillor Vis – 4 votes.*

The Chief Executive Officer accordingly declared Councillor Rule elected to the Office of Deputy Shire President of the Shire of Gingin for a term of two years, expiring at the October 2023 local government elections.

Councillor Rule, having been elected to the position of Deputy Shire President of the Shire of Gingin, made his declaration of office before Mrs Margaret Greenwell JP.

4 ALLOCATION OF COUNCILLOR SEATING

Clause 7.1 of the Shire of Gingin Meeting Procedures Local Law 2014 states as follows:

- (1) Seating arrangements for members at council meetings are to be determined -
 - (a) at the first council meeting after each ordinary election day -
 - (i) by member consensus; or*
 - (ii) in the absence of member consensus, by the CEO allotting, by random draw, a position at the Council table to each member; and**
 - (b) at any time, by a council resolution.**
- (2) During a council meeting, a member must sit only in the seat allocated to him or her under subclause (1).*

Following previous elections, it has been customary for any new Councillors to occupy the seats of outgoing Councillors.

Councillors will be requested to indicate their satisfaction with the current seating positions. If a consensus cannot be reached, then a draw will be conducted by the Chief Executive Officer to allocate seating in the Council Chambers.

Once seating positions have been determined, Councillors will continue to occupy the same position at all meetings of Council until such time as there is a call by a majority of Councillors for a re-allotment of positions, or until the next local government election.

The Shire President sought a consensus from Councillors with respect to proposed seating arrangements.

Consensus was reached and Councillors took their positions within the Council Chambers.

Miranda Wallace left the Council Chambers at 3:28pm.

5 DISCLOSURES OF INTEREST

Aaron Cook (CEO)

Item: 20.1 – CEO Performance Review 2020/21
Interest: Financial
Reason: As the Chief Executive Officer, I have a financial interest in this matter.

6 PUBLIC QUESTION TIME

6.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

6.2 PUBLIC QUESTIONS

Nil

7 PETITIONS

Nil

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Balcombe

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

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*

10 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Deputations

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

Removal of Concession Rate/Application of Intensive Horticulture

Speaker/s: Matt Griffiths

The Deputation was in relation to the removal of concession rate and application of Intensive Horticulture within the Shire of Gingin.

2021 Local Government Elections

Congratulations to Councillors Rule, Johnson, Kestel and Sorensen on their election to Council following the 2021 Local Government Elections held on 16 October 2021.

Gingin 150th Celebrations

Councillor Fewster drew the attention of Council to the following open letter which was circulated following the Gingin 150th Anniversary event held on 9 October 2021:

On behalf of Council, I would like to offer my congratulations to the Project Team, sponsors, volunteers and the community of Gingin on the occasion of your 150th Anniversary for the township of Gingin.

The 150th event, held in honour of the town ship of Gingin and it's community, was simply a marvellous example of community spirit and hard work. In Western Australia only a small handful of communities have reached this momentous milestone. The 150th aimed to showcase the long and rich history of Gingin and what it means to be a resident of Gingin today with the event featuring many different activities. From the local produce to the history displays (showcasing Gingin's strong pioneering stories and links to both the metro area, coast and with the Yuat Nation just to name a few) to lost trade demonstrations, competitions, live entertainment, market stalls, fireworks and more – this event exceeded all expectations.

It is an absolute credit to the Project Team that was formed just 12 months ago that this event was ultimately so successful. Council and I have heard nothing but wonderful comments from event attendees in relation to the Gingin 150th with a great number expressing their wish to hold an event of this scale annually in Gingin.

Council and I would specifically like to acknowledge the Project Team who have worked so hard on this event over the past year. Our thanks to Aaron Crofts, Carolyn Brodie-Hall,

Carrie Edwards, Dianne Miller, Kerry Fewster, Rachael Brown, Robert Brodie-Hall, Robert Kestel and Robyn Kapor. I would personally like to also acknowledge my fellow Councillors who were part of the Project Team – Cr Kim Rule and Cr Linda Balcombe and also Shire staff Amy Gibbs (Team Leader), Meredith Taylor and Miranda Wallace. All involved committed to undertaking countless hours of work behind the scenes in order to ensure the success of this event so my congratulations and thanks to your all.

To the many other Shire staff that also assisted in the preparation and running of this event – my thanks to you. From the various garden and road works undertaken by the Operations team prior to and during the event to the direction of traffic and support to the main project team by Administration staff on the day of the event – none of this would have been possible without your support.

To the team at Hills Billy Cart Inc, Shalom House, the community volunteers and all the sponsors who contributed to this event – thank you and congratulations. Your contribution made this event a reality for the Gingin community and without your support, it would not have been possible.

To the community of Gingin – Council and I offer our congratulations. The Gingin 150th will go down as a significant event in Gingin's history and no doubt many of you now have special memories of this event.

To our residents in Guilderton, Lancelin, Ledge Point, Seabird and our estates – thank you for your support provided to your fellow community members in Gingin. Council and I look forward to the day that each of you also reach your respective milestones of 100 years and so forth since your gazettal. The events sure to be held then to mark those occasions Council and I are in no doubt will also create many more wonderful memories for our community residents.

Congratulations on your 150th Gingin. I hope that the next 150 years will continue to bring you more terrific community memories and opportunities as the township of Gingin continues to go from strength to strength.

**Cr Wayne Fewster
SHIRE PRESIDENT**

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13 REPORTS - OFFICE OF THE CEO

13.1 PROPOSAL TO ADOPT POLICY 1.44 REGIONAL PRICE PREFERENCE AND DELEGATION 1.23 APPLICATION OF REGIONAL PRICE PREFERENCE POLICY

File	COR/28-1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	N/A
Appendices	<ol style="list-style-type: none">1. Schedule of Submissions [13.1.1 - 1 page]2. Policy 1.44 Regional Price Preference [13.1.2 - 2 pages]3. Delegation 1.23 Application of Regional Price Preference Policy [13.1.3 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider adopting a regional price preference policy.

BACKGROUND

Part 4A of the *Local Government (Functions and General) Regulations 1996* (the Regulations) enables local governments situated outside the metropolitan area to give a regional price preference to regional tenderers.

At its meeting on 17 August 2021, Council gave consideration to a draft regional price preference policy and resolved, as required by r. 24E of the Regulations, to give State-wide public notice of its intention to implement the policy and to invite public submissions for a period of four weeks.

R.24E also specifies that a regional price preference policy cannot be adopted by a local government until it has given consideration to any submissions received in relation to the proposed policy.

COMMENT

The public submission period closed on 8 October 2021, with one submission being received. Details of the submission and Administration's response are provided as **Appendix 13.1.1**.

The draft policy presented to Council at its August meeting, which has been prepared based on the requirements and constraints prescribed by Part 4A of the Regulations (**Appendix 13.1.2**) is therefore submitted for further consideration and adoption.

If adopted, the policy cannot be applied until Statewide public notice has been given of its adoption.

In addition, r.24G of the Regulations specifies that, having adopted a regional price preference policy in relation to a certain type of contract, a local government may choose not to apply the policy to a particular tender in the future. This is a power that can be delegated to the CEO, and an Instrument of Delegation in this regard has been prepared for Council's consideration (**Appendix 13.1.3**).

The proposed Delegation 1.23 Application of Regional Price Preference Policy empowers the CEO to determine whether the Regional Price Preference Policy will be applied to a specific request for tender, provided that an investigation has been undertaken that determines there are no local suppliers (as defined by the policy) able to provide the required goods or services.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government (Functions and General) Regulations 1996
Part 4A Regional price preference

POLICY IMPLICATIONS

In the event that Council is supportive of the Officer's Recommendation, the adopted policy will become Policy 1.44 Regional Price Preference and will be incorporated into Council's publicly available Policy Manual.

In addition, at its meeting on 21 September 2021, Council conducted a review of Section 3 of its Policy Manual and part of the review, agreed to include reference to a regional price preference policy in Policy 3.10 Purchasing. Obviously, this inclusion could not be made until such time as a price preference policy was adopted by Council. Therefore, if the proposed policy is adopted by Council, then cl. 7 of Policy 3.10 will be amended by the inclusion of the following paragraph:

The Shire of Gingin has adopted a Regional Price Preference Policy, which will be applied when seeking quotations or calling for tenders.

BUDGET IMPLICATIONS

While the purpose of the policy is to support local business through pricing, overall expenditure will remain limited to budget provisions.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Economic Development
Objective	4 – To support economic development through the Shire's service delivery
Outcome	4.3 Innovation Innovation is the foundation of economic growth across the Shire
Key Service Area	Economic Development & Tourism Infrastructure
Priorities	Continue to develop policies that support small economic enterprises

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson

SECONDED: Councillor Vis

That Council adopt:

1. Policy 1.44 Regional Price Preference as shown at Appendix 11.1.2, in accordance with r.24F of the *Local Government (Functions and General) Regulations 1996*, and
2. Delegation 1.23 Application of Regional Price Preference Policy as shown at Appendix 11.1.3.

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*

SCHEDULE OF SUBMISSIONS

Proposed Shire of Gingin Regional Price Preference Policy

No.	Submitter	Submission Detail	Officer Comment
1.	Business Owner (Metropolitan Area)	<p><i>I applaud the shire for including the shires of Chittering, Dandaragan and Victoria Plains in region 2 of the proposed policy.</i></p> <p><i>But in discussions about the proposed policy have councillors and the shire's administration taken into account the number of people who own property in the shire's coastal towns who also own businesses in the City of Wanneroo?</i></p> <p><i>Will the council consider including City of Wanneroo businesses in region 2?</i></p>	<p>Regulation 24E(3)(b) of the <i>Local Government (Functions and General) Regulations 1996</i> specifically states that a "Region" for the purposes of a regional price preference policy cannot include any part of the metropolitan area. For that reason, the Shire of Gingin is unable to include any part of the City of Wanneroo within the Regions identified in the proposed policy.</p> <p>However, in accordance with Policy cl. 2 Non-Local Suppliers, businesses in the City of Wanneroo who are submitting a quote or tender to the Shire which includes a proportion of goods and/or services that will be sourced from within the identified Regions can have the policy applied to that component, provided that it is clearly identified in their offer.</p>



POLICY MANUAL

POLICY 1.44 REGIONAL PRICE PREFERENCE

OBJECTIVE

To support local suppliers whilst seeking value for money in purchasing goods and services with public funds and maximising the limited financial resources available to the Shire of Gingin.

As far as can be achieved whilst complying with the Value for Money provisions of the Shire's Purchasing Policy, the Shire of Gingin will:

- a. Consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- b. Consider indirect benefits that have a flow-on effect for local suppliers (ie, servicing and support); and
- c. Avoid bias in the design and specifications for requests for tender and quotations in order to encourage local businesses to bid.

DEFINITIONS

Construction (Building):	Construction (Building) does not include road construction.
Local Supplier:	A supplier who, for more than 6 months prior to the closing date of the tender or quote, has operated a business continuously out of premises in either Region 1 or Region 2.
Region 1:	The area encompassed by the boundaries of the Shire of Gingin.
Region 2:	The area encompassed by the boundaries of the Shires of Chittering, Dandaragan and Victoria Plains.
Regional Pricing Preference:	The amount by which a tender or quotation submitted by a local supplier will be reduced for the purpose of assessing the tender or quotation.

SCOPE

This policy is applicable to all requests for tender or quotations sought by the Shire of Gingin unless it is determined, prior to a particular request for tender or quotation being issued, that the policy will not apply.

POLICY DETAILS

1. Regional Pricing Preferences

The following Regional Pricing Preferences will be applied when considering tenders or quotes received from Local Suppliers.

a. Goods and Services

Region 1: A 10% price preference, to a maximum price reduction of \$50,000 (ex. GST).

Region 2: A 5% price preference, to a maximum price reduction of \$25,000.

b. Construction (Building)

Region 1: A 5% price preference, to a maximum price reduction of \$50,000 (ex. GST).

Region 2: A 2.5% price preference, to a maximum price reduction of \$25,000.

2. Non-Local Suppliers

Where a non-Local Supplier seeks a price preference, only those goods and services identified in the offer as being sourced from within the Region may be included in the discounted calculations that form part of the assessment of a tender or quote when this policy is in operation.

Non-Local Suppliers will be required to clearly identify and separately price locally-sourced components in order for a price preference to be considered.

3. Evaluation of Tenders and Quotations

Price is only one factor that must be considered when evaluating a tender or quotation. Nothing in this Policy compels the Shire to accept the lowest or any tender or quotation based on the price offered.

GOVERNANCE REFERENCES

Statutory Compliance	Local Government (Functions and General) Regulations 1996 – Part 4A
Industry Compliance	
Organisational Compliance	Policy 3.10 Purchasing

POLICY ADMINISTRATION

Review Cycle	2 years	Next Review	2023
Department	Corporate and Community Services		

Version	Decision Reference	Synopsis



Delegation of authority

Delegation	1.23 Application of Regional Price Preference Policy (DRAFT)
Category	Administration
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • s.5.42 Delegations of some powers or duties to the CEO • s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<p><i>Local Government (Functions and General) Regulations 1996</i></p> <ul style="list-style-type: none"> • r.24G Adopted regional price preference policy, effect of
Function	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
Delegates	CEO
Conditions	1. This delegation may only be exercised following an investigation that determines there are no regional tenderers that are able to provide the services.
Express power to subdelegate	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	Delegates are designated employee under s.5.74 and are required to provide Primary and Annual Returns.
Policy	<p>Council Policy 1.44 Regional Price Preference</p> <p>Council Policy 3.10 Purchasing</p>
Record keeping	Each exercise of delegation is to be captured in the Shire's records management system.

13.2 APPOINTMENT OF MEMBERS - COUNCIL COMMITTEES

File	GOV/33
Author	Ebony Mackey - Governance Support Officer
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	<ol style="list-style-type: none">1. Current Bushfire Advisory Committee TOR [13.2.1 - 3 pages]2. Current Local Emergency Management Committee TOR [13.2.2 - 3 pages]3. Current Guilderton Caravan Park Management Committee TOR [13.2.3 - 3 pages]4. Current Plant Committee TOR [13.2.4 - 3 pages]5. Current Gingin Medical Centre Committee TOR [13.2.5 - 3 pages]6. Current Coastal Erosion Advisory Committee TOR [13.2.6 - 3 pages]7. Current Waste Management Advisory Committee TOR [13.2.7 - 3 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to Council Committees.

BACKGROUND

Council has established several committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made after the election.

Council also appoints representatives to several external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they can have meaningful input into discussions if they are required to attend a meeting in an official capacity.

The Local Government Elections for the Shire of Gingin were decided on 16 October 2021 with the new Council

COMMENT

Bush Fire Advisory Committee

Section 67 of the *Bush Fires Act 1954* provides a local government with the power to

‘...appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control...’

The functions of the BFAC are:

1. To make recommendations to Council with respect to the appointment of Fire Control Officers;
2. To determine training requirements and strategies; and
3. To consider and make recommendation to Council with respect to all bush fire mitigation issues.

If a local government establishes a Bushfire Advisory Committee (‘BFAC’ hereafter) under Section 67 then it must also appoint a member of the Council as its representative on the Committee. It is Council’s practice to appoint the Shire President as its representative on the BFAC to ensure continuity of representation on this Committee and the Shire’s Local Emergency Management Committee, and this practice is reflected in the Committee’s Terms of Reference.

If Council wish to appoint a Councillor other than the Shire President as its representative on the Bush Fire Advisory Committee, then it will be necessary to also resolve to amend the Terms of Reference.

The BFAC shall meet as required but must hold a minimum of four meetings in any one calendar year (March, June, September, and December). Membership includes representatives from the following agencies:

Voting Member	Non-Voting Member
<ul style="list-style-type: none"> Shire of Gingin <ul style="list-style-type: none"> Shire President (Chairperson) or Council's nominated deputy representative Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Deputy Chief Bush Fire Control Officers Volunteer Bush Fire Brigade Captains 	<ul style="list-style-type: none"> Department of Fire and Emergency Services – One Representative Department of Parks and Wildlife – One Representative Department of Agriculture and Food – One Representative Gingin Volunteer Fire and Rescue Service – One Representative Lancelin Volunteer Fire and Rescue Service – One Representative

Following its meeting on 22 October 2019, Council appointed the following Councillors as member and deputy member of the BFAC:

Current Committee Members	
Member	Deputy Member
Shire President	Councillor Morton

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.1**).

Local Emergency Management Committee

Section 38 of the *Emergency Management Act 2005* requires every local government to establish at least one Local Emergency Management Committee ('LEMC' hereafter) within its district.

The functions of the LEMC are:

- To advise and assist Council in establishing local emergency management arrangements for the district;
- 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.

The Western Australia Local Emergency Management Committee (LEMC) Administration Guide recommends that the LEMC should be chaired by the Shire President or Chief Executive Officer and this requirement is reflected in the Terms of Reference. Prior to the 2021 elections the Shire President was appointed as Chairperson and Council's representative on the LEMC, with Councillor Morton being appointed as deputy member.

State Emergency Management Policy 2.5 requires that the LEMC must meet at least once every three months. The Shire of Gingin LEMC currently holds meetings in February, May, August, and November. Membership includes representatives from the following agencies:

Voting Member	Non-Voting Member
<ul style="list-style-type: none"> 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 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 for Child Protection and Family Support Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre 	<ul style="list-style-type: none"> 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 Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc Department of Education <ul style="list-style-type: none"> Gingin District High School Lancelin Primary School Silver Chain Tronox

	<ul style="list-style-type: none"> • State Emergency Management Committee • Department of Water and Environmental Regulation • Department of Agriculture and Food • Department of Health – WA Country Health Service
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Following its meeting on 22 October 2019, Council appointed the following Councillors as member and deputy member of the LEMC:

Current Committee Members	
Member	Deputy Member
Councillor Fewster	Councillor Morton

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.2**).

Guilderton Caravan Park Advisory Committee

The Guilderton Caravan Park Advisory Committee was originally established as the Guilderton Caravan Park Management Committee by resolution of Council at its meeting on 19 July 2011 to consider management options for the Guilderton Caravan Park.

At its meeting on 15 October 2019, Council resolved to amend the name of the Committee from Guilderton Caravan Park Management Committee to Guilderton Caravan Park Advisory Committee to reflect the Committee's current focus. The Terms of Reference were also amended and reviewed as a result.

The functions of the Guilderton Caravan Park Advisory Committee are:

1. To explore expansion and growth models for the Caravan Park site and operations; and
2. To consider officers' reports and provide input on any issues related to the management and operations of the Guilderton Caravan Park that may be presented to the Committee.

The Committee's Terms of Reference prescribes representation by Four Councillors.

Following its meeting on 22 October 2019, Council appointed the following Councillors as member and deputy member of the Guilderton Caravan Park Advisory Committee:

Current Committee Members			
Member		Deputy Member	
1.	Councillor Court	1.	Councillor Rule
2.	Councillor Balcombe	2.	Councillor Lobb
3.	Councillor Johnson	3.	Councillor Morton
4.	Councillor Fewster	4.	Councillor Vis

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.3**).

Plant Committee

The Plant Committee was originally established by resolution of Council at its Special Meeting on 22 October 2013 to provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.

The function of the Plant Committee is to oversee the preparation of, and make recommendations to Council with respect to, the Shire's plant replacement program.

The Committee's Terms of Reference prescribe representation by Five Councillors.

The Plant Committee shall meet as required but must hold a minimum of two meetings in any one calendar year.

Following its meeting on 22 October 2019, Council appointed the following Councillors as member and deputy member of the Plant Committee:

Current Committee Members			
Member		Deputy Member	
1.	Councillor Lobb	1.	Councillor Johnson
2.	Councillor Vis	2.	Councillor Court
3.	Councillor Morton	3.	Councillor Peczka
4.	Councillor Rule	4.	Councillor Balcombe
5.	Councillor Fewster		

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.4**).

Gingin Medical Centre Committee

The Gingin Medical Centre Committee was established by resolution of Council at its Special Meeting on 22 October 2019 to facilitate the management of the Gingin Medical Centre when managed by the Shire of Gingin.

The Shire of Gingin commenced a lease with Dr Oladapo Alegbe (Aurora Delta Pty Ltd) on 1 December 2020 following a resolution of Council at its Ordinary Meeting on 20 October 2020.

The Committee's Terms of Reference were reviewed on 17 August 2021 to reflect the new functions of the medical centre more accurately.

The functions of the Gingin Medical Centre Committee are:

1. To liaise with the CEO with respect to overseeing the lease arrangements for the Gingin Medical Centre; and
2. To provide input with respect to the provision of improved aged health services for the community.

The Gingin Medical Centre Committee shall meet as required but must hold a minimum of two meetings in any one calendar year.

The Committee's Terms of Reference prescribe representation by Four Councillors.

Following its meeting on 22 October 2019, Council appointed the following Councillors as member and deputy member of the Gingin Medical Centre Committee:

Current Committee Members			
Member		Deputy Member	
1.	Councillor Court	1.	Councillor Vis
2.	Councillor Rule	2.	Councillor Johnson
3.	Councillor Balcombe	3.	Councillor Peczka
4.	Councillor Morton	4.	Councillor Fewster

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.5**)

Coastal Erosion Advisory Committee

The Coastal Erosion Advisory Committee was established by resolution of Council at its Special Meeting on 22 October 2019 to assist in addressing coastal erosion issues within the Shire of Gingin.

The functions of the Coastal Erosion Advisory Committee are:

1. To consider all existing information and reports to Council and additional information and guidance from experts in the field to identify a preferred course or courses of action;
2. To make recommendations to Council with respect to the preferred course or courses of action with respect to managing coastal erosion and inundation along the Shire of Gingin coastline; and
3. To request Council Officers, as required, to facilitate discussions on behalf of the Committee with communities and experts in the field to identify potential options.

The Coastal Erosion Advisory Committee shall meet as required but must hold a minimum of two meetings in any one calendar year.

The Committee's Terms of Reference prescribe representation by Four Councillors.

Following its meeting on 22 October 2019, Council appointed the following Councillors as member and deputy member of the Coastal Erosion Advisory Committee:

Current Committee Members			
Member		Deputy Member	
1.	Councillor Johnson	1.	Councillor Vis
2.	Councillor Peczka	2.	Councillor Rule
3.	Councillor Lobb	3.	Councillor Morton
4.	Councillor Court	4.	Councillor Balcombe

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.6**).

Waste Management Advisory Committee

The Waste Management Advisory Committee was established by resolution of Council at its Ordinary Meeting on 19 November 2019 to have oversight and provide expert advice on waste management and recommendations to Council. This included the ongoing development of the Waste Management Operational Plan and the Refuse Collection and Recycling Contracts.

The functions of the Waste Management Advisory Committee are:

1. To advise Council on the strategic direction of waste management within the Shire of Gingin;
2. To advise Council on legislative requirements that impact on environmental, planning and engineering issues of waste management operations and facilities; and
3. To advise on consultation with relevant government and private stakeholders, service providers, and the community as appropriate.

The Waste Management Committee shall hold meetings not more frequently than every two months unless a special meeting of the Committee is called by specific resolution of the Committee for a specified purpose(s).

The Committee's Terms of Reference prescribe representation by Three Shire Councillors with one being the Chairperson.

Following its meeting on 19 November 2019, Council appointed the following Councillors as member and deputy member of the Waste Management Advisory Committee:

Current Committee Members			
Member		Deputy Member	
1.	Councillor Johnson	1.	Councillor Vis
2.	Councillor Morton	2.	Councillor Balcombe
3.	Councillor Rule	3.	Councillor Lobb

A copy of the current Terms of Reference is attached for Council's information (**Appendix 13.2.7**).

Reconciliation Action Plan (RAP) Working Group

The Shire of Gingin Reconciliation Action Plan ('RAP' hereafter) was commissioned following a request from the South West Aboriginal Land and Sea Council in May 2012 for a RAP to be undertaken between the Shire of Gingin and the Yued Nyoongar Traditional Owners.

Council has endorsed the RAP and has agreed to progress the actions/outcomes contained within the Plan subject to funds being made available in future adopted budgets.

This Working Group was originally formed to progress the development and implementation of the RAP. Although the RAP is now finalised and in place, there is a requirement for the Shire to report annually to the Working Group, and for the RAP to be subject to review every two years.

The Working Group membership currently consists of one Councillor, representatives of the Yued Nyoongar people, the Shire's Chief Executive Officer (CEO) and Coordinator Community Development and Services and an external facilitator.

No Terms of Reference have been prepared for the Reconciliation Action Plan Working Group.

Following its meeting on 22 October 2019, Council appointed the following Councillor as member of the Reconciliation Action Plan (RAP) Working Group:

Current Member	
1.	Councillor Johnson

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

Part 7 – Audit

Division 1A – Audit Committee

Bush Fires Act 1954

Part V - Miscellaneous

Section 67 – Advisory committees

Shire of Gingin Bush Fire Brigades Local Law 2004

Division 4 – Bush Fire Advisory Committee

Emergency Management Act 2005

Part 3 – Local arrangements

Division 1 – Local emergency authorities

Section 38 – Local emergency management committees

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Community Wellbeing
Objective	1. To support the Shire of Gingin community to be inclusive, vibrant, healthy and safe through the Shire's service delivery.
Outcome	1.3 Healthy and Safe Our community has access to quality health and community safety programs, services and initiatives that promote resilience.
Key Service Area	Local Emergency Services
Priorities	N/A

Focus Area	Economic Development
Objective	4. To support economic development through the Shire's service delivery
Outcome	4.1 Tourist Playground
Key Service Area	Caravan Parks Economic Development and Tourism Infrastructure
Priorities	4.1.1 Support the development of the Shire of Gingin as a premier tourist destination in alignment with the Northern Growth Alliance Tourism Strategy

Focus Area	Community Wellbeing
Objective	1. To support the Shire of Gingin community to be inclusive, vibrant, healthy and safe through the Shire's service delivery.
Outcome	1.3 Our community has access to quality health and community safety programs
Key Service Area	General Practitioners
Priorities	1.3.1 Develop improved access to medical services and allied health in each sub regional area.

Focus Area	Natural Environment
Objective	2. To develop the Shire's capacity to support the conservation of natural assets and undertake sustainable resource management
Outcome	2.1 Conservation – The Shire's ecological services and natural assets are respected and enhanced.
Key Service Area	Conservation and Environmental Management
Priorities	N/A

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

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION

MOVED: Councillor Rule

SECONDED: Councillor Balcombe

That Council appoint the following Councillors as members and/or deputy members of the committees and working groups as listed:

Bushfire Advisory Committee			
Member		Deputy Member	
1.	Councillor Fewster	1.	Councillor Peczka

Coastal Erosion Advisory Committee			
Member		Deputy Member	
1.	Councillor Sorensen	1.	Councillor Vis
2.	Councillor Court	2.	Councillor Balcombe
3.	Councillor Johnson	3.	Councillor Fewster
4.	Councillor Peczka	4.	Councillor Rule

Local Emergency Management Committee			
Member		Deputy Member	
1.	Councillor Fewster	1.	Councillor Peczka

Guilderton Caravan Park Advisory Committee			
Member		Deputy Member	
1.	Councillor Johnson	1.	Councillor Rule
2.	Councillor Court	2.	Councillor Kestel
3.	Councillor Balcombe	3.	Councillor Vis
4.	Councillor Sorensen	4.	Councillor Peczka

Plant Committee			
Member		Deputy Member	
1.	Councillor Vis	1.	Councillor Peczka
2.	Councillor Rule	2.	Councillor Court
3.	Councillor Fewster	3.	Councillor Balcombe
4.	Councillor Sorensen	4.	Councillor Johnson
5.	Councillor Kestel		

Gingin Medical Centre Committee			
Member		Deputy Member	
1.	Councillor Rule	1.	Councillor Vis
2.	Councillor Court	2.	Councillor Johnson
3.	Councillor Balcombe	3.	Councillor Fewster
4.	Councillor Kestel	4.	Councillor Peczka

Waste Management Advisory Committee			
Member		Deputy Member	
1.	Councillor Johnson	1.	Councillor Balcombe
2.	Councillor Vis	2.	Councillor Rule
3.	Councillor Court	3.	Councillor Fewster

Reconciliation Action Plan (RAP) Working Group	
Member	
1.	Councillor Johnson

CARRIED BY ABSOLUTE MAJORITY

9 / 0

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

AGAINST: *Nil*



TERMS OF REFERENCE

BUSH FIRE ADVISORY COMMITTEE

August 2021

Name:	Bush Fire Advisory Committee
Role/Purpose:	To advise Council with regard to matters relating to bush fire control within the Shire of Gingin.
Aims & Functions:	<ol style="list-style-type: none"> 1. To make recommendations to Council with respect to the appointment of Fire Control Officers; 2. To determine training requirements and strategies; and 3. To consider and make recommendation to Council with respect to all bush fire mitigation issues.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting</u> <ul style="list-style-type: none"> • Shire President or Council's nominated deputy representative; • Community Emergency Services Manager/Chief Bush Fire Control Officer; • Deputy Chief Bush Fire Control Officers; and • Volunteer Bush Fire Brigade Captains <u>Non-Voting</u> <ul style="list-style-type: none"> • One representative - Department of Fire and Emergency Services; • One representative – Department of Parks and Wildlife; • One representative – Department of Agriculture and Food; • One representative – Gingin Volunteer Fire and Rescue Service; and • One representative – Lancelin Volunteer Fire and Rescue Service. 2. In the event that a Brigade Captain is unable to attend a meeting, then the Brigade shall be represented by its 1st Lieutenant. 3. Voting members cannot hold two positions on the Committee. <ol style="list-style-type: none"> a. If a Council representative also holds the position of Deputy Chief Bush Fire Control Officer or Brigade Captain then they must attend meetings in their capacity as a representative of the Shire of Gingin. b. If a Brigade Captain is appointed to another voting position on the Committee, then the Brigade's 1st Lieutenant shall represent the Brigade.

	<ol style="list-style-type: none"> 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. 5. Committee membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The Shire President or Council's nominated deputy representative shall fill the position of Presiding Member at all meetings. b) In the absence of both the Shire President and Council's nominated deputy representative, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair for the duration of that meeting. c) The Presiding Member is responsible for the proper conduct of the Committee. 2. Meetings: <ol style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of four meetings in any one calendar year (March, June, September and December). b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. 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. 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. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. 3. Quorum: <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> 4. Reporting: <ol style="list-style-type: none"> 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.
Appointing legislation:	The Committee is established under section 67 of the <i>Bush Fires Act 1954</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 10.3	Committee structure reviewed and Terms of Reference adopted.
2.	17/12/2013 – Item 11.1.1	Amended to include volunteer bush fire brigade representatives as voting members.
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.	19/01/2016 – Item 11.1.3	Operating Procedures Clause 1b amended to specify that Community Emergency Services Manager/Chief Bush Fire Control Officer to assume the Chair in the absence of the Presiding Member.
5.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. Operating Procedures cl. 2c deleted.
6.	15/10/2019 – Item 11.1.1	Operating Procedures cl. 2b) amended.
7.	21/07/2020 – Item 11.1.1	Membership cl. 1 amended by deleting CEO or representative as a non-voting member. Membership cl. 7 added.
8.	17/08/2021 – Item 11.1	Membership cl. 1, 2 and 6 amended. Membership cl. 7 deleted. Operating Procedures cl. 1a), 1b) 2d) and 4a) amended



TERMS OF REFERENCE

LOCAL EMERGENCY MANAGEMENT COMMITTEE

August 2021

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> <ul style="list-style-type: none"> 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 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> <ul style="list-style-type: none"> 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 Royal Australian Air Force Base Pearce

	<p>Lancelin Volunteer Marine Rescue Group Inc Department of Education Gingin District High School Lancelin Primary School</p> <p>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</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>
Operating procedures:	<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:</p> <p>The quorum for a meeting shall be at least 50% of the number of voting members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting.</p> <p>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.



**TERMS OF
REFERENCE**

**GUILDERTON CARAVAN PARK
ADVISORY COMMITTEE**

August 2021

Name:	Guilderton Caravan Park Advisory Committee
Role/Purpose:	To receive information on the operations of the Guilderton Caravan Park.
Aims & Functions:	<ol style="list-style-type: none"> 1. To explore expansion and growth models for the Caravan Park site and operations. 2. To consider officers' reports and provide input on any issues related to the management and operations of the Guilderton Caravan Park that may be presented to the Committee.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> • Four Councillors; 2. The CEO and Executive Manager Regulatory and Development Services will attend all meetings of the Committee to provide technical advice and guidance only. 3. The Caravan Park Manager will attend meetings by invitation only. 4. A nominated deputy member may attend in place of the endorsed representative member. 5. 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. 6. Committee membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 8. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.

Operating procedures:	<p>1. Presiding Member and Deputy Presiding Member:</p> <ul style="list-style-type: none"> a) The members of a Committee are to elect a Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. d) The Presiding Member will preside at all meetings. e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair. f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. 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. 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. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p>
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	<p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting.</p> <p>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 5.8 of the <i>Local Government Act 1995</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.	19/07/2011 – Item 14.2	Committee established.
2.	22/10/2013 – Item	Terms of Reference adopted.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Aims and Functions amended by deleting 1. <i>To facilitate effective communication between the Caravan Park management body and Council</i> , renumbering 2. as 1. and inserting a new 2. Membership amended by inclusion of Caravan Park Manager as a non-voting member. 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.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. CEO, EMPD and Caravan Park Manager removed from committee membership. New Membership cl. 3 added. Operating Procedures cl. 2c deleted.
5.	15/10/2019 – Item 11.1.1	Committee title amended. Operating Procedures cl. 1a), 1b), 1e), 1f) and 2b) amended.
6.	17/08/2021 – Item 11.1	Membership cl. 7 amended. Operating Procedures cl. 2d) and 4a) amended.



TERMS OF REFERENCE

PLANT COMMITTEE

August 2021

Name:	Plant Committee
Role/Purpose:	To provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.
Aims & Functions:	To oversee the preparation of, and make recommendations to Council with respect to, the Shire's plant replacement program.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> • Five Councillors 2. The Chief Executive Officer, Executive Manager Operations and Plant Mechanic will attend all meetings of the Committee to provide technical advice and guidance only. 3. A nominated deputy member may attend in place of the endorsed representative member. 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. 5. Committee membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member and Deputy Presiding Member: <ol style="list-style-type: none"> a) The members of a Committee are to elect a Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected.

	<p>d) The Presiding Member will preside at all meetings.</p> <p>e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair.</p> <p>f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting.</p> <p>g) 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 two meetings in any one calendar year.</p> <p>b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee.</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:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting.</p> <p>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 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

**MINUTES
ORDINARY COUNCIL MEETING
19 OCTOBER 2021**

APPENDIX 13.2.4

Version	Decision Reference	Synopsis
1.	22/10/2013 – Item	Committee established and Terms of Reference adopted.
2.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Membership amended to include Plant Mechanic as non-voting member. Operating Procedure 2a amended to reduce the minimum number of meetings from 3 to 2. 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.
3.	16/08/2016 – Item 11.1.4	Chief Executive Officer, Executive Manager Operations and Plant Mechanic removed from Committee membership.
4.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. Operating Procedures cl. 2c deleted.
5.	15/10/2019 – Item 11.1.1	Operating Procedures cl. 1a), 1b), 1e), 1f) and 2b) amended.
6.	17/08/2021 – Item 11.1	Aims & Functions amended. Membership cl. 6 amended. Operating Procedures cl. 2d) and 4a) amended.



TERMS OF REFERENCE

GINGIN MEDICAL CENTRE COMMITTEE

August 2021

Name:	Gingin Medical Centre Committee
Role/Purpose:	To oversee, at a strategic level, the continued operation of a viable medical centre for the Gingin community.
Aims & Functions:	<ol style="list-style-type: none"> 1. To liaise with the CEO with respect to overseeing the lease arrangements for the Gingin Medical Centre. 2. To provide input with respect to the provision of improved aged health services for the community.
Membership:	<ol style="list-style-type: none"> 1. The committee shall consist of the following representation: <ul style="list-style-type: none"> • Four Councillor representatives 2. The CEO and employees are not members of the committee. 3. The CEO or his/her nominee is to attend all meetings to provide technical advice and guidance to the committee. 4. A nominated deputy member may attend in place of the endorsed representative member. 5. 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. 6. Committee membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 8. The Committee has authority to second individuals from outside of the committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of a committee are to elect a presiding member from amongst themselves at the first meeting of the committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent

	<p>meeting if a new Presiding Member is to be elected.</p> <ul style="list-style-type: none"> d) The Presiding Member will preside at all meetings. e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair. f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Additional meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. c) A Notice of Meeting, including an agenda, will be circulated to the committee members (including deputy delegates) at least 72 hours prior to each meeting where possible. 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. e) All committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> 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.
Appointing legislation:	The Committee is established under section 7.1A of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

**MINUTES
ORDINARY COUNCIL MEETING
19 OCTOBER 2021**

APPENDIX 13.2.5

Version	Decision Reference	Synopsis
1.	22/10/2019 – Item 14.1.5	Committee established
2.	17/08/2021 – Item 11.1	Aims & Functions amended. Membership cl. 7 amended. Operating Procedures cl. 2d) and 4a) amended.



TERMS OF REFERENCE

COASTAL EROSION ADVISORY COMMITTEE

August 2021

Name:	Coastal Erosion Advisory Committee
Role/Purpose:	Identify options for addressing Shire of Gingin coastal erosion and inundation issues.
Aims & Functions:	<ol style="list-style-type: none"> 1. To consider all existing information and reports to Council and additional information and guidance from experts in the field to identify a preferred course or courses of action. 2. To make recommendations to Council with respect to the preferred course or courses of action with respect to managing coastal erosion and inundation along the Shire of Gingin coastline. 3. To request Council Officers, as required, to facilitate discussions on behalf of the Committee with communities and experts in the field to identify potential options.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> • four Councillor representatives. 2. The CEO and employees are not members of the Committee (s7.1.A(3) and (4) <i>Local Government Act 1995</i>). 3. The CEO will attend all meetings to provide technical advice and guidance to the Committee. Executive Managers and other officers will attend in an advisory capacity as required. 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. 5. Membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 7. The Committee has authority to second external individuals, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of the Committee are to elect a Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting of the Committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1.

	<ul style="list-style-type: none"> b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. d) The Presiding Member will preside at all meetings. e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair. f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. 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. 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. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> 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.
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .

Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.
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Version	Decision Reference	Synopsis
1.	22/10/2019 – Item 14.1.9	Committee established
2.	17/08/2021 – Item 11.1	Aims and Functions cl. 2 amended. Membership cl. 6 amended. Operating Procedures cl. 2d) and 4a) amended.



TERMS OF REFERENCE

WASTE MANAGEMENT ADVISORY COMMITTEE

August 2021

Name:	Waste Management Advisory Committee
Role/Purpose:	To have oversight and provide expert advice on waste management and recommendations to Council. This includes the ongoing development of the Waste Management Operational Plan and the Refuse Collection and Recycling Contract.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise Council on the strategic direction of waste management within the Shire of Gingin. 2. To advise Council on legislative requirements that impact on environmental, planning and engineering issues of waste management operations and facilities. 3. To advise on consultation with relevant government and private stakeholders, service providers, and the community as appropriate.
Membership:	<ol style="list-style-type: none"> 1. The committee shall consist of the following representation: <ul style="list-style-type: none"> • Three Shire Councillors with one being the Chairperson. 2. The CEO and employees are not members of the committee. 3. The CEO or his/her nominee, Executive Manager Regulatory and Development Services, Executive Manager Operations and Assets, Principal Environmental Health Officer and Executive Manager Corporate and Community Services are to attend all meetings to provide technical advice and guidance to the committee. 4. A nominated proxy member may attend in place of the endorsed representative member. 5. 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. 6. Committee membership shall be appointed or removed by the Council.

	<p>7. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates.</p> <p>8. The Committee has authority to second individuals from outside of the committee, on a voluntary basis, for their expert advice.</p>
Operating procedures:	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) The members of a committee are to elect a presiding member from amongst themselves at the first meeting of the committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. d) The Presiding Member will preside at all meetings. e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair. f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) Meetings shall be held not more frequently than every 2 months, unless a special meeting of the Committee is called by specific resolution of the Committee for the specified purpose(s). b) Additional meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. c) A Notice of Meeting, including an agenda, will be circulated to the committee members (including deputy delegates) at least 72 hours prior to each meeting where possible. 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>e) All committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting.</p> <p>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 pursuant to Section 5.8 of the <i>Local Government Act 1995</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.	19/11/2019 - Item 11.3.4	Adopted
2.	17/08/2021 – Item 11.1	Membership cl. 7 amended. Operating Procedures cl. 2d) and 4a) amended.

13.3 APPOINTMENT OF COUNCIL REPRESENTATIVES - EXTERNAL BODIES

File	GOV/33
Author	Ebony Mackey - Governance Support Officer
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	N/A
Appendices	1. EBICG Membership Model 2022-2023 [13.3.1 - 3 pages] 2. GGDHS Board Terms of Reference [13.3.2 - 11 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of Council representatives to several external committees, groups, and boards.

BACKGROUND

Council has appointed representatives to several external bodies, usually in response to a request from the organisation in question or because there is a requirement for Council to provide representation (for example the Avon-Midland Country Zone of WALGA).

Although there is no explicit requirement to do so in the *Local Government Act 1995* ('the Act' hereafter), in the interests of good governance local governments generally review their appointed representatives to external bodies following each local government election in conjunction with the appointment of committee members required under Subdivision 2 of the Act.

This practice not only provides an opportunity for the local government to fill any vacancies that may have occurred because of an existing Councillor either retiring or not being re-elected to Council, but also allows newly elected Councillors to nominate as representatives to any body or bodies in which they may have an interest.

Apart from the external bodies identified above, Council may also from time to time endorse the nomination of a Councillor to serve on a group whose members are selected via Ministerial appointment. If the nomination is accepted, then the Councillor is appointed for a set term (usually two years) that often runs outside the biennial election cycle. In these circumstances the Councillor continues to serve out their term (unless they retire from or are not re-elected to Council), and new nominations are not sought until such time as a call for same is received.

Council currently has elected members serving on one such committee (the Wheatbelt Joint Development Assessment Panel) and this will be affected by the 2021 election process.

COMMENT

A summary is provided below of all external bodies for which Council is required to appoint representatives following the 2021 elections.

Ellen Brockman Integrated Catchment Group

The Ellen Brockman Integrated Catchment Group (EBICG) is a community-based organisation which involves members from key State government agencies (non-voting), local governments and other organisations involved in natural resource management.

The Objects of the EBICG are to:

1. Implement and review the Integrated Catchment Plans for the Ellen Brook and Brockman River that will restore the natural healthy ecosystems, whilst accommodating competing land and water uses.
2. Reverse environmental damage within the catchment area.
3. Promote land and water conservation practices for all types of land use.
4. Promote sustainable land use.
5. Publicise conservation and best practice projects within the community.
6. Conserve and protect indigenous flora and fauna.
7. Obtain funding for landcare purposes through self-funding and from local, state and federal government and private funding programs.
8. Work in cooperation with local, state, and federal government and private agencies for the betterment of landcare and sustainable land use.

A copy of the EBICG Membership Model 2022-2023 is provided as **Appendix 13.3.1**.

The Shire of Gingin has appointed a representative to the EBICG since at least 2003. In 2016, Council resolved to change its representation on the Group from an elected member to an officer, to be appointed by the CEO. As a result of that decision, the CEO duly appointed the then Executive Manager Operations to represent the Shire of Gingin on the EBICG.

The EBICG has advised that its next Annual General Meeting will be held on 26 October 2021 and has requested the nomination of representatives from participating bodies to be confirmed as part of the business of the AGM. Given that it is now five years since Council last considered this matter, it is opportune to confirm whether Council is still satisfied with the current representation arrangements, or whether it would like to revert to having elected member representation on the EBICG.

The City of Swan and Shire of Chittering are also represented on the Group. The City of Swan is currently represented by an officer, while the Shire of Chittering is represented by an elected member, with an officer attending to provide technical advice.

Gingin Community Resource Centre Management Committee

The Gingin Community Resource Centre ('CRC' hereafter) is a not-for-profit organisation which provides access to a range of services, government information, training opportunities and events to Gingin and surrounding communities, and travellers to the region. Services provided include:

- a. Free access to State Government websites (i.e., Department of Communities, Department of Education, universities etc);
- b. A Centrelink access point and Veterans' Affairs information;
- c. Administration (i.e., photocopying, printing, laminating and secretarial) services;
- d. An Accredited Visitor Centre;
- e. Community services such as producing the Gingin Buzz, Gingin Regional Directory, coordinating events etc;
- f. Delivery terminal for Startrack courier services;
- g. Presence of employment agency on a monthly basis;
- h. Access to internet and IT facilities (including video conferencing); and
- i. Training and information sessions and development opportunities.

The Management Committee consists of seven members, including a Council representative. The committee meets bi-monthly (February, April, June, August, October and December), generally on the fourth Tuesday of the month, and is responsible for overseeing the CRC's strategic direction, setting the organisation's policies and monitoring operational management in collaboration with the Coordinator/Manager.

The Gingin CRC occupies a self-constructed, Council-owned building shared by the Shire-operated Gingin Public Library. CRC staff manage the Library on the Shire's behalf.

At its meeting on 22 October 2019, Council appointed the following Councillors as representative and deputy representative on the Gingin Community Resource Centre Committee:

Representative	Deputy Representative
Councillor Balcombe	Councillor Rule

Gingin District High School Council

At the request of the Gingin District High School (GDHS), since 2011 Council has appointed a Council representative to serve on the Gingin District High School Council. In late 2020, GDHS became an independent school with a Board. The Terms of Reference for the Board state that Board membership will include three members of “the general community”, but do not specify that one of those members must be a representative of the Shire of Gingin. However, the Board has confirmed that it would prefer that the Shire continue to be represented.

A copy of the Board’s Terms of Reference is attached as **Appendix 13.3.2**.

At its meeting on 22 October 2019, Council appointed the following Councillors as representative and deputy representative on the Gingin District High School Council:

Representative	Deputy Representative
Councillor Rule	Councillor Fewster

Gingin Water Group

The Gingin Water Group was formed in 2010 at a public meeting of interested stakeholders with concerns about the sustainability of existing streams and aquifers in the Gingin area, given current usage rates and the continuing approval by the State of water licences for irrigated horticulture.

The aims of the Group, generally, are to liaise with oversight bodies involved in authorising large scale water consuming developments, to lobby for improved policies, and to encourage improvement in the quality of waterways in the Shire of Gingin.

The Group is supported by the Chittering Landcare Centre and generally meets four times a year including the AGM. Meetings are held at the Gingin CRC, with the next meeting scheduled for 15 November 2021.

Council appoints a representative and deputy representative to the Gingin Water Group at the Group’s request.

At its meeting on 22 October 2019, Council appointed the following Councillors as representative and deputy representative on the Gingin Water Group:

Representative	Deputy Representative
Councillor Fewster	Councillor Rule

Lancelin Community Resource Centre Management Committee

Like the Gingin CRC, the Lancelin CRC is a not-for-profit organisation which provides access to a range of services, government information and training opportunities to the Lancelin community and surrounding areas and to travellers to the region. Services provided include:

- a. Access to Government agencies (i.e., Centrelink, Australian Tax Office, Medicare etc) information;
- b. Administration (i.e., photocopying, printing, laminating and secretarial) services;
- c. Community services such as producing the Coastal Business Directory and Lancelin Holiday Guide;
- d. Event management;
- e. Access to internet and IT facilities (including video conferencing); and
- f. Training and development opportunities.

The Management Committee consists of six members, including a Council representative. The committee meets on a bi-monthly basis and is responsible for overseeing the CRC's strategic direction, setting the organisation's policies, and monitoring operational management in collaboration with the Coordinator/Manager.

At its meeting on 22 October 2019, Council appointed the following Councillors as representative and deputy representative on the Lancelin Community Resource Centre Management Committee:

Representative	Deputy Representative
Councillor Lobb	Councillor Peczka

Wheatbelt Joint Development Assessment Panel

Development Assessment Panels ('DAP' hereafter) are panels of technical experts and local government representatives from two or more local government districts with the power to determine applications for development within those districts under the following circumstances:

- a. Where a proposed development has a value of \$7 million or over; or
- b. Where a proposed development has a value of \$3 million or more and the applicant elects to have the application considered by a DAP rather than the relevant local government.

Each Council represented on a DAP is required to nominate a specific number of members and alternative members as its representatives.

It is a mandatory requirement for all DAP members to attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and who have undertaken training are not required to attend further training.

Local DAP members are entitled to be paid for their attendance at DAP training and meetings.

All current DAP appointments will expire on 26 January 2022. The DAP Secretariat is currently seeking nominations from all local governments to ensure continuing representation on their relevant DAP. If a Councillor who is appointed as a DAP member is not re-elected to Council during their term, then one of the alternate members is required to take that member's place on the DAP until the end of the current term. If an alternate member is not returned to Council then Council must nominate a new alternative member to fill the vacancy until the end of the current term and submit that nomination for the Minister's approval.

At its meeting on 22 October 2019 Council nominated the following Councillors as Members and Alternate Members of the Wheatbelt Joint Development Assessment Panel:

Members	Alternate Members
Councillor Court	Councillor Rule
Councillor Johnson	Councillor Vis

Lancelin Defence Training Area Management Advisory Committee

The aim of the Lancelin Defence Training Area Management Advisory Committee is to provide a consultative forum and focal point through which local environmental and social issues, commensurate with the Department of Defence's objective for sustainable military use of the Lancelin Defence Training Area, are highlighted and directed to the Department for inclusion in its consideration of planning and management activities.

The tasks of the Lancelin Defence Training Area Management Advisory Committee include, but are not limited to, the following:

- a. Preparing advice on environmental, heritage and social management matters arising from the use and development of the Lancelin Defence Training Area;
- b. Providing advice on the implementation of the Lancelin Defence Training Area Environmental Management System; and
- c. Providing advice on the development of research priorities affecting the Lancelin Defence Training Area region.

Membership of the Lancelin Defence Training Area Management Advisory Committee is as follows:

Full Members	Associate Members	Observers & Advisors
<ul style="list-style-type: none"> • Department of Defence • Department of Environment and Conservation • Shire of Gingin • Shire of Dandaragan • Yued Working Group • WA Farmers' Federation • Beekeepers' Section • Ocean Farm Community and Recreation Association 	<ul style="list-style-type: none"> • Environment Australia/Australian Heritage Commission • Wheatbelt Development Commission • Main Roads WA • Tronox Cooljarloo • Department of Fire and Emergency Services • Fisheries WA • Wedge Island Protection Association 	<ul style="list-style-type: none"> • Department of Defence Environment Officer – Perth Metro (Committee Secretary) • Western Australian Speleological Group • Transfield Services Limited (Department of Defence Garrison Support Contractor) • Royal Australian Navy Fleet Base West Gunnery and Operations

<ul style="list-style-type: none"> • Lancelin Residents' and Ratepayers' Association • Wedge Island Crayfishing Industry • Western Rock Lobster Advisory Council • Adjacent Landowners 	<ul style="list-style-type: none"> • Department of Agriculture and Food 	<ul style="list-style-type: none"> • Department of Defence Environment Officer – Perth Metro (Committee Secretary) • Western Australian Speleological Group • Transfield Services Limited (Department of Defence Garrison Support Contractor) • Royal Australian Navy Fleet Base West Gunnery and Operations
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The Lancelin Defence Training Area Management Advisory Committee Terms of Reference specify that the Committee shall meet at least once every four months.

At its meeting on 22 October 2019 Council appointed the following Councillors as representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee:

Representative	Deputy Representative
Councillor Vis	Councillor Peczka

Western Australian Local Government Association (WALGA) Avon-Midland Country Zone

The Western Australian Local Government Association ('WALGA' hereafter) Avon-Midland Country Zone lobbies and negotiates on behalf of 139 WA local governments. As the peak lobbying and advocacy organisation for local government, WALGA has a strong influence on how policy decisions are made that affect the sector.

There are 17 WALGA zones across the state, including the Avon-Midland Country Zone which covers the local governments of Chittering, Dalwallinu, Dandaragan, Gingin, Goomalling, Moora, Northam, Toodyay, Victoria Plains, Wongan-Ballidu and York.

Each Council in the Zone is required to appoint a delegate to attend Zone meetings, which normally occur on a bi-monthly basis, as well as a deputy delegate who will attend meetings if the delegate is unavailable.

At its meeting on 22 October 2019 Council appointed the following Councillors as representative and deputy representative on the Western Australian Local Government Association ('WALGA' hereafter) Avon-Midland Country Zone:

Representative	Deputy Representative
Councillor Court	Councillor Fewster

Wheatbelt North Regional Road Group – Moora Sub Group

Regional Road Groups are a requirement of the State Road Funds to Local Government Agreement 2018/19 to 2022/23. The role of Regional Road Groups is to make recommendations to the State Road Funds to Local Government Advisory Committee in relation to the Annual Local Government Roads Program for their Region.

The Wheatbelt North Regional Road Group is divided into the Avon, North-East, Kellerberrin and Moora Sub Groups, with the Moora Sub Group consisting of the Shires of Chittering, Dalwallinu, Dandaragan, Gingin, Moora, Victoria Plains and Wongan-Ballidu. Each member Shire is required to appoint a delegate and deputy delegate to their Sub Group following each local government election.

At its meeting on 22 October 2019 Council appointed the following Councillors as representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group:

Representative	Deputy Representative
Councillor Fewster	Councillor Vis

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION

MOVED: Councillor Vis

SECONDED: Councillor Johnson

That Council:

1. Appoint the following as Council's representative and deputy representative on the Ellen Brockman Integrated Catchment Group for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
CEO to appoint	CEO to appoint

2. That Council appoint the following as Council's representative and deputy representative on the Gingin Community Resource Centre Management Committee for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
Councillor Balcombe	Councillor Rule

3. Appoint the following as Council's representative and deputy representative on the Gingin District High School Board for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
Councillor Vis	Councillor Rule

4. Appoint the following as Council's representative and deputy representative on the Lancelin Community Resource Centre Management Committee for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
Councillor Court	Councillor Peczka

5. Appoint the following as Council's representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
Councillor Vis	Councillor Sorensen

6. Appoint the following as Council's representative and deputy representative on the Western Australian Local Government Association Avon-Midland Country Zone for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
Councillor Court	Councillor Balcombe

7. Appoint the following as Council's representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group for a term of two years ending at the 2023 local government elections:

Representative	Deputy Representative
Councillor Fewster	Councillor Sorensen

8. Appoint the following Councillors as Council's members and alternate members on the Mid West Wheatbelt Joint Development Assessment Panel for a term expiring on 26 January 2022:

Member		Alternate Member	
1.	Councillor Johnson	1.	Councillor Vis
2.	Councillor Court	2.	Councillor Balcombe

9. Appoint the following Councillors as Council's members and deputy members on the Gingin Water Group for a term expiring at the 2023 local government elections:

Member	Deputy Member
Councillor Johnson	Councillor Fewster

CARRIED BY ABSOLUTE MAJORITY
9 / 0

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

AGAINST: *Nil*

Note:

Council requested that the Officer's Report be amended by deleting paragraph 3 of the Comments relating to the Gingin District High School Board as the information was inaccurate.



Ellen Brockman Integrated Catchment Group

Membership Model 2022-2023

The Ellen Brockman Integrated Catchment Group (EBICG)

- Is a dynamic, community based organisation;
- Involves members from key state government agencies (non voting), local governments and other organisations involved in natural resource management; and
- Undertakes an election process that is open and democratic and encourages a broad cross section of nominations.

The objects of the Group are: -

1. To implement and review the Integrated Catchment Plans for the Ellen Brook and Brockman River that will restore the natural healthy ecosystems, whilst accommodating competing land and water uses;
2. Reverse environmental damage within the catchment area;
3. Promote land and water conservation practises for all types of land use;
4. Promote sustainable land use;
5. Publicise conservation and best practice projects within the community;
6. Conserve and protect indigenous flora and fauna;
7. Obtain funding for landcare purposes through self-funding and from local, state and federal government and private funding programmes;
8. Work in cooperation with local, state and federal government and private agencies for the betterment of landcare and sustainable land use,
9. The property and income of the Group shall be applied solely towards the promotion of the objects of the Group and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

Definitions

“An active community member” is a person who has a sound knowledge of the area encompassed by the Ellen Brook and Brockman River catchments and is able to demonstrate a genuine interest in restoring the health of the catchment. An active community member attends formal meetings (6 per year), organised workdays or workshops of the community catchment group. It does not include people who may be on a membership or mail list and may receive information or newsletters but do not contribute actively to the management, activities or strategic direction of the group.

“The Ellen Brockman catchments”, the Ellen Brook catchment is the largest coastal sub-catchment of the Swan-Canning River System covering an area of 720 km², and the Brockman River Catchment covers an area of 1500 km². Both catchments incorporate the three geomorphological provenances of the Dandaragan Plateau, the Darling Plateau and the Swan Coastal Plain. The catchments extend from Gingin in the Shire of Gingin and Wannamal in the Shire of Chittering in the north, down to the City of Swan where the Ellen Brook connects with the Swan River at All Saints church and the Brockman River connects with the Avon River east of Walyunga National Park.

Selection Criteria

Applications for membership should have:-

- Some knowledge of natural resource management, catchment management and/or environmental issues;
- A willingness and ability to undertake the responsibilities of the position;
- ability to work within a community-based organisation;
- can bring a balanced, catchment perspective to issues;
- be willing to work enthusiastically for the benefit of the Catchment Group;
- good communication skills; and
- ability to report back key relevant issues to the groups they represent to deliver information between the groups within the catchment.

Eligibility for membership

- (1) Any person who supports the objects or purposes of the Association is eligible to apply to become a member.
- (2) A minimum of 10 voting members from the following categories
 - a. Minimum of four members who are active community members in the Ellen Brockman catchments with a sound working knowledge or interest of natural ecosystems, biodiversity and current environmental issues;
 - b. One representative each from the Chittering Valley Land Conservation District Committee (trading as the Landcare Group); the North Swan Land Conservation District Committee (trading as the Bullsbrook Landcare Group); and the Wannamal Lake Catchment Group Inc. Other community groups within the catchments with similar objectives as deemed by the committee may submit a representative.
 - c. Local Government representatives from the Shires of Gingin, Chittering and City of Swan
 - d. Representatives of State Government agencies involved in natural resource management. These members may choose to be members with full voting rights or may be regular observers at the meetings and as such will be non-voting members but will be encouraged to contribute to relevant discussions and report their associated activities to the group.
- (3) Other representatives as deemed appropriate by the committee and who comply with the *Associations Incorporation Act 2015*.
- (4) An individual who has not reached the age of 15 years is not eligible to apply for a class of membership that confers full voting rights.

Application Process

Community representatives will be selected from signed applications addressing the selection criteria. Representatives from State Government Agencies, Local Government and Landcare Groups will be by appointment. All appointments are for a period of two years.

Sub-committees

The Ellen Brockman Integrated Catchment Group will establish sub-committees to manage the business of the group and deal with any specific issue that may from time to time arise. Sub-committees will dissolve when the issue for which it is established is dealt with and finalised. There will, however, be a permanent **Executive Management Sub-committee of maximum 4 members** to manage the business affairs of the Ellen Brockman Integrated Catchment Group. The Chair of the group will chair the Executive Management Sub-committee and will include the Executive Officer and the Chair (or representative voted by their committee) of the Chittering Landcare Group (LCDC) who provide accounting and administration services under an established Memorandum of Understanding and the Chair of the Wannamal Lake Catchment Group

(or representative voted by their committee) and the Chair of the North Swan LCDC (or representative voted by their committee) also established Memorandum of Understanding.

Meeting Frequency

The Ellen Brockman Integrated Catchment Group will meet 4 times per year with the Annual General Meeting held in October of each year.

Act Requirements

Persons who are not to be members of Committee

Under section 39 of the Act the following persons must not, without leave of the Commissioner, accept an appointment or act as a member of a management committee of an association:

- (1) a person who is, according to the Interpretation Act 1984 section 13D,*
- (2) a bankrupt or person whose affairs are under insolvency laws;*
- a person who has been convicted, within or outside the State, of-*
 - (1) an indictable offence in relation to the promotion, formation or management of a body corporate; or*
 - (2) an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or*
 - (3) an offence under Part 4 Division 3 or section 127 of the Act*

Section 39 only applies to a person who has been convicted of the above offences only for a period of 5 years from the time of the person's conviction, or if the conviction results in a term of imprisonment, from the time of the person's release from custody.

Classes of membership

- (1) The Association consists of ordinary members and any associate members provided for under subrule (2).
- (2) The Association may have any class of associate membership approved by resolution at a general meeting, including junior membership, senior membership, honorary membership and life membership.
- (3) An individual who has not reached the age of 15 years is only eligible to be an associate member.
- (4) A person can only be an ordinary member or belong to one class of associate membership.
- (5) An ordinary member has full voting rights and any other rights conferred on members by these rules or approved by resolution at a general meeting or determined by the committee.
- (6) An associate member has the rights referred to in subrule (5) other than full voting rights.
- (7) The number of members of any class is not limited unless otherwise approved by resolution at a general meeting.



GINGIN DISTRICT HIGH SCHOOL BOARD TERMS OF REFERENCE

1 Name

The name of the Board is:

Gingin District High School Board.

The Board is established under the School Education Act 1999 (Sections 125 to 128) (SEA) and School Education Act Regulations (SER).

2 Purpose of Board

2.1

The Board is formed with the fundamental purpose of enabling parents and members of the community to engage in activities that are in the best interests of students and will enhance the education provided by the school.

3 Functions of the Board

3.1

The Board has the following functions:

To take part in:

- a) establishing and reviewing from time to time, the school's objectives, priorities and general policy directions;
- b) the planning of financial arrangements necessary to fund those objectives, priorities and directions;
- c) evaluating the school's performance in achieving them; and
- d) formulating codes of conduct for students at the school.

3.2

With the approval of the Director General to:

- a) take part in the selection of, but not the appointment of, the school principal or any other member of the teaching staff.

3.3

To approve:

- a) of a charge or contribution determined by the principal for the provision of certain materials, services and facilities;
- b) of the costs determined by the principal to be paid for participation in an extra cost optional component of the school's educational program;
- c) of the items determined by the principal to be supplied by a student for the student's personal use in the school's educational program; and
- d) of an agreement or arrangement for advertising or sponsorship in relation to a government school.

3.4

To determine in consultation with students, their parents and staff a dress code for students when they are attending or representing the school.

3.5

To provide advice to the principal of the school on:

- a) a general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education; and
- b) allowing time for the special religious education of students in the school, but the total number of hours so allowed in a school year is not to exceed 40.

3.6

To promote the school in the community.

4 Limits of Functions

4.1

The Board cannot:

- a) intervene in the control or management of a school;
- b) intervene in the educational instruction of students;
- c) exercise authority over teaching staff or other persons employed at the school; or
- d) intervene in the management or operation of a school fund.

4.2

The Board is not permitted to borrow money, or obtain funds for the school.

4.3

The Director General may give directions in writing to a Board with respect to the performance of its functions, either generally or in relation to a particular matter, and the Board is to give effect to any such direction.

5 Qualifications for membership of the Board

5.1

Membership of the Board will be drawn from the following categories:

- a) parents of students at the school;
- b) members of the general community;
- c) staff of the school;
- d) the Principal is automatically a member of the Board; and
- e) students of the school where there is a perceived benefit for including.

5.2

Staff who are also parents or community members will only serve on the Board in their capacity as a Department of Education employee. Such a person will only be on the Board in the category of staff membership.

5.3

The number of members of the Board will be **8 members**.

5.4

The composition of the Board will be:

- i. **The school principal;**
- ii. **Three members of the general community;**

- iii. Two staff of the school in addition to the principal;
- iv. Two parents.

5.5

The Board may co-opt members of the local community to be members of the Board for such period, or in relation to such matters, as determined by the Board where that person's experience, skills or qualifications would enable him or her to make a contribution to the Board's functions.

5.5.1 The tenure for the co-opted member will be established by the Board at the time of the appointment.

5.6

The Board may co-opt a **student** as a member of the Board where there is a perceived benefit to the Board to do so. The student will be selected by the Board and will serve for the duration of time specified by the Board, not exceeding the time to the end of the school year.

6 Roles of Office Bearers

6.1

Chairperson

The role of the Chairperson is to:

- a) chair and convene Board meetings;
- b) provide leadership to the Board;
- c) manage the business of the Board;
- d) declare the result of decisions and motions;
- e) uphold Board decisions;
- f) work in partnership with the Principal;
- g) ensure the Board stays focused on supporting the school to achieve the best outcomes for students;
- h) prepare and present an annual report to members and the school community at annual public meetings;
- i) comply with any directions of the Board in relation to the venue and time of meeting and giving notice of the meeting;
- j) resolve disputes as required;
- k) facilitate mediation meetings as required and
- l) represent the school in the community and formal functions.

6.2

A member may at any reasonable time inspect the books, documents, records and securities of the Board. Members may make a copy of or take an extract, but have no right to remove the books, documents, records or registers of the Board.

7 Elections and appointment of members

7.1

Parent and Staff members of the Board are appointed for a term of three years. The appointment shall be from the commencement of the school year following the selection. Community members shall be appointed for a term specified by the Board.

7.2

Members may be reappointed for a further term once or more than once.

7.3

A casual vacancy means a vacancy that arises when a member resigns within the duration of their tenure.

7.4

Any member appointed or elected to a casual vacancy on the Board will hold office for the residual period of the predecessor's term of office.

7.5

The chairperson is elected by and from its membership annually at the first formal meeting of the year.

7.6

Where a vacancy arises, either through expiry of membership or retirement, the Principal of the school will invite nominations from all persons in each category to fill vacancies in the Board membership.

7.7

If there are more nominees than places available on the Board:

- a) the Principal will conduct an election to appoint parents and staff; and
- b) in the category 'community members' the choice of nominee will be decided by the Board rather than by election.

7.8

Only those people eligible for a position are eligible to vote for representatives for that position.

7.9

Parent members are to be elected from and by parents. Parents eligible to vote are:

- a) each parent whose name and address has been provided to the school on the enrolment register as a parent of a student; or
- b) if neither parent's name and address has been so provided in relation to a particular student, each person who is responsible for the student.

7.10

Staff members are to be elected from and by the staff of the school. Staff members who are eligible to vote are each person who is employed at the school under **SEA s.235(1)**, and whose usual place of work is at the school.

7.11

There will not be an election to appoint community members. The Board may appoint suitably qualified persons from the list of nominees by vote in a meeting, for a term specified by the Board, but not exceeding three years.

7.12

There will not be an election to appoint co-opted members. The Board will appoint persons of the local community having such skills, experience, or qualifications as would enable the person to make a contribution to the Board's functions for a specified time period, not exceeding three years.

7.13

A person will not vote in respect of more than one category of membership of the Board.

7.14

Voting in Board elections will be conducted in written form (as opposed to a show of hands).

7.15

The school Principal is responsible for the proper conduct of all elections.

7.16

A person who wishes to nominate to serve on the Board will notify the school principal in writing by the due date in order to be considered. The Principal will keep a record of nominations received.

7.17

Where no nominations for a particular category of membership are received by the closing date, the Board is able to appoint a suitable person from the people eligible under that category of membership.

7.18

Where a member is going to be unavoidably absent for up to three meetings, they may provide the Board in writing with a nomination for a proxy member for the term of their leave signed by the member and the proxy member. A proxy member cannot be a current member of the Board.

7.19

A proxy member must be endorsed by the Board, but after endorsement will have the same rights as the normal member for the duration of the proxy membership.

8 Board meetings and proceedings

8.1

The Board must meet together to undertake Board functions for not less than 5 ordinary meetings in each year.

8.2

The chairperson will give to the school community not less than 14 days formal notice of an ordinary meeting.

8.3

The Board will determine that medium for formal notice as the school newsletter, and/or the school website, and/or another appropriate form of notice.

8.4

Annual public meeting

- a) "Annual public meeting" is the meeting held once in every calendar year that is open to the public.
- b) An annual report will be presented at the meeting to advise the school community of the performance of the Board in relation to its functions since the previous annual public meeting.

8.5

The chairperson will give to all members and parents not less than 14 days formal notice of an annual public meeting.

8.6

A special meeting:

- a) Is a meeting called for by families of students at the school for a particular purpose.
- b) will be held by determination of the Board; or
- c) will be called for by:
 - i. at least 20 families of students at the school; and
 - ii. a formal notice to the chairperson, which will state the purpose for which the special meeting concerned is required; and be signed by the families who called for the special meeting.

8.7

The Chairperson is not to convene a special meeting if the purposes of the proposed meeting is not relevant to the Board's functions.

8.8

A special meeting is to deal only with matters relevant to the purposes set out in the notice received by the Chairperson.

8.9

The Chairperson will give to all members and the school community not less than **14 days formal notice of a special meeting**.

8.10

The Chairperson will convene the special meeting within 30 days of receiving the request in writing.

8.11

The Chairperson may, with the consent of a meeting at which a quorum is present, and must, if so directed by such a meeting, adjourn that meeting from time to time and from place to place.

8.12

No business will be transacted at an adjourned meeting other than business left unfinished or on the agenda at the time when the meeting was adjourned.

8.13

When a meeting is adjourned for a period of 30 days or more, the Chairperson will give formal notice of the adjourned meeting as if that meeting were a fresh meeting.

8.14

The Board will agree on the manner that the Secretary will communicate notice of ordinary, special and annual public meetings to members and the school community.

8.15

Meetings for the Board and the Parents and Citizens' Association are to be held separately.

8.16

Subject to this Terms of Reference, the Board will determine its own procedures.

8.17

The Board may establish sub-committees for any purpose relating to the Board's functions. These committees will be responsible to, and report back to the Board at regular intervals or until the sub-committee is dissolved.

9 Quorum at Board meetings

9.1

At a meeting *five* members present in person or by a conference call at a Board meeting constitute a quorum, provided the majority are Parent and Community members of the Board.

9.2

If within 30 minutes after the time specified for the holding of a meeting of which formal notice has been given a quorum is not present, the meeting lapses and will be rescheduled;

9.3

If within 30 minutes of the time for the resumption of adjourned meeting a quorum is not present, the members who are present in person may nevertheless proceed with the business of the meeting as if a quorum were present.

10 Motions at Board meetings

10.1

A motion may be moved by a member with full voting rights, and voted on by a member with full voting rights, at an ordinary meeting, special meeting, or annual public meeting.

10.2

The Board will agree on the manner that the School will communicate notice of motions to members and the school community.

11 Resolutions at Board meetings

11.1

Each Board member is entitled to one vote only.

11.2

Procedures for counting of votes will be by a show of hands.

11.3

Voting on issues will be recorded in the minutes.

11.4

A decision of the Board will not take effect unless it has been made by an absolute majority, that is, **five votes**, regardless of the number of members present.

11.5

A motion put to the vote:

- a) may be moved and voted on at an ordinary, special or annual public meeting;
and
- b) will be decided by an absolute majority of votes.

11.6

A motion which is passed will be declared by the Chairperson as a resolution. A declaration by the Chairperson is evidence of the fact.

12 Closing an ordinary Board meeting to the public

12.1

Meetings of the Board are generally to be open to the public.

12.2

The Board will not close to members of the public an annual public meeting or special meeting.

12.3

The Board may decide to close an ordinary meeting or part of an ordinary meeting if it deals with any of the following:

- a) a matter affecting a person who is employed at the school;
- b) the personal affairs of any person;
- c) a contract entered into, or which may be entered into, by the Board and which relates to a matter to be discussed at the meeting;
- d) legal advice obtained, or which may be obtained, by the Board and which relates to a matter to be discussed at the meeting;
- e) a matter that if disclosed, would reveal:
 - i. information that has a commercial value to a person and that is held by, or is about, a person other than the Board); or
 - ii. information about the business, professional, commercial or financial affairs of a person and that is held by, or is about, a person other than the Board; and
- f) information which is the subject of a direction given under **PCA s.23(1)(a)**.

12.4

A decision to close an ordinary meeting or part of an ordinary meeting and the reason for the decision are to be recorded in the minutes of the meeting.

12.5

A student member of the Board, where selected, may be excluded by the Board at the discretion of the Board.

13 Disputes and Mediation

13.1

The grievance procedure set out in this rule applies to disputes under these rules between:

- a) a Board member and another member;
- b) a Board member and the Principal of the school;
- c) a Board member and the Chairperson; or
- d) a Board member and co-opted members.

13.2

The parties to the dispute should meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.

13.3

If the parties are unable to resolve the dispute at the meeting, a meeting may be held in the presence of a mediator.

13.4

The mediator will be-

- a) a person chosen by agreement between the parties; or
- b) in the absence of agreement:
 - i. in the case of a dispute between a member and another member, a person appointed by the Chairperson of the Board;
 - ii. in the case of a dispute between a member or relevant non-member and the Board, a person who is a mediator appointed to, or employed with, a not for profit organisation.

13.5

A member of the Board can be a mediator.

13.6

The mediator cannot be a member who is a party to the dispute.

13.7

The mediator, in conducting the mediation, will-

- a) give the parties to the mediation process every opportunity to be heard;
- b) allow due consideration by all parties of any written statement submitted by any party; and
- c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

13.8

The mediator will not determine the dispute.

13.9

The mediation will be confidential and without prejudice.

13.10

If the mediation process does not result in the dispute being resolved, the parties may seek advice from the Regional Executive Director.

14 Cessation or termination of membership of the Board

14.1

The office of a member of the Board becomes a casual vacancy if the member:

- a) becomes ineligible to hold office as a member as a result of no longer being a member of the category for which they are a representative;
- b) resigns by written notice delivered to the Board; or
- c) is removed from office by the Director General.

14.2

The Board may remove a person as a member of the Board on the grounds that the person:

- a) has neglected his or her duty as a member;
- b) has misbehaved or is incompetent;
- c) is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of his or her function as a member; or

- d) has been absent, without leave or reasonable excuse, from three consecutive meetings of which the member has had notice.

14.3

The Board will not remove a person as a member unless the person has been given a reasonable opportunity to show that he or she should not be removed from office.

14.4

A decision of the Board to remove a person from office is to be made by resolution of a majority comprising enough of the members for their number to be at least two thirds of the number of offices, whether vacant or not, of members of the Board.

ADDENDUM

In these rules, unless the contrary intention appears:

- “*Board*” means the Council of an Independent Public School. “*Council*” means the Council referred to in rule 1, established in *SEA s.125*.
- “*Director General*” means the chief executive officer of the Department of Education as defined in *SEA s.229*.
- “*Parent*” in relation to a child, means a person who at law has responsibility -
 - For the long term care, welfare and development of the child; or
 - For the day to day care, welfare and development of the child (*SEA s.4*).
- “*Student*” means a person who is enrolled at the school (*SEA s.4*).
- “*PCA*” means *Parliamentary Commissioner Act 1971*.
- “*Minister*” means a body corporate with the name “Minister for Education” (*SEA s.214(1)*).
- “*SEA*” means *School Education Act 1999*.
- “*SER*” means *School Education Regulations 2000*.
- “*Ordinary meeting*” means a meeting held by determination of the Board (*SER r.115(1)*).
- “*Annual public meeting*” is the annual meeting in which the Board presents to the school community an annual report based on the Board’s functions (*SER r.117*).
- “*Special meeting*” means a meeting of the Board called for by written notice to the chairperson by parents of students at the school for a specific purpose (*SER r.118*).
- “*Terms of Reference*” means these rules that will apply to the Board and members.

The following links provide access to legislation and other documents relevant to school governance.

School Education Act 1999 (SEA)

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_878_homepage.html

School Education Regulations 2000 (SER)

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2033_homepage.html

School Curriculum And Standards Act 1997

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_233_homepage.html

Public Sector Management Act 1994

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_233_homepage.html

Financial Management Act 2006

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_233_homepage.html

Department of Education Policies Website

<http://det.wa.edu.au/policies/detcms/portal/>

14 REPORTS - CORPORATE AND COMMUNITY SERVICES

14.1 UPPER COASTAL SPORTING FACILITIES MASTER PLAN

File	REC/13
Author	Les Crichton - Executive Manager Corporate & Community Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	<ol style="list-style-type: none">1. Summary Letter of Shire - 31 August 2021 [14.1.1 - 1 page]2. Recommendations Report to Council - 31 August 2021 [14.1.2 - 6 pages]3. Submissions to UCSFWG - 31 August 2021 [14.1.3 - 12 pages]4. UCSFWG - Meeting Minutes 11 - 16062021 [14.1.4 - 4 pages]5. Upper Coastal Sporting Facilities Master Plan [14.1.5 - 49 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To receive and consider recommendations in relation to modification of the Draft Upper Coastal Sporting Facilities Master Plan received from the Upper Coastal Sporting Facilities Working Group following its consultations with upper coastal sporting groups.

BACKGROUND

At its meeting of 16 October 2018, Council established the Lancelin Sporting Facilities Working Group with the purpose of progressing the preparation of a Master Plan for the future development of the Lancelin Sporting Complex as a consolidated facility for the Shire's Upper Coastal Region. This represented an expanded area considered by Council at its September 2018 meeting to include those communities beyond the Lancelin townsite.

The Working Group's functions were to:

- undertake a reassessment of previously prepared plans for the complex;

- prepare a scope of works for use by the Shire in engaging a consultant to formulate a new Master Plan; and
- liaise with the consultant during the Master Plan preparation process.

The Working Group consisted of:

- three Councillors;
- two members of the Lancelin Community Sporting Club Inc. Committee;
- two representatives of the Ledge Point community;
- one representative of the Ocean Farm community; and
- one representative of the Seaview Park community.

At its 16 April 2019 meeting, Council agreed to rename the working group to the Upper Coastal Sporting Facilities Working Group (UCSFWG) to more accurately reflect the objectives of the group, being to cater for the future recreation needs of communities in the Upper Coastal region.

In its 2019/20 Budget adopted on 19 July 2019, Council included a provision for the engagement of a consultant to develop a Master Plan. Following a Request for Quote and selection process completed by the UCSFWG, and budget amendment by Council at its meeting of 17 September 2019, GHD was appointed in October 2019 to undertake the Masterplan, together with the Ledge Point to Lancelin Road Cost Benefit Analysis.

The purpose of the Master Plan is to develop a strategic vision for sporting facilities in the Upper Coastal region which provides appropriate sporting and recreation facilities that are sustainable for both the Shire and community.

Underpinning this vision, the UCSFWG defined that the objectives of the Master Plan would be that it:

1. Is financially affordable and sustainable, including implementation operational and whole of life costs;
2. Capitalises on and supports maximising usage of pre-existing facilities;
3. Engages community and stakeholders to determine priorities and needs;
4. Responds to rationalised evidence-based needs versus wants/wish list;
5. Provides multi-purpose facilities that accommodate a range of sports and also connects clubs;
6. Are attractive, appealing, and modern facilities for all ages (communities and visitors);

7. Provides a vibrant (Community) hub/s that engages both the sporting and non-sporting community;
8. Brings together – fair and equitable outcomes for all (supports connectivity between towns and communities);
9. Provides facilities that can grow with the community;
10. Identifies what is important about the Upper Coastal area, community, and sporting facilities and how its character and quality can be conserved, improved, and enhanced; and
11. Explores income opportunities in facilities design.

On completing its independent analysis of the community needs and priorities in the context of the overall project objective, the draft Master Plan (**Appendix 14.1.5**) was submitted to Council at its 18 August 2020 meeting.

In summary, the draft Master Plan proposed the creation of an active sports space in Lancelin, with more passive sports located in Ledge Point. This strategy is based around the Shire's wish to create a more sustainable sporting community that maximises the existing amenity and takes into consideration future demands.

The draft Master Plan proposes football, basketball, hockey, netball, soccer, gym, and shooting located at Lancelin with golf, bowls and tennis located at Ledge Point. Two options were included within the draft, with the significant difference between the two being the location of the hockey/soccer pitch and the multi-courts at the Lancelin facility.

Option 1 proposes that the hockey/soccer surface be positioned where the current bowling greens are located, and 2 multi-courts developed where the existing multi-court is.

Option 2 proposes 4 multi-courts where the current bowling greens are located, and a hockey/soccer surface where the existing multi-court is.

In receiving the draft Master Plan on 18 August 2020, Council resolved as follows:

That Council:

1. *Receive the Draft Upper Coastal Sporting Facilities Master Plan.*
2. *Authorise the Upper Coastal Sporting Facilities Working Group to consult with relevant clubs on any modification to the Master Plan.*
3. *Request that the Upper Coastal sporting groups (comprising the Lancelin and Ledge Point sporting clubs) consult together to determine the timing of any sporting facility changes in accordance with the Masterplan. These proposals are to then be referred*

to the Upper Coastal Sporting Facility Working Group for consideration prior to being submitted to Council.

4. *Agree that the Shire cannot financially support the duplication of facilities within proximity to each other.*
5. *Agree that all sporting clubs can remain as part of the Upper Coastal Sporting Facilities as long as they are sustainable/viable.*

CARRIED UNANIMOUSLY

All member sporting groups of both the Lancelin Community and Sporting Club (LCSC) and the Ledge Point Country Club (LPCC) were advised in writing of Council's decision and requested to make their submissions on the draft Master Plan to their relative parent body. Equally, the LCSC and LPCC were advised and requested to consider their member club submissions for input to the UCSFWG.

The UCSFWG members were also advised of Council's resolution, and in addition to outlining the Working Group's continuing role, were encouraged to facilitate club input in the context of Council's broader objective in supporting affordable and sustainable community facilities.

Having considered the submissions (**Appendix 14.1.3**) received from some of the member clubs on the draft Master Plan, the UCSFWG has submitted its recommendations (**Appendices 14.1.1 and 14.1.2**) as determined at its last meeting on 16 June 2021 (**Appendix 14.1.4**) for Council's consideration.

UCSFWG Recommendations

The first recommendation by the UCSFWG is that both Options 1 and 2 be removed from the draft Master Plan and the status quo be retained.

The Chair's comment within the Report is that the community wants both golf and bowling facilities to remain in Ledge Point and Lancelin. This is reflected in the submissions included in Appendix 14.1.3 made by the Bowling Clubs and Golf Clubs from both towns (Appendix 14.1.3 Attachments A, B, C, D and E), and the Seaview Park Community Association (Appendix 14.1.3 Attachment F).

The second recommendation is that future development of sporting facilities in Lancelin and Ledge Point be prioritised and implemented over 4 stages. As detailed within the report, these are broken into short (0-5 years), mid (5-7-10 years), and long (10+years) term implementation periods. The work comprises a mix of upgrade works (ramps, lighting), additions (second netball court, extension to basketball court, fitness club) and relocation (Gun Club) of existing facilities, primarily all at the Lancelin site.

As reflected within Appendix 14.1.3, all written submissions received were from the bowling and golf clubs from both towns. No submissions were received from any of the other member sporting clubs.

COMMENT

In receiving the UCSFWG's recommendations, Council may consider the following options.

1. Accept or not accept Working Group Recommendation 1

As no alternative option is provided in relation to the golf and bowling clubs, **acceptance** of Recommendation 1 would effectively require Council to not endorse the Master Plan as it provides no path forward in relation to future development of these facilities.

A decision **not to accept** Recommendation 1 would result in Council endorsing the Draft Upper Coastal Sporting Facilities Master Plan as submitted (inclusive of Options 1 and 2) by the independent consultant. This option supports the grouping of active and passive sports to provide access to all sporting activities to the upper coastal region and addresses Council's position in relation to not continuing to support duplicated facilities.

2. Accept or not accept Working Group Recommendation 2

Recommendation 2 provides a timeline for the development of non-duplicated facilities. As detailed in the Report, these works are prioritised based on input from the Draft Master Plan, the UCSFWG's consultation with clubs, Council's August 2020 resolution, and Option 1 cost estimates provided within the Draft Master Plan (Appendix 12.1.5 Appendix C).

A decision **not to accept** Recommendation 2 would result in rejection of the development plan for non-duplicated facilities as prioritised by the UCSFWG.

Officer Recommendation

With Council previously committing to clubs continuing while they remain sustainable and not financially supporting duplication of facilities, it is recommended that:

- Options 1 and 2 within the Master Plan be retained, and the Master Plan be endorsed (ie, not accept Working Group Recommendation 1); and
- The priorities for future development of sporting facilities in Lancelin and Ledge Point as recommended by the UCSFWG be endorsed (ie, accept Working Group Recommendation 2).

In addition to providing a framework for the development of non-duplicated sporting facilities in both towns over the next ten years +, endorsement of the Master Plan provides guidance on development of golf and bowls facilities in the event that they do not remain viable.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy 3.17 – Asset Management

BUDGET IMPLICATIONS

No provision for implementation of the Upper Coastal Master Plan recommendations has been included in the 2021/22 Budget.

Equally, should Council accept the UCSFWG recommendations, there is no provision in the current budget for those priorities identified in Recommendation 2. Given that the costings provided within the Master Plan are estimates, and those within the UCSFWG's recommendations do not include provision for consultancy or contingencies, detailed costings will need to be sought and budgeted for each stage/component prior to undertaking any of the works.

Council in its August 2020 resolution agreed that it would not support the duplication of these facilities given their proximity to each other. However, it also agreed that existing golf and bowls facilities would remain as part of the Upper Coastal sporting facilities so long as they are sustainable, and all four clubs have strongly asserted that they are.

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 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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule

SECONDED: Councillor Court

Councillor Peczka foreshadowed an Alternative motion to adopt the recommendations from the Upper Coastal Sporting Facilities Working Group relating to the draft Upper Coastal Sporting Facilities Master Plan in the event the motion under debate is lost.

That Council:

1. Note the recommendations from the Upper Coastal Sporting Facilities Working Group relating to the draft Upper Coastal Sporting Facilities Master Plan (Appendix 14.1.2).
2. Adopt the Upper Coastal Sporting Facilities Master Plan as submitted (Appendix 14.1.5).
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 (Appendix 14.1.2).

CARRIED

8 / 1

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

AGAINST: *Councillor Peczka*

Mr Les Crichton
Executive Manager Corporate and Community Services
Shire of Gingin
Gingin WA 6503

24th August 2021

Dear Les

Summary Report – Upper Coastal Sporting Facilities Project

Please find enclosed the following documents:

1. Summary Report of the Upper Coastal Sporting Facilities Working Group Recommendations.
2. Various Attachments to the summary Report.

I confirm that the Summary Report has achieved a number of objectives summarised:

- a. The Working Group consulted with and communicated with key Sporting and Community Groups at Ledge Point and Lancelin to obtain further “grass roots” input and recommendations and certainty with recommended outcomes.
- b. The Working Group has achieved equitable, affordable and financial outcomes for recommended upgrades and renovation of Sporting Facilities.
- c. The Working Group are conscious of State and Federal grant funding opportunities for staged improvements and renovation to existing Facilities to improve participation growth and to improve competition playing standards.

My appreciation is extended to the Working Group members completing the set task with commitment and enthusiasm to achieve the outcomes as presented in the final Report.

Appreciation is also extended to Shire Staff for their administration assistance to the Working Group.

Regards

Frank Peczka
Chairperson
Upper Coastal Sporting Facilities Working Group

Upper Coastal Sporting Facilities Working Group Recommendations to Council (Report)

1. Background Summary

In 2016 a Visionary Master Plan was developed for the Lancelin Community and Sporting Complex which resulted in a \$55 million (approx.) project, based on desirables and did not factor in parameters such as budget, rationale, population numbers, accessibility to other similar facilities nearby, etc.

The Lancelin Community and Sporting Club recognised that this Master Plan was not realistic and provided feedback to Council on what they thought was important within the design and requested further consideration by the Council (Shire of Gingin).

The Master Plan clearly needed to be revisited and further conversations initiated by the Lancelin Community and Sporting Club Inc. resulted in the initiation of a Working Group. At this time the Lancelin Community and Sporting Club recommended as a "courtesy", to invite surrounding communities and localities to participate in the review of the standard of Community and Sporting Facilities at the Lancelin Community and Sporting Complex.

Lancelin Community and Sporting Complex Affiliated and Participating Clubs: seven (7)

- Lancelin Bowling Club
- Lancelin-Ledge Point Football Club
- Lancelin Golf Club
- Lancelin Netball Club
- Lancelin Hockey Club
- Lancelin Basketball Club
- Pegagus Gun (Clay Shooting) Club

Ledge Point Country Club Affiliated and Participating Clubs: two (2)

- Ledge Point Bowling Club
- Ledge Point Golf Club

1.1 Timeline – Summary of activity to date

Timeline	Activity
November 2018	Formation of Working Group
January to June 2019	Working group meetings
August 2019	Consultant engaged
November to March 2020	Community Engagement
June 2020	Consultants present draft Master Plan
August 2020	Draft Master Plan presented to Council

September 2020	Working Group to consult with local clubs on any modification to Master Plan
November to June 2021	Working Group meetings and consultations
July 2021	Working Group report prepared
August 2021	Working Group recommendations presented to Council

Further details are available from [Upper Coastal Sporting Facilities » Shire of Gingin](#)

1.2 Draft Master Plan Report

A copy of the draft Master Plan Report is available from
[UCR Sporting Facilities Master Plan.pdf](#)

2. Council Resolution

At a General Council meeting held on 18th August 2020, Council resolved to:

1. Receive the Draft Upper Coastal Sporting Facilities Master Plan
2. Authorise the Upper Coastal Sporting Facilities Working Group to consult with relevant clubs on any modification to the Master Plan
3. Request that the Upper Coastal sporting groups (comprising the Lancelin and Ledge Point sporting clubs) consult together to determine the timing of any sporting facility changes in accordance with the Masterplan. These proposals are to then be referred to the Upper Coastal Sporting Facility Working Group for consideration prior to being submitted to Council
4. Agree that the Shire cannot financially support the duplication of facilities within close proximity to each other
5. Agree that all sporting clubs can remain as part of the Upper Coastal Sporting Facilities as long as they are sustainable/viable.

CARRIED UNANIMOUSLY

3. Working Group

3.1 Working Group Membership

Name	Area of Representation
Cr Frank Peczka	Chairperson
Cr Jan Court	Deputy Chair
Cr Jacqui Lobb	Shire of Gingin Member
Faye Paull	Ledge Point Country Club
Norm Skoglund	Lancelin Community and Sporting Complex
Tom Papadopoulos	Lancelin Community and Sporting Complex

Andrea Vis	Ocean Farms Community Association
Jan Cardy	Seaview Park Community Association
Marie Crane	Ledge Point Community Association

3.2 Feedback

Members of the working group sought further feedback from local communities and sporting clubs to determine their view and capture suggestions for modifications to the draft Master Plan. Feedback received is attached for Council's information:

Attachment	Sporting Club / Community Group
A	Letter from Lancelin Bowling Club dated 23 rd February 2021
B	Discussion notes of the Lancelin and Ledge Point Bowling Clubs held on 8 th April 2021
C	Letter from Lancelin Golf Club dated 9 th March 2021
D	Minutes from a meeting with Ledge Point and Lancelin Golf Club dated 1 May 2021
E	Letter from Ledge Point Golf Club dated 5 th May 2021
F	Minute extract from Seaview Park Community Association Inc General Members Meeting held on 15 th August 2020
G	Feedback from Ocean Farm Community in regard to proposed Masterplan dated 21 st February 2021

3.3 Working Group Ratings Process

Working Group members were asked to rate items listed within the Draft Master Plan using a rating tool provided by the Shire. To undertake the ratings the Working Group were asked to take into account the Draft Master Plan, feedback from Clubs on the Draft Master Plan, Council's resolution and the Quantity Surveyor cost estimates.

The outcome of the rating process is reflected in the Working Group Recommendations listed in Section 5 of this report.

4. Working Group Recommendations to Council

At the Working Group's meeting held on Wednesday 16th June 2021 the following recommendations were agreed:

4.1 Recommendation 1

Feedback received from all clubs and communities (as attached to this report) confirm that the community want both golf and bowling facilities to remain in Ledge Point and Lancelin. All clubs confirmed they are both sustainable and viable.

Moved: Norm Skoglund Seconded: Tom Papadopoulos

That Option 1 and Option 2 as detailed at points 4.2 and 4.2 respectively within the Draft Upper Coastal Sub-Region Sporting Facilities Master Plan July 2020 be removed and the status quo be retained.

Carried 6/3

4.2 Recommendation 2

Moved: Andrea Vis Seconded Jan Court

That the future development of the sporting facilities in Lancelin and Ledge Point be prioritised and staged as follows:

Stage 1.

Proposed Budget Value: \$950,000 GST excl.

Proposed: Timeline: 0-5 years to undertake (to confirm) 1a,1b and 1c as urgent priority

1a	Second Multi-Court (Netball/Basketball)	\$250,000
1b	Plus additional line marking to existing netball Court	\$10,000
1c	Sports lighting to outdoor courts (subject to power source)	\$10,000
11	Disabled Access Ramp (Upper to Mid-Level)	\$200,000 (estimate)*
17	Lighting to football oval - 3 No (subject to power source)	\$260,000
1a	Resurfacing 3 existing Courts (excludes fencing)	\$100,000
1b	Lighting to three existing Courts (subject to power source)	\$120,000

**\$550,000 is proposed price for Disabled ramp access, pedestrian stairs access (x 2) and paving, split of costs is estimate only.*

Stage 2.

Proposed Budget Value: \$700,000 GST excl.

Proposed Timeline: 5-7 years

15	Shooting club (simple structure with no range) - Location TBC see below	\$350,000
7	Pedestrian Stair Access x 2 (Mid-level to Lower Levels)	\$350,000
16	Paving	(estimate)*

**\$550,000 is proposed price for Disabled ramp access, pedestrian stairs access (x 2) and paving, split of costs is estimate only.*

Stage 3.

Proposed Budget Value: \$1,457,000 GST excl.

Proposed Timeline: 7 -10 years

18a	Future Extension to Indoor Basketball Court (Complex)	\$1,000,000
4	Improved Nature Playground (Lower level)	\$7,000
13	Nature Play and Turf Viewing Area (Upper level)	\$70,000

14	Seal existing access road (excludes kerbs, drainage & lighting) (Upper to Lower level)	\$380,000
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Stage 4.

Proposed Budget Value: \$1,670,000 GST excl.

Proposed Timeline: 10+ years

2a	Car park - Hockey (excludes kerbs, drainage & lighting)	\$ 420,000
2b	Car park - Adjacent to Courts (resurface only, excludes kerbs, drainage & lighting)	\$350,000
10	Viewing Terrace (Upper level)	\$300,000
18b	Future fitness Club (Complex)	\$450,000
19	General Soft landscaping	\$150,000

Exclusions.

8a	New synthetic hockey pitch (includes earthworks, retaining & fencing)
8b	Sports lighting to hockey court (subject to power source)
9	Team Bunkers (Hockey - Mid level)

**The proposed budget for all items based on draft those provided within the draft Master Plan (based on Quantity Surveyor's Opinion of Probable Cost (June 2020)*

CARRIED 8/0

4.3 Pegasus Gun Club

All Working Group members supported the need for the Shooting Club to be relocated due to the impact on the residential area (South Lancelin) however this would need to be dealt with separately with the Shire.

5. In Summary

The Upper Coastal Sporting Facilities Working Group have completed consultation with relevant clubs on any modification to the draft Master Plan as directed by Council (refer to Item 3 above). Communities are majority unified in their views which are summarised below:

- Bowling Facilities and Participation to remain in both Ledge Point and Lancelin
- Golf Facilities and Participation to remain in both Ledge Point and Lancelin
- New synthetic Hockey Facilities to be pushed back and considered at a later stage if demand supported this
- The future development of the sporting facilities in Lancelin and Ledge Point be prioritised and staged as listed at 5.2 in this report

- Pegasus Gun Club relocation is necessary and a priority due to its uniqueness and early establishment, there needs to be a separate discussion between the Shire of Gingin and the Gun Club
- Stage 1 programming and priority is a must for a 0-5 year time frame at the Lancelin Community and Sporting Complex.

The Working Group request that Council consider the recommendations outlined in this report and approval of the amendments to the Upper Coastal Sub-Region Sporting Facilities DRAFT Masterplan to meet the Communities expectations moving forward.

Frank Peczka

**Cr Frank Peczka
Chairperson
Upper Coastal Sporting Facilities Working Group
24th August 2021**

■ UPPER COASTAL SPORTING FACILITIES PROJECT = Attachment A

Lancelin Bowling Club
PO Box 101
Lancelin WA 6044

Email pjwilliams576@gmail.com

President : Graham Williams 0428551147 Secretary : Pat Williams 0417096876

23rd February 2021

Mr Frank Peczka
Chairman
Working Group
Upper Coastal Sporting Facilities

Dear Frank

Would you please pass on our concerns to your working group.

On behalf of the Lancelin Bowling Club Committee after looking at the latest Master Plan we were surprised and disappointed that the Bowling greens no longer exist on any of the options.

At the very first workshop it was established and noted that the Bowling Clubs did not wish to amalgamate. This was also noted at every other workshop.

It is hard to understand why you persist with your agenda to remove Bowls and Golf from Lancelin when this is totally against the wishes of the community. If the Lancelin Bowling Club becomes extinct ultimately the Moore Districts Bowling League will also become extinct with no bowls competitions available in the Gingin Shire. Is this the outcome you are seeking?

We are also of the opinion that the upgrades that are to be prioritised need more thought and time before being finalised.

Surely if this is for the long term the Bowling Club upgrade needs to be considered.

Why are these meetings confidential as it would be beneficial if the community knew the facts. No information is ever provided.

We await your replies to our concerns.

Yours sincerely

Pat Williams
Hon Secretary

A1.

UPPER COASTAL SPORTING FACILITIES DRAFT MASTER PLAN Attachment B

**DISCUSSION NOTES OF THE LANCELIN AND LEDGE POINT BOWLING CLUBS
HELD 08 APRIL 2021**

Present: Graham Williams (President Lancelin Bowling Club)
Angelo DeBari (President Ledge Point Bowling Club)
Vince Tarzia (President LPCC)
Norm Skoglund (President LCSC)

Meeting commenced 12.45pm.

Norm explained the purpose of the meeting saying it was a requirement of Council's draft Upper Coastal Facilities Master Plan resolution of Council meeting 18 August 2020 that the Lancelin and Ledge Point sporting clubs consult to determine any changes to the draft Master Plan.

Graham said the Lancelin Bowling Club had written to all Councillors and the UCSF Forum Group expressing their dismay that the Lancelin Bowls and Golf facilities have been left off the plan. Vince and Angelo said that they had not seen the draft Plan so Graham tabled one for Vince and Angelo to look at.

Angelo said that right from the first community workshop it was agreed that facilities (golf & bowls) remain in each community and this was reiterated throughout the workshops so why did the consultants not include them as requested by the communities.

Norm asked about Ledge Point Bowling Club's draft plan meeting outcome and Angelo said they have not had a meeting and were only asked by the Country Club what the cost of a new green would be, and he told them about \$300K as a second green might be required if Lancelin had to relocate. The only money the bowls has is their surface replacement fund as the existing surface has about 9 years to go.

General discussion took place as to the motivation behind the draft plan and purpose of only one golf course and one bowls facility when the initial process was to replace the Lancelin building which was subject to concrete cancer. Norm said that a new report has cleared the building of concrete cancer and only general maintenance was required, asked about the report he said it was of a technical nature and confidential.


Graham gave an overview of when and how the existing facility came to be saying that the Shire built it to be the main focal sporting and community facility in the northern part of the Shire, the question was asked "who or what changed that view?"

Graham said that he has spoken to Shane Love MLA who is of the opinion that each community has its own facility for their residents and is not tied to the closeness of these communities.

Outcome of discussion:

- Members present all agreed that bowls and golf remain and are supported in Lancelin and Ledge Point
- Lancelin bowls green and golf course are included in an updated draft plan.
- 4.2 Option One and 4.5 Option Two are removed from the draft plan.
- Replace bowling greens back on the plan in their existing situ.

Discussions closed 2.00pm


Graham Williams


Angelo DeBari

Bl.

LANCELIN GOLF CLUB Inc
PO Box 75, Lancelin WA 6044
ABN: 50 135 399 520

President:	Leon Temby	0429486147
Vice President:	Owen Temby	0434562547
Secretary:	Mike Cardy	0406787070



Attachment C



Date: 9th March 2021

To: The Shire President

CC: -
Shire Councillors
Chairperson of Upper Coastal Sporting Complex Working Group (UCSCWG)
President Gun Club

For information only: -
President Bowling Club
President Ledge Point Golf Club

References:

- A: Gingin Shire Annual Report 2019/2020
- B: Upper Coastal Sub-Region Sporting Facilities Masterplan

1. INTRODUCTION

As Lancelin Golf Club is **not** specifically represented on the Upper Coastal Sporting Complex Working Group the president of Lancelin Community Sports Centre requested Lancelin Golf Club to make its stance clear. This letter clarifies the position of Lancelin Golf Club and that of its members regarding any efforts by any outside influence to change the Status Quo of the club. It has been structured under the headings as numbered below; there are some dynamic links to external web pages to expand on content as clarification.

2. COMMUNITY HEALTH

Lancelin Golf Club is a much loved and respected resource of the community, it is the centre of so many people's lives and has been for the last forty years. Lancelin Golf Club values mental health and provides a venue where everyone has the opportunity to be mentally healthy, the committee and its members have created a supportive environment that strengthens individual and community resilience. Lancelin Golf Club is an active partner with Act-Belong-Commit, whose beliefs pivot around being active, having a sense of belonging and having a purpose in life, all of which contribute to happiness and good mental health. The Act-Belong-Commit guidelines for positive mental health provide a simple approach for adoption to become more mentally healthy. In essence, Act-Belong-Commit aims to increase individual and community

wellbeing by increasing and strengthening connections between community members. Lancelin Golf Club is proud to be part of this campaign.

It is noted on page 5 of Reference A, FOCUS AREA 1 – Community Wellbeing, it states: -

COMMUNITY ASPIRATION: An active, healthy and safe community with a range of **easily accessible services and facilities**.

COUNCIL OBJECTIVE: To support the Shire of Gingin community to be **inclusive, vibrant, healthy and safe** through the Shire's shared service delivery.

Lancelin Golf Club is delighted to see that the shire recognises the importance of these elements that contribute to a healthy community; however, it questions their intentions of enforced eviction of our membership to travel further afield to play golf. Does this really support "**easily accessible service and facilities**"?

The council objective among others to support the community to be **inclusive and healthy** are contradictory in as much as the polarisation caused in the community by the introduction of the Masterplan study process has **excluded** sectors of the community because they feel that they are not being represented or heard. The effect on the mental **health of our** membership is not insignificant as is demonstrated by some members showing uncommon feelings such as "anger, outrage, confusion, hopelessness and stress" due to the upset caused by methods employed by the shire in their campaign for unnecessary change.

3. IS THERE A REAL NEED?

Extracts from Reference B, Paragraph 2.1:

2.1 Upper Coastal Sub-region

*The Shire of Gingin is located approximately 85 kilometres north of Perth in the Wheatbelt region of Western Australia. The Shire is one of the State's fastest growing rural areas with a population of 5217 residents as calculated to the 2016 Census and a **growth forecast of 16.384% increase in the next 25 years** (WA Tomorrow, DPLH)....*

*Upgrades to major transport routes such as Indian Ocean Drive and NorthLink are expected to further reduce travel times and result in **more visitors and tourists to the region**....*

*The Upper Coastal Sub-region is located to the North-West of the Gingin Town Centre with a population of 1470 across (ABS Census 2016) four localities including **Lancelin (50% of population)**, Karakin (18%), Ledge Point (16%), and Nilgen (16%).*

The most salient points gleaned from above are highlighted in **bold**; if there is to be 16.385% growth in population in the next 25 years and there will also be more visitors and tourists, and Lancelin accounts for 50% of the population; then why are there moves afoot to reduce facilities in Lancelin rather than them being increased and/or expanded?

4. ONE OF WA's BEST COURSES

As the link below shows, Lancelin Golf Club has just recently been recognised and listed as number 10 in "Perth's Best Public Courses" sponsored by perthisok.com and is the only course outside of Perth to do so!

As was proved when we launched our petition against closure in 2019, when we attracted one thousand plus supporters, the people of Lancelin and surrounding areas want the Lancelin Golf Club to remain where it is. The courses' uniqueness is recognised among the golfing fraternity as being a seriously challenging course which is in fantastic condition.

Lancelin Golf Club is self-governing and is financially independent; it is led democratically, by a committee of its members, by the members, and for the members.

5. SERVING COMMUNITY

Lancelin Golf Club, which was established forty years ago, is here for ever and has no intent on discontinuing its activities at Lancelin Golf Course, we will continue to serve the community so it can play on the Lancelin Golf Course just as the club has done for the preceding forty years.

6. THE GUN CLUB

Lancelin Golf Club can offer possible assistance to the Gun Club; It's noted that in Reference B., there has never been shown a "Trace" of the "Range Safety Area Template". These templates must match or exceed the most ballistically significant cartridge to be used on that particular range. Without the appropriate safety area template, it is impossible to make any wise or safe decision on the geographical position of the gun club firing points or movement boxes. If the gun club needs to extend its operational range safety area template for an occasional annual event, there is no reason why they cannot overlap their range safety area template over the golf club's real estate on the event days by prior arrangement; with the appropriate signage and barriers the Golf Club can simply close certain areas off during the shooting competition thereby satisfying the needs of the gun club.

7. TRANSPARANCY AND SECRECY

It is questioned why so much secrecy and lack of transparency has been imposed on the UCSCWG by the Shire; If there is secrecy involved concerning public property, surely there is something wrong.

Distribution of information coming from the UCSCWG should be disseminated through all of the interested parties.

8. BUSINESS SYMBIOSIS

The club operates for 12 months of the year. This is possible because we have reticulation. This also means visitors to the town have access to a high-quality course for 12 months of the year.

This is viewed as an extremely important feature to the businesses in town. Access to many recreational facilities and activities is what tourists thrive on. The businesses in town reciprocate and support the club with generous sponsorship.

9. CURRENT MAINTANANCE

Our recent AGM consolidated the view with a unanimous vote, that the non-irrigated 9 holes be maintained and fixtured for games in the rainy season. The onset of early rain has brought about lush couch and has kicked our workers into action. The fairways are being prepared and our first fixtured game will commence in two weeks. These 9 holes have spectacular views of the ocean and players are eagerly looking forward to playing it.

10. CONCLUSIONS

The conclusion that many people at our club have made is that it is solely a financial decision to dissolve the Lancelin Golf Club. Unfortunately, the casualties of poor financial decisions are usually people and the environment. In our case the huge impact on the well-being, mentally and physically, has not been seen as important. But it has been significant and continues to be, as the assault and the uncertainty hangs over us. The committee feels like it is being bullied. Roadblocks are being put up on every endeavour to improve the club.

The sitting member of Moore, Shane Love stated verbally that each town **was entitled to its own Golf Club** and he believed **funding** would not be compromised by their proximity.

It is my duty to inform you that the club is thriving; both as a meeting place for recreation and socialising and also as a financially viable ongoing enterprise.

We believe our friends at Ledge Point who also have a very successful club can continue to operate happily; each helping its own town, its residents and the visitors that both towns need.

We really hope the 'Working Group' can make significant changes to the draft 'Master Plan'. We hope the Shire staff change their attitude to one of helping and consulting with its constituents rather than one of conflict and dictatorship. Most importantly we hope you as councillors can support our endeavours to grow our club; our future depends on it.



Leon Temby
President Lancelin Golf Club

Attachment D



Ledge Point Country Club

ABN: 75 557 285 670
PO Box 402, Ledge Point 6043
Email: ledgeclub@gmail.com

MEETING OF LANCELIN & LEDGE POINT GOLF CLUBS

HELD 1 MAY 2021 AT LEDGE POINT COUNTRY CLUB

Present: Leon Temby, Owen Temby, Michael Cardy, Vince Tarzia, Joe Crupi, Fran Thompson, Rob Sanders, Faye Paull

1. Faye opened the meeting at 9.30am by explaining that the Shire has asked, as was recommended by GDH the consultants of the "Master Plan", that the two golf clubs meet to discuss which of the two golf clubs would be the "Recognised" and supported golf facility in the Shire of Gingin.
2. The term "Recognised Club" was expanded as, that being; "Only one golf course will become the recognised and supported facility as denoted in the Final Master Plan; the other golf course can remain for as long as the physical club can continue to sustain their facilities to the appropriate standard."
3. Faye went on to say that she could see in principle why the Shire has taken this stance, but all were in agreement that it was not necessarily the right thing to do and that the whole idea is flawed. This is evident in the fact that the consultants made no recommendation to council and left it up to the working group and individual clubs to sort out.
4. It was clear from the comments from all those present that there was no sound reason why a club should be elevated as recognised and the other not to be supported.
5. **Those present were of one mind that both clubs should continue as they are.**
6. Some salient comments are as follows:
 - 6.1. Lancelin Golf Club stated that the shire has provided no additional financial support outside the accepted grant schemes since 2017. The last assistance was \$40,000 in November 2017 towards the installation of a bore and associated controller. All funding since then has been as a result of internal investment from the club's own funds.
 - 6.2. Ledge Point Golf Club stated that their Golf course has received no financial support from the shire since its conception in 2004. A loan was taken out with the shire in 2003 by the Country Club for \$40,000 to assist in the development of the course and was repaid by the Country Club. The Ledge Point Golf Club has always been, and continues to be, financially viable and sustainable and continues to grow yearly.
 - 6.3. The shire has pitted both communities against each other, as the old adage describes "Divide and Conquer". How does this serve the communities?
 - 6.4. The lack of transparency of the working group meetings has been counterproductive.

DI.

- 6.5. Volunteers continue to maintain both courses to high standards and despite concerns that volunteers may no longer be available or willing, the numbers keep improving and new groups commit.
- 6.6. The longevity of our volunteers is heavily aligned with the activities that they take part in and the groups that they feel part of and commit to. To mess around with these important activities would lead to shorter lives.
- 6.6.1. LGC has partnered with Act-Belong-Commit because the club ethos was aligned with the Act-Belong-Commit organisational beliefs.
- 6.6.2. LPGC is very much a "Men's Shed" and provides its members and volunteers with physical and mental stimulation that contributes to healthy minds and wellbeing.
- 6.6.3. It's not all about Golf.
7. In conclusion both groups agreed:
- 7.1. Recommend the working group support modifying the master plan to reject the recommendation to Council that only one Golf Club becomes the "recognized" and supported facility in the shire.
- 7.2. Recommend the working group reject the Council's resolution 3.4 that the Shire cannot financially support the duplication of facilities. History dictates that the shire has never supported the Ledge Point Golf Club financially in the past and has contributed very little to the Lancelin Golf Club. Both Clubs are financially viable and sustainable and financial support from shire is not needed in the foreseeable future.
- 7.3. Amend resolution 3.5 that both Golf Clubs can remain as part of the Upper Coastal Sporting Facilities and the shire assess and provide financial assistance on a needs basis from both Golf Clubs.
- 7.4. Neither club should need to reduce their status quo or ability to develop their course further.
- 7.5. The cost of these proceedings over the last 18 months has been a waste of resources.

Meeting concluded at 10.05am.

Minutes forwarded to Leon Temby and Faye Paull and accepted as true and correct.



Leon Temby



Faye Paull

D2 .



Attachment E

LEDGE POINT GOLF CLUB
PO BOX 38
LEDGE POINT WA 6043

5 May 2021

To: President and Councillors of the Shire of Gingin

RE: FOR YOUR CONSIDERATION REGARDING THE UPPER COASTAL SPORTING FACILITIES MASTER PLAN

The Ledge Point Golf Club was officially opened in 2004.

It is a fully reticulated grass green 9 hole course. Three additional holes have been installed since its inception making it a 12 hole course that shares fairways. Like other successful 9 Hole courses in WA such as Cottesloe's Seaview Golf Club and Nedlands Golf Club it has 18 individual tee-boxes enabling it to be a repeating course allowing 18 hole competitions.

The course is open 24 hours a day 7 days a week all year round. We utilize an honour box system when the golf office is not open. This enables members, locals, tourists and visitors to use the course at their leisure.

Competitions are played every Wednesday, Friday, Saturday & Sundays. On average we have 40-50 golfers on Saturdays, 30-40 on Friday, 10-14 Ladies on Wednesday & 15-20 on Sundays. This equates to approximately 100 or more users per week not including non-competition golfers which we estimate to be approximately 50 per week. Based on these figures, we estimate approximately 7500-8000 people use our course every year.

The Saturday competitions are fully sponsored for the whole season which runs from February to December and is open to both male & female members and guests.

As of May 2021 we have 143 members. This represents not only local people from Ledge Point but also members of Lancelin Golf Club, various Perth golf clubs and regional towns such as Calingiri, Mount Magnet, Bindoon, Sovereign Hill & Dandaragan. Groups from Collie, West Perth, Hamersley Golf Club, Calingiri and Lancelin hold joint competition events with us throughout the year. This usually entails a dinner or lunch after golf at the Country Club and have become regular fixtures on our Golf calendar for many some years.

In addition, we hold a Ladies Open every May and a Mixed Open in October. The Ladies Open attracts maximum numbers of 64 with 20 people on a waiting list this year. The October Mixed Open also has a full field every year with a waiting list.

The course was built by volunteers and continues to be maintained by volunteers weekly. In addition, we have two paid ground staff who mow and maintain the greens and tee-boxes on average 5 times a week. There are currently about 12 volunteers that help with various tasks on the golf course on a weekly basis. This includes mowing of fairways and green surrounds, reticulation repairs and general improvements and maintenance of the course.

E1.

The Golf Club currently has a wide range of equipment. All equipment has been purchased by the Golf Club using their own funds. New equipment rather than secondhand is our preferred option. Machinery is constantly being upgraded and maintained and a maintenance schedule is adhered to. Recent purchases include a new mower for non-fairway mowing at a cost of \$35,000 in 2020, a spiking unit for \$10,000 & new vertimower reels for \$8,000.

Four motorized buggies have now been purchased by the golf club at a cost of approximately \$5,000 each. These are housed at the newly renovated golf office and are a big attraction for visitors on a daily basis. We also have many golf sets and other equipment for hire.

Membership Fees for 2021 are \$95pa + compulsory membership to the Ledge Point Country Club. The golf club is an affiliated club with Golf WA.

All post game presentations and many functions are held at the Ledge Point Country Club assisting the Country Club to maintain their sustainability. Members enjoy a drink and a meal regularly after every game.

Given all these facts it is clear to see that the Ledge Point Golf Club is viable, self-sustainable and continues to grow every year. It is a vital element to the success of Ledge Point and all the businesses in town. Its success will continue to add to the growth and vitality of Ledge Point.

Thanking you for your time and consideration.

Yours truly,

Robin Sanders
President
Ledge Point Golf Club.

E2.

Attachment F

Minute Extract

SEAVIEW PARK COMMUNITY ASSOCIATION Inc

GENERAL MEMBERS MEETING

Minutes of the meeting held on Saturday 15th August 2020 at SPCA Community Hall

8.4 Upper Coastal Sporting Facility - It was brought to members' attention that the Shire of Gingin had proposed to close the Lancelin Golf and Bowls Clubs facilities based at the Lancelin Community Sports Centre and that councillors will be asked to vote on the proposal at the next Shire meeting scheduled to be held on Tuesday 18th August 2020.

It was noted that both of these facilities are well used by Seaview Park residents and after some discussion the following motion was proposed:

Motion: that Seaview Park Community Association does not support the Shire of Gingin's proposal to close the Lancelin Golf and Bowls Clubs facilities based at the Lancelin Community Sporting Complex.

Moved: M Cardy 2nd: A Nell Carried

Attachment G

UPPER COAST SPORTING FACILITIES WORKING GROUP

21st February 2021

FEEDBACK FROM OCEAN FARM COMMUNITY IN REGARD TO PROPOSED MASTERPLAN:

As residents of Ocean Farm are generally familiar with travelling for most organised sports, their attitude towards the proposed Masterplan was predominantly supportive.

Most residents have no specific comment about location of facilities, they are happy that the facilities are available should they wish to participate. Those with either young or adolescent children are also of the same opinion, and just want them to have the opportunity to participate in sports in their local community, whether that be Ledge Point or Lancelin, makes so real difference to them as they'll be travelling anyway.

There are a couple of area specific activities that they would like to initiate in Ocean Farm, such as a BMX track in the reserve (surrounding the Fire-Shed and Community Hall), that would be best addressed by the local community and has no bearing on this outcome.

Although they don't want to see clubs/associations having to be closed – neither do we, there is an understanding about the financial implications of duplicated facilities and that this is not viable for a small population (Upper Coast Area) in the long term.

Presented at OFCRA meeting held 21st February, 2021

G1.

**Upper Coastal Sporting Facilities Working Group
Meeting Minutes**

Wednesday 16 June 2021, 4pm – 5.30pm, Lancelin Sporting Complex

Meeting opened at 4.10pm

1. Welcome

Working Group

Councillor Frank Peczka	Presiding Member, Shire of Gingin, Council
Councillor Jan Court	Deputy Presiding Member, Shire of Gingin, Council
Councillor Jacqui Lobb	Shire of Gingin, Council
Tom Papadopoulos	Lancelin Community Sporting Club (Attended by phone)
Norm Skoglund	Lancelin Community Sporting Club
Jan Cardy	Seaview Park Community Association
Faye Paull	Ledge Point Country Club
Andrea Vis	Ocean Farm Community Association
Marie Crane	Ledge Point Community Association (Attended by phone)

Shire Representative

Les Crichton	Shire of Gingin, Executive Manager Corporate and Community Services
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The Chair acknowledged the absence of Jodie Mortadza who recently resigned from the Shire to take up a role with a consultancy firm and thanked her for contribution to the Upper Coastal Sporting Facilities Master Planning project and Working Group.

2. Meeting Minutes (12 May 2021)

Moved: Jan Cardy Seconded: Norm Skoglund

That the minutes of the meeting held 12 May 2021 be confirmed as true and accurate record.

Carried 9/0

3. Correspondence

Discussion Notes of the Lancelin and Ledge Point Bowling Clubs (8/4/2021)

4. Upper Coastal Sporting Facilities Working Group Report

4.1 Receipt of Discussion Notes of the Lancelin and Ledge Point Bowling Clubs (8/4/2021)

Moved: Norm Skoglund Seconded: Jan Cardy

That the notes of Discussion notes of the Lancelin and Ledge Point Bowling Clubs meeting held 8 April 2021 be received.

Carried 9/0

4.2 Draft Report for Review and Confirmation

Nil

4.3 FAQ Sheet Update

The Presiding Member confirmed this had been finalised and asked if it had been placed on the Shire's website. Les advised he would follow up with the Marketing & Communications Officer.

4.4 Council Meeting – Agenda Item for July Meeting

The Presiding Member opened discussion on the Working Groups proposed recommendations to Council on the Draft Masterplan and lead discussion on each of the facilities proposed.

Hockey Grounds - Lancelin

All considered this be pushed back and considered at a later stage if demand supported such.

Gun Club- Lancelin

All agreed this needed to be relocated due to impact on the residential area however this would need to be dealt with separately with the Shire.

Golf/Bowls – Lancelin/Ledge Point

General discussion was that both facilities at each of the locations should remain while sustainable. Issues raised and debated included that the community had voiced at the forums held last year to keep both, the level of external and Shire funding available.

WORKING GROUP RECOMMENDATIONS TO COUNCIL

Moved: Norm Skoglund Seconded: Tom Papadopoulos

That Option 1 and Option 2 as detailed at points 4.2 and 4.5 respectively within the Draft Upper Coastal Sub-Region Sporting Facilities Master Plan July 2020 be removed and the status quo be retained.

Carried 6/3

Tom Papadopoulos left the meeting during debate on this item however as he had seconded the motion, the Presiding Member accepted this a vote in favour of the motion.

Moved: Andrea Vis Seconded Jan Court

That the future development of the sporting facilities in Lancelin and Ledge Point be prioritised and staged as follows:

Stage 1.

Proposed Budget Value: \$950,000 GST excl.

Proposed: Timeline: 0-5 years to undertake (to confirm) 1a,1b and 1c as urgent priority

1a	Second Multi-Court (Netball/Basketball)	\$250,000
1b	Plus additional line marking to existing netball Court	\$10,000
1c	Sports lighting to outdoor courts (subject to power source)	\$10,000
11	Disabled Access Ramp (Upper to Mid-Level)	\$200,000 (estimate)*
17	Lighting to football oval - 3 No (subject to power source)	\$260,000
1a	Resurfacing 3 existing Courts (excludes fencing)	\$100,000
1b	Lighting to three existing Courts (subject to power source)	\$120,000

**\$550,000 is proposed price for Disabled ramp access, pedestrian stairs access (x 2) and paving, split of costs is estimate only.*

Stage 2.

Proposed Budget Value: \$700,000 GST excl.

Proposed Timeline: 5-7 years

15	Shooting club (simple structure with no range) - Location TBC see below	\$350,000
7	Pedestrian Stair Access x 2 (Mid-level to Lower Levels)	\$350,000
16	Paving	(estimate)*

**\$550,000 is proposed price for Disabled ramp access, pedestrian stairs access (x 2) and paving, split of costs is estimate only.*

Stage 3.

Proposed Budget Value: \$1,457,000 GST excl.

Proposed Timeline: 7 -10 years

18a	Future Extension to Indoor Basketball Court (Complex)	\$1,000,000
4	Improved Nature Playground (Lower level)	\$7,000
13	Nature Play and Turf Viewing Area (Upper level)	\$70,000
14	Seal existing access road (excludes kerbs, drainage & lighting) (Upper to Lower level)	\$380,000

Stage 4.

Proposed Budget Value: \$1,670,000 GST excl.

Proposed Timeline: 10+ years

2a	Car park - Hockey (excludes kerbs, drainage & lighting)	\$ 420,000
----	---	------------

2b	Car park - Adjacent to Courts (resurface only, excludes kerbs, drainage & lighting)	\$350,000
10	Viewing Terrace (Upper level)	\$300,000
18b	Future fitness Club (Complex)	\$450,000
19	General Soft landscaping	\$150,000

Exclusions.

8a	New synthetic hockey pitch (includes earthworks, retaining & fencing)
8b	Sports lighting to hockey court (subject to power source)
9	Team Bunkers (Hockey - Mid level)

The proposed budget for all items based on draft those provided within the draft Master Plan (based on Quantity Surveyor's Opinion of Probable Cost (June 2020)

CARRIED 8/0

4.7 Next Steps/Actions

Responsible Person	Action

5. Next Meeting

No further meeting scheduled.

The meeting closed at 5.33pm



Upper Coastal Sub-Region Sporting Facilities Master Plan

Shire of Gingin



July 2020

DRAFT



Contact
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Rev No.	Author	Reviewer		Authorisation		
0	S. Burges, I. Pexton	K. Petani		K. Petani		

Image on cover: Lancelin Golf Club Facebook

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1.0 Introduction

1.1 Purpose of this Report

1.2 Project Vision

1.3 Project Objectives

1.4 Scope and Limitations

01

Image: Lancelin Bowling Club Facebook

1.0 Introduction

“ The Upper Coastal Sub-region has appropriate sporting and recreation facilities that are sustainable for both the Shire and the community over the long-term. ”

The Master Plan Report draws together previous studies and investigations through a four-stage Master Planning Process including Needs Analysis, Collaborative Planning, Investment Prioritisation and Implementation.

1.1 Purpose of this Report

To support growth, liveability and sustainability in the Upper Coastal Sub-region, the Shire of Gingin is keen to understand the existing and future sporting facilities requirements across the four Upper Coastal settlements of Ocean Farm, Seaview Park and in particular Lancelin and Ledge Point.

This Upper Coastal Sporting Facilities Master Plan Report (Master Plan Report) presents the activities and analysis undertaken to establish the design rationale for the proposed Upper Coastal Sporting Facilities Master Plan (Master Plan) for the Shire of Gingin.

The Master Plan Report draws together previous studies and investigations through a four-stage Master Planning Process including Needs Analysis, Collaborative Planning, Investment Prioritisation and Implementation. It is a strategic document that will guide the evolution of sporting facilities in the Upper Coastal Sub-region over the next 10 - 20 years. The Master Plan will inform the development of detailed designs and assist in the Shire to attract and allocate funding for implementation.

1.2 Project Vision

The Shire of Gingin Council adopted purpose of the Master Plan is to develop a strategic vision for sporting facilities in the Upper Coastal Sub-region:

“The Upper Coastal Sub-region has appropriate sporting and recreation facilities that are sustainable for both the Shire and the community over the long-term”

1.3 Project Objectives

The Shire of Gingin understands that there is a need to review current sporting facilities and future priorities, including how it can better capitalise on existing infrastructure and have development needs assessed based on rationalisation and evidence. To reinforce this vision an Upper Coastal Sporting Facilities Working Group (Working Group) was established to represent the local community.

The Working Group defined the objectives of the Upper Coastal Sporting Facilities Master Plan as follows:

1. Financially affordable and sustainable – considering implementation, operational and whole of life costs;
2. Capitalise on and support maximising usage of pre-existing facilities;
3. Engaging community and stakeholders to determine priorities and needs;
4. Respond to rationalised evidence-based needs versus wants/wish list;
5. Multi-purpose facilities that accommodate a range of sports and also connects clubs;
6. Attractive, appealing and modern facilities for all ages (communities and visitors);





7. Vibrant community (central) hub/s that engages both the sporting and non-sporting community;
8. Bringing Upper Coastal communities together – fair and equitable outcomes for all (supports connectivity between towns and communities);
9. Facilities that can grow with the community - Design accommodates capacity for facilities to grow as future needs change;
10. Identifies what is important about the Upper Coastal area, community and sporting facilities and how its character and quality can be conserved, improved and enhanced;
11. Explore income opportunities in facilities design; and
12. Includes assessment of proposed Ledge Point to Lancelin road (construction of Old Ledge Point Road)

1.4 Scope and Limitations

This report: has been prepared by GHD for Shire of Gingin and may only be used and relied on by Shire of Gingin for the purpose agreed between GHD and the Shire of Gingin as set out in section 1.1 of this report.

GHD otherwise disclaims responsibility to any person other than Shire of Gingin arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by Shire of Gingin and others who provided information to GHD (including Government authorities), which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information

2.0 Study Area

2.1 Upper Coastal Sub-region

2.2 Existing Sporting Amenity

02

Image: Lancelin Sports Complex Facebook

2.0 Study Area

“ The Shire is one of the State’s fastest growing rural areas with a population of 5217 residents as calculated to the 2016 Census and a growth forecast of 16.384% increase in the next 25 years.”

(WA Tomorrow, DPLH)

The Shire of Gingin is experiencing growth as a result of its lifestyle, the environment and proximity to Perth.

2.1 Upper Coastal Sub-region

The Shire of Gingin is located approximately 85 kilometres north of Perth in the Wheatbelt region of Western Australia. The Shire is one of the State’s fastest growing rural areas with a population of 5217 residents as calculated to the 2016 Census and a growth forecast of 16.384% increase in the next 25 years (WA Tomorrow, DPLH). The Shire covers an area of approximately 3208.4 square kilometres and consists of three sub-regions including Rural Gingin, Lower Coastal and Upper Coastal.

The Shire of Gingin is experiencing growth as a result of its lifestyle, the environment and proximity to Perth. The local government area offers both a coastal and a semi-rural lifestyle, appealing to sea changers, tree changers and retirees. Upgrades to major transport routes such as Indian Ocean Drive and NorthLink are expected to further reduce travel times and result in more visitors and tourists to the region.

The Upper Coastal Sub-region is located to the North-West of the Gingin Town Centre with a population of 1470 across (ABS Census 2016) four localities including Lancelin (50% of population), Karakin (18%), Ledge Point (16%), and Nilgen (16%). The area consists of mostly flat, sandy soil with residents mainly living in stand-alone housing, small acreage or broad acre farms. The Upper Coastal area’s permanent population is predicted to grow around 18% from 2016 to 2026 (Forecast.

id).
Figure 1.0 on the right identifies the location of the Upper Coastal Sub-region in relation to the greater Gingin area.

- Legend
- Road
 - Local Government boundary
 - Metropolitan Region Scheme boundary
 - Sub-Region boundary



Figure 1.0 - Location of the Upper Coastal Sub-region, Gingin

2.2 Existing Sporting Amenity

A summary of the current provision of sporting and recreation facilities in the Upper Coastal Sub-region is detailed in Table 1.0 and illustrated in Figure 2.0.

Location	Facilities	Observations
Ocean Farm	2 x multi-purpose courts	Fair condition, no upgrade required.
Lancelin Sporting Complex	Golf and Bowls Clubhouse	Fair condition, some concrete cancer requiring rectification. Includes bar, function space, toilets and change rooms.
	Indoor basketball, multi-purpose area.	¾ basketball court. Fair condition but unable to be used for basketball competition.
	18-hole golf course	Fair condition. Nine holes reticulated and nine holes unreticulated. Large ongoing maintenance commitment.
	2 x natural grass bowling greens	Good condition. Large ongoing maintenance commitment.
	2 x outdoor netball courts	Good condition. Sports lighting requires upgrading.
	Football Club changing rooms	Good condition. No upgrades required
	Football Club bar and kiosk	Good condition. No upgrades required
	Football oval	Good condition. Sports lighting for training purposes is required.
	Children's Playground	Good condition. No upgrades required.
	Recreational Shooting Club	Existing range location may pose a safety risk to nearby housing developments. Requires relocation.
	Internal roads	Unsealed. Some realignment required.
	Carparking	Sealed and unsealed. Some upgrades and formalisation of parking spaces required.
Ledge Point	Ledge Point Country Club – Clubhouse	Fair condition. Includes bottle shop, bar, restaurant, large function space, toilets and changerooms.
	18-hole golf course (9 fairways)	Fully reticulated, good condition. Large ongoing maintenance commitment.
	2 x synthetic grass bowling greens	Good condition. Reduced ongoing maintenance commitment, high replacement cost.
	3 x tennis hardcourts	Poor condition. Resurfacing and upgrades to sports lighting required.
	Cricket oval	Good condition. No upgrades required.
Seaview Park	Nil	NA

Table 1.0 - Summary of the existing sporting amenity in the Upper Coastal Sub-region, Gingin

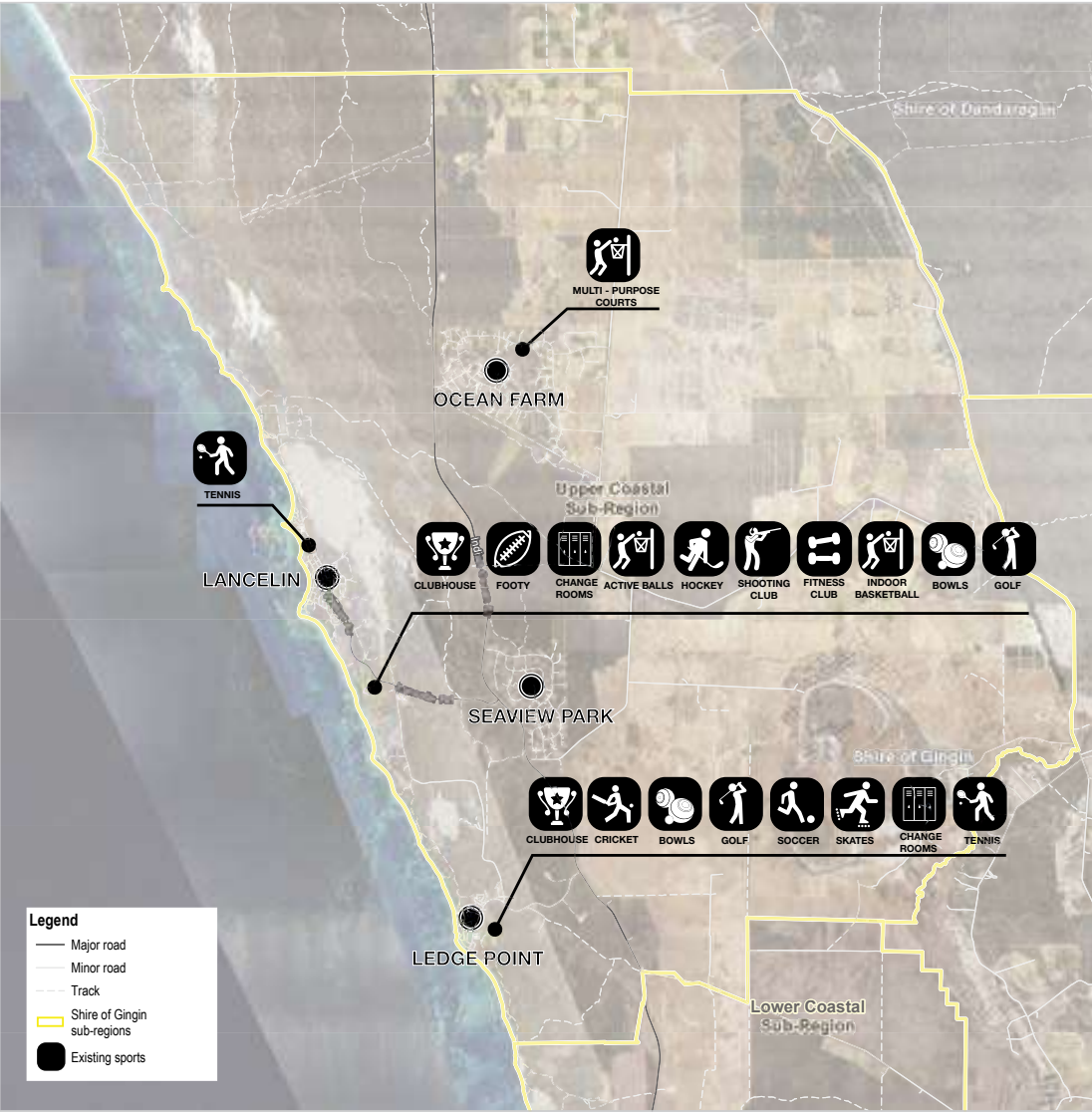


Figure 2.0 - Existing Upper Coastal Sporting Facilities

3.0 Approach

3.1 Guiding Principles

3.2 Master Planning Process

3.3 Needs Analysis

03

Image: Ledge Point Country Club

3.0 Approach

“ To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner. ”

The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

3.1 Guiding Principles

The Shire of Gingin previously contracted a consultant to develop a Community Infrastructure Plan along with a Gingin Recreation Grounds Master Plan and a Lancelin Sporting Complex Master Plan. However, as no parameters were established, the Lancelin Sporting Complex Masterplan (2016) provided a wishlist that was not financially viable for the Shore of Gingin or for the Sporting Association lessees (Shire of Gingin).

Upon review of the 2016 Master Plan subject to the Shire and the community, the Shire has proposed a \$5 million budget for investment in sporting facilities within the Upper Coastal Sub-region, of which 66% is attracting successful grant funding. Further direction in relation to the management and development of community infrastructure has been provided through the Shire of Gingin Strategic Community Plan 2019-2029.

Shire of Gingin Strategic Community Plan 2019-2029

Infrastructure and Development:

Objective 3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner.

Priorities:

3.2.1 Develop and plan community infrastructure to improve use and financial sustainability

3.2.3 Rationalise and consolidate older community infrastructure

**Includes Community & Civic Buildings, Gingin Aquatic Centre, Parks and Reserves, Roads and Paths, Sport and Recreation Facilities*

Community Sporting and Recreation Facilities Fund (CSRFF) Guidelines

Due to the implementation of the Master Plan being dependent on successfully attracting external funding, it is vital that 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. The purpose of the program is to provide financial assistance to community groups and local governments to develop basic infrastructure for sport and recreation. The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

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.

The funding program is not designed to provide facilities to meet a club's ambitions to compete in a higher grade and infrastructure life cycle costs must be considered.

3.2 Master Planning Process

This study adopts an integrated, evidence-based and community focused approach to fully understand and prioritise the needs of sporting facilities throughout the Upper Coastal Sub-region to inform a sustainable Sporting Facilities Master Plan for the Shire of Gingin and community.

The process undertaken to develop the Upper Coastal Sporting Facilities Master Plan is summarised in Figure 3.0.



Figure 3.0 - Master Planning Process

3.3 Needs Analysis

A comprehensive needs analysis was undertaken to identify the gap between existing conditions of the current and future needs of the community. The following types of need were identified:

- Normative Need;
- Identified Need;
- Comparative Need; and
- Evidence-based practice requirements.

Normative Need

Normative need is about understanding the people and place, considering the requirements for various facilities based on the participate profile of the community. The population of the Upper Coastal Sub-region is relatively small, being home to a total of 1,451 persons with the majority of residents being over 40 years of age. In regard to the settlements themselves, Lancelin is home to the greatest number of persons in absolute total and for each cohort (Table 2.0). While small, this population size is significant for the sub-region as it is three times greater than the next largest settlement, Karakin (Table 2.0)

As a general rule, sporting activities can be separated into two main categories ‘active and organised sports and ‘whole-of-life’ sports. Active and organised sports can be defined as activities that are more physically intensive, including basketball, hockey and AFL. Whole-of-life sports consist of more socially-oriented activities, such as golf, lawn bowls and tennis.

Active and organised sports are typically common with younger age groups and family orientated adult’s (ages 0-29) while whole-of-life sports are

often played by older age groups (40+). Ages in between the groups (30-39), generally follow a transition period between the two typologies.

Furthermore, across the sub region there are 361 families, with Lancelin being the settlement where family demand is centred (Table 3.0)

The key finding from the normative needs analysis is for active sports to be located in Lancelin to accommodate demand from families.

Cohort/ Settlement	Lancelin	Ledge Point	Karakin	Nilgen – Ocean Farm	Total Numbers
0-14	12.6% (93)	12.9% (31)	12.7% (34)	11.3% (26)	12.7% (184)
15-19	3.8% (38)	3.3% (8)	7.1% (19)	2.6% (6)	4.9% (71)
20-24	4.5% (33)	2.9% (7)	1.1% (3)	1.3% (3)	3.2% (46)
25-29	8.0% (59)	4.2% (10)	0.0% (0)	1.3% (3)	5.0% (72)
30-39	9.5% (70)	8.4% (19)	10.4% (28)	6.1% (14)	9% (131)
40+	61.8% (457)	68.1% (163)	63.8% (156)	77.4% (192)	67% (968)
Total Population	740	240	241	230	1,451

Table 2.0 - Consolidated Demographic Data (Cohort and Settlement). Source: ABS 2016 Census

	Settlement			
	Lancelin	Ledge Point	Karakin	Nilgen- Ocean Farms
Number of families	165	57	72	67

Table 3.0 - Families by Settlement

Comparative Need

Comparative need compares existing facilities against information about the community to determine to what extent needs are being met. The accessibility of existing sporting facilities in the Upper Coastal Sub-region is illustrated in Figure 4.0.

Access to sporting facilities in the sub region by car (from each settlement) is generally good, with trips ranging from 1 minute to a maximum of 19 minutes (Table 4.0). The average driving time across the Upper Coastal region from settlement to sporting facility is approximately 11 minutes.

An online survey was also conducted as part of the comparative needs assessment and full results are detailed in Appendix A. The survey found that the majority of respondents would be willing to travel at least 10 to 15 minutes to participate in organised sports (Figure 5.0).

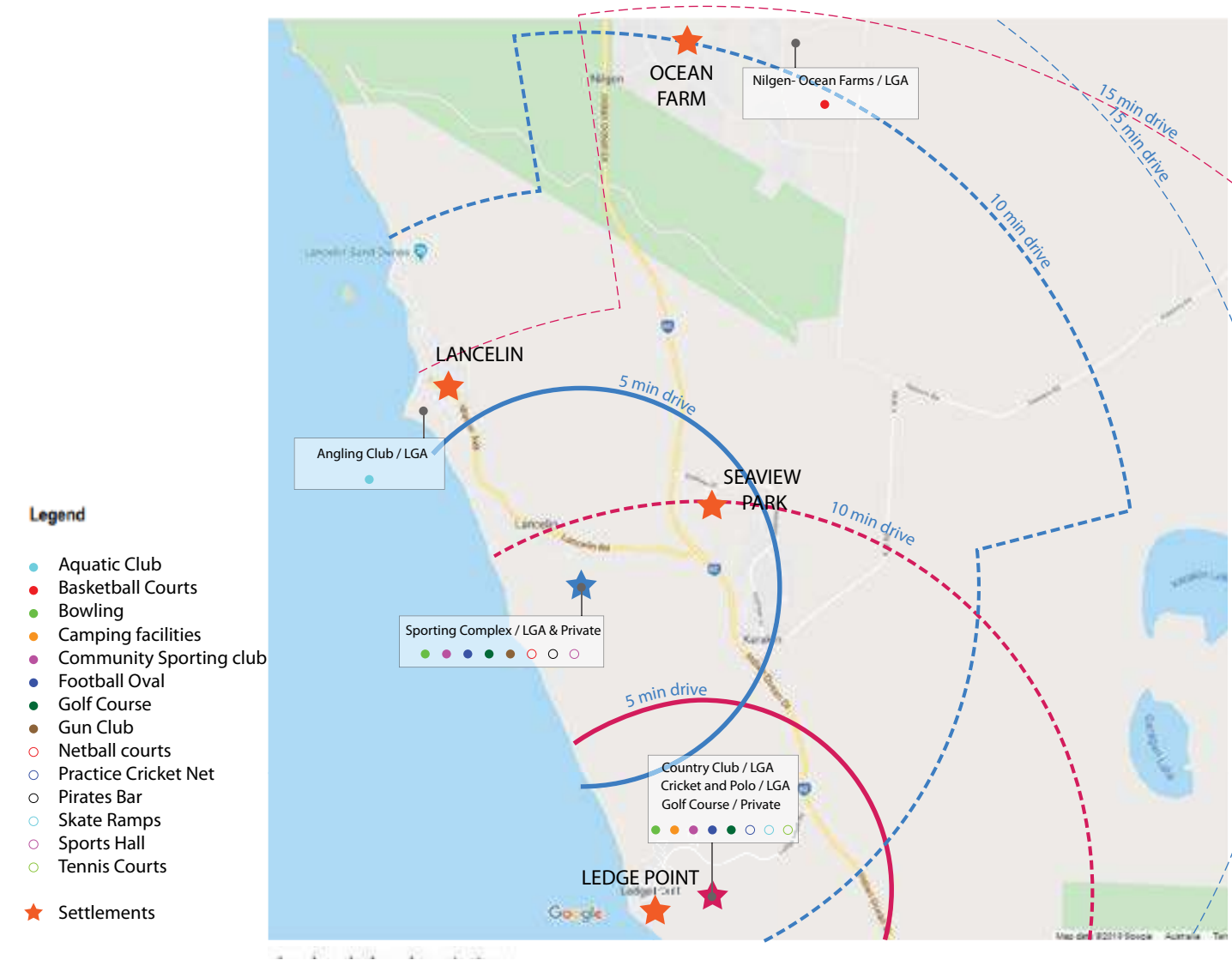


Figure 4.0 - Access to Sporting Facilities

Identified Need

Identified Need involves consultation with key stakeholders and community to understand what people feel is needed.

To inform the master planning process, GHD conducted the following stakeholder engagement in order to better understand the current situation and capture the opportunities and priorities of the Upper Coastal community:

110 responses to the Online Sporting Participation Survey

Approximately 12 x face to face and phone meetings with sporting club representatives

Membership and participation data from clubs

Workshop 1 (Nov 2019) - Key Opportunities and Challenges (approximately 70 participants)

Workshop 2 (Feb 2020) - Long list of Scenario Options (approximately 60 participants)

Workshop 3 (Mar 2020) - Investment Prioritisation (approximately 60 participants)

Note: the majority of participants attended all three workshops.

Full details of the aims and key outcomes of the stakeholder engagement are provided in Appendix B.

Evidence Based Practice Requirements

Evidence based practice requirements or benchmarking, relates to published standards for sporting facilities. A review of Australian guidelines enables high-level benchmarking for the provision of community sporting and recreation facilities. In general, the relatively small population of the Upper Coastal Sub-region means that the sports don't reach the typical thresholds. For golf and bowls, the current provision exceeds the identified need, whereas for netball, basketball, tennis and hockey there is a shortfall of facilities to meet demand.

Location/ Facility	Lancelin	Ledge Point	Karakin	Nilgen – Ocean Farm
Lancelin Community Sporting Complex	5 mins	13 mins	7 mins	12 mins
Lancelin Town Facilities	1 min	15 mins	12 mins	17 mins
Ledge Point Country Club	15 mins	1 min	13 mins	18 mins
Nilgen Basket Ball Court	15 mins	19 mins	11 mins	5 mins

Table 4.0 - Travel Time by car

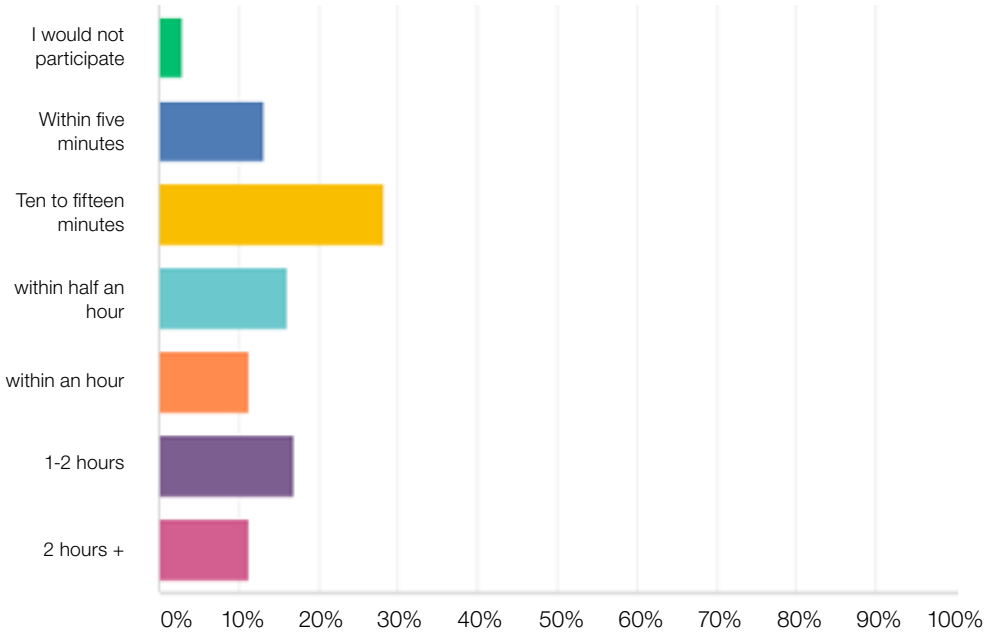


Figure 5.0 - Acceptable Travel Time

4.0 Master Planning Proposed Sporting
Amenity

4.1 Sporting Amenity

4.2 Lancelin Sporting Complex Master
Plan - Option One

4.2 Lancelin Sporting Complex Master
Plan - Indicative Staging

4.4 Ledge Point Country Club Master
Plan

4.5 Lancelin Sporting Complex Master
Plan Option Two

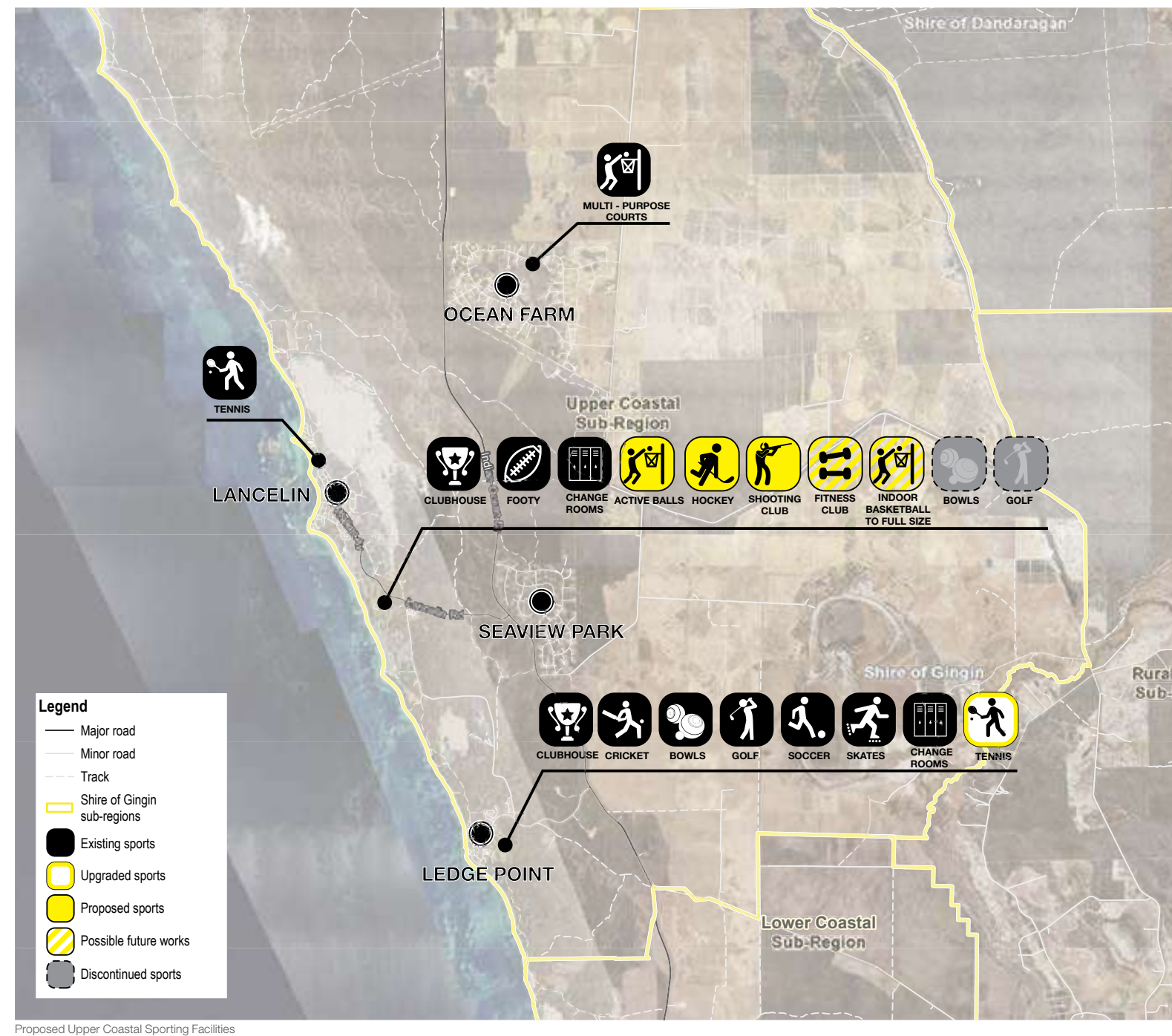
04

Image: Lancelin Sports Complex Facebook

4.0 Master Planning Proposed Sporting Amenity

4.1 Sporting Amenity

The master planning process has resulted in a possible relocation of sporting amenity between Lancelin and Ledge Point. The strategy is to concentrate active sports in Lancelin and more passive sports in Ledge Point. This strategy is based around the Shire's wish to create a more sustainable sporting community that maximises the existing amenity and takes into consideration the future demands and uses.



4.2 Lancelin Sporting Complex Master Plan - Option One

Legend

- 1 Proposed Multi-court Court
- 2 Proposed Formalised Car Park
- 3 Proposed Overflow car park
- 4 Proposed Improved Nature Play Ground
- 5 Existing Change Rooms
- 6 Toilet Block and Game Canteen
- 7 Proposed Pedestrian Stair Access
- 8 Proposed Synthetic Hockey Pitch
- 9 Proposed Team Bunkers
- 10 Proposed Viewing Terrace
- 11 Proposed Disabled Access Ramp
- 12 Existing Lancelin Sporting Club
- 13 Proposed Nature Play and Turf Viewing area
- 14 Proposed Road Sealing
- 15 Pegasus Sports Shooting Club Possible Primary Shooting and Event Amenity Location
- 16 Proposed Pedestrian crossovers
- 17 Existing oval with proposed new lights

Possible Future works

- 17 Possible Existing Basketball Court Extended to Full Size
- 18 Possible Future Fitness club



Lancelin Staging Plan

4.3 Lancelin Sporting Complex Master Plan - Indicative Staging

Staging strategy

Produced in coordination with the Shire the indicative staging strategy breaks the Lancelin Sporting Complex proposed master plan into buildable stages. These stages are indicative only and the master plan can be implemented in a number of ways that best suit the Shire's requirements.

- 1 Stage 1 - Access road, car park, multicourts, footpaths and public amenity.
- 2 Stage 2 - Synthetic hockey pitch, relocation of Pegasus Shooting club, car park upgrade, access footpaths and public amenity.
- 3 Stage 3 - Existing basketball court extension and fitness club



Lancelin Sporting Complex Staging Plan

4.4 Ledge Point Country Club Master Plan

Legend

- 1 Upgraded existing tennis court.
With resurfacing and lights to
three existing courts



Ledge Point Country Club

4.5 Lancelin Sporting Complex Master Plan Option Two

The Lancelin Sporting Complex master plan option two has been designed to offer for consideration an alternate arrangement that has a lower indicative budget. This arrangement also sees the hockey and multi use courts swapped.

Legend

- 1 Proposed Multi-court Courts x 2
- 2 Proposed Formalised Car Park
- 3 Proposed Overflow car park
- 4 Proposed Improved Nature Play Ground
- 5 Existing Change Rooms
- 6 Toilet Block and Game Canteen
- 7 Proposed Pedestrian Stair Access
- 8 Proposed Synthetic Hockey Pitch (Cut and fill by 2 meters from existing multi-court level)
- 9 Proposed Hockey Team Bunkers
- 10 Proposed Viewing Terrace
- 11 Proposed Disabled Access Ramp
- 12 Existing Lancelin Sporting Club
- 13 Proposed Nature Play and Turf Viewing area
- 14 Proposed Road Sealing
- 15 Pegasus Sports Shooting Club Possible Primary Shooting and Event Amenity Location
- 16 Proposed Pedestrian crossovers
- 17 New non sealed access road to maintenance sheds
- 18 New football training light towers

Possible Future works

- 19 Possible Existing Basketball Court Extended to Full Size
- 20 Possible Future Fitness club



Lancelin Sporting Complex Masterplan - Option 02

05 Cost Estimate Summary

05

Image: Lancelin Sports Complex

5.1 Cost Estimates

The quantity surveyors opinion of probable cost for the construction of option one and option two are summarised below and the detailed costings provided by Ashton Associates can be found in Appendix C.

Option One:	
Ledge Point tennis court upgrades	\$200,000.00 to \$240,000.00 (excl GST)
Lancelin Sporting Complex Master Plan	\$6,300,000.00 to \$7,100.00 (excl GST)

Option Two:	
Ledge Point tennis court upgrades	\$200,000.00 to \$240,000.00 (excl GST)
Lancelin Sporting Complex Master Plan	\$6,100,000.00 to \$6,900.00 (excl GST)



Appendix A

Survey Data

A

Shire of Gingin - Upper Coastal Sporting Facilities Master Plan Survey

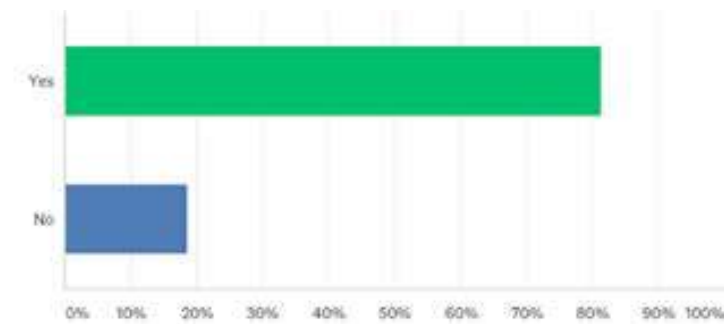
Tuesday 21 January 2020

110 Total Responses

107 Complete Responses

Q1: Do you currently participate in organised sports within the Upper Coastal area (i.e. Lancelin, Ledge Point, Seaview Park and Ocean Farm)?

Answered: 107 Skipped: 3



Q2: How often do you participate in the following organised sports?

Answered: 106 Skipped: 4

	AT LEAST ONCE PER WEEK (DURING SEASON)	AT LEAST ONCE PER MONTH (DURING SEASON)	AT LEAST ONCE PER YEAR (OCCASIONAL GAMES AND EVENTS)	NEVER	TOTAL
Netball	14.29% 9	1.79% 1	3.57% 2	80.36% 45	56
Basketball	18.97% 11	1.72% 1	5.17% 3	74.14% 43	58
Tennis	7.02% 4	3.51% 2	22.81% 13	66.67% 38	57
Cricket	11.32% 6	0.00% 0	5.66% 3	83.02% 44	53
AFL	18.97% 11	6.90% 4	5.17% 3	68.97% 40	58
Soccer	0.00% 0	2.04% 1	0.00% 0	97.96% 48	49
Golf	27.14% 19	11.43% 8	25.71% 18	35.71% 23	70
Hockey	12.50% 7	0.00% 0	5.36% 3	82.14% 46	58
Lawn Bowls	28.77% 21	5.48% 4	27.40% 20	38.36% 28	73
Recreational Shooting	3.08% 2	35.38% 23	12.31% 8	49.23% 32	85
Athletics	4.00% 2	0.00% 0	2.00% 1	94.00% 47	50
Other	19.51% 8	14.63% 6	12.20% 5	53.66% 23	41

Q3: To what extent would you be likely to increase your level of participation in the following organised sports if there were dedicated and/or improved facilities in the Upper Coastal area?

Answered: 106 Skipped: 4

	DEFINITELY	POSSIBLY	UNLIKELY	VERY UNLIKELY	TOTAL
Netball	18.18% 10	9.09% 5	18.18% 10	54.55% 30	55
Basketball	23.64% 13	10.91% 6	10.91% 6	54.55% 30	55
Tennis	28.33% 17	28.33% 17	8.33% 5	35.00% 21	60
Cricket	13.73% 7	13.73% 7	19.61% 10	52.94% 27	51
AFL	20.75% 11	7.55% 4	16.98% 9	54.72% 29	53
Soccer	9.62% 5	11.54% 6	19.23% 10	59.62% 31	52
Golf	32.43% 24	33.78% 25	13.51% 10	20.27% 15	74
Hockey	11.32% 6	16.98% 9	13.21% 7	58.49% 31	53
Lawn Bowls	38.03% 27	29.58% 21	11.27% 8	21.13% 15	71
Recreational Shooting	39.44% 28	28.17% 20	9.86% 7	22.54% 16	71
Athletics	7.69% 4	15.38% 8	15.38% 8	61.54% 32	52
Other	32.61% 15	19.57% 9	6.52% 3	41.30% 19	46

Q4: How do you typically access organised sports in the Upper Coastal area?

Answered: 106 Skipped: 4

ANSWER CHOICES	RESPONSES
Walk	2.83% 3
Cycle	3.77% 4
Drive (alone or with passengers)	93.40% 99
TOTAL	106

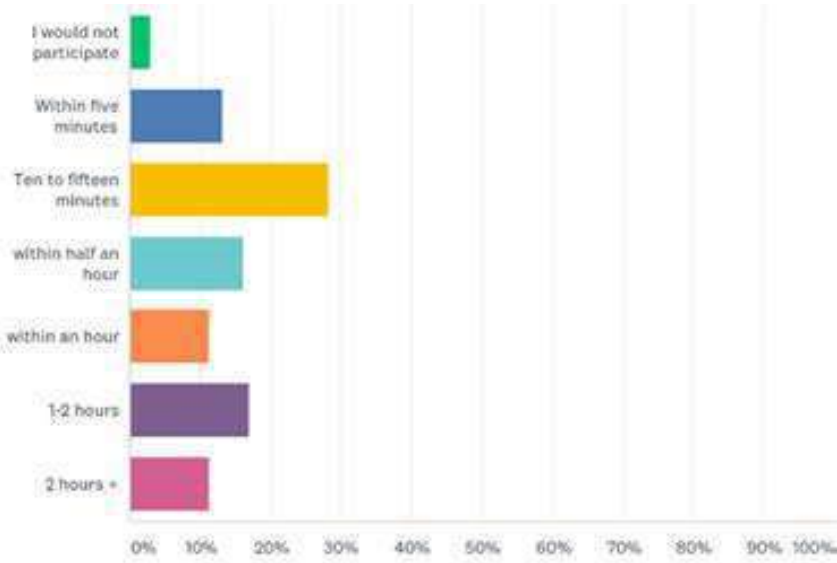
Q5: How do you prefer to access organised sports in the Upper Coastal area?

Answered: 105 Skipped: 5

ANSWER CHOICES	RESPONSES	
Walk	9.52%	10
Cycle	16.19%	17
Drive (including as passenger)	74.29%	78
TOTAL		105

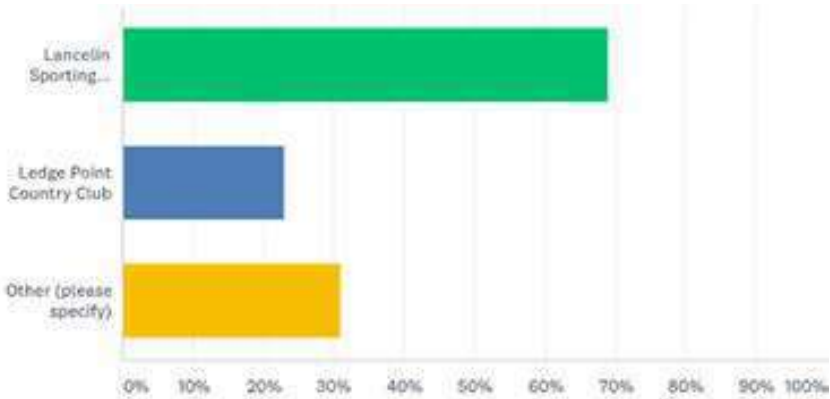
Q6: How far would you be willing to travel to participate in organised sports?

Answered: 106 Skipped: 4



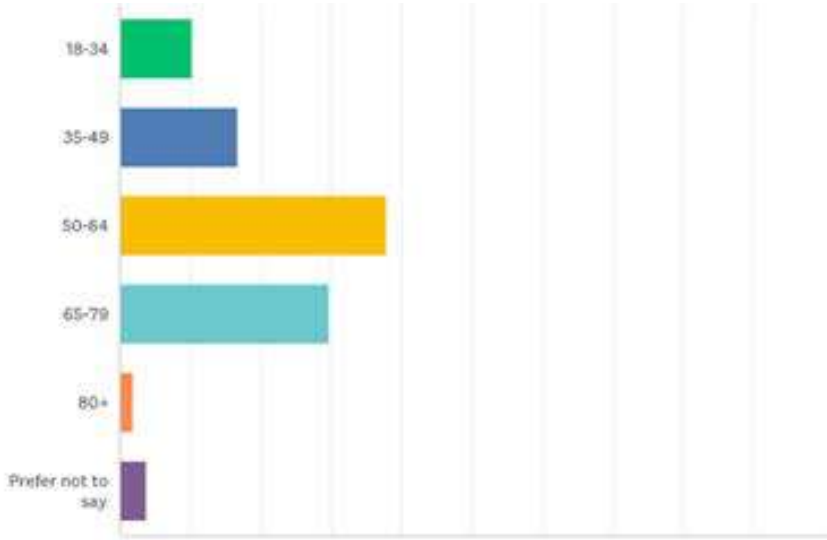
Q7: Where do you currently participate in organised sports and why?

Answered: 100 Skipped: 10



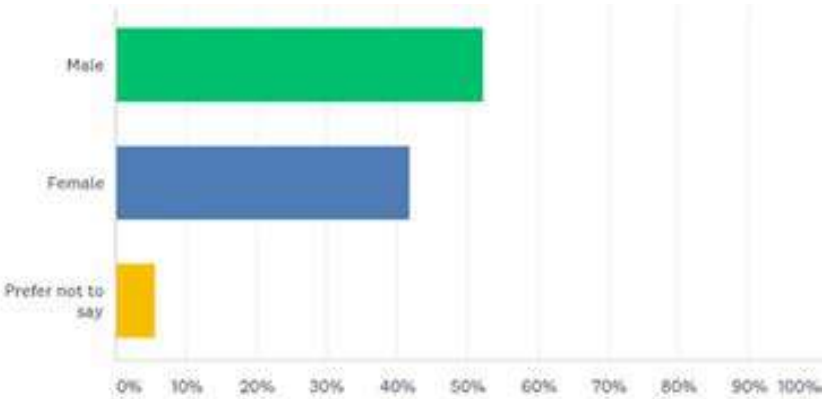
Q8: How old are you?

Answered: 108 Skipped: 2



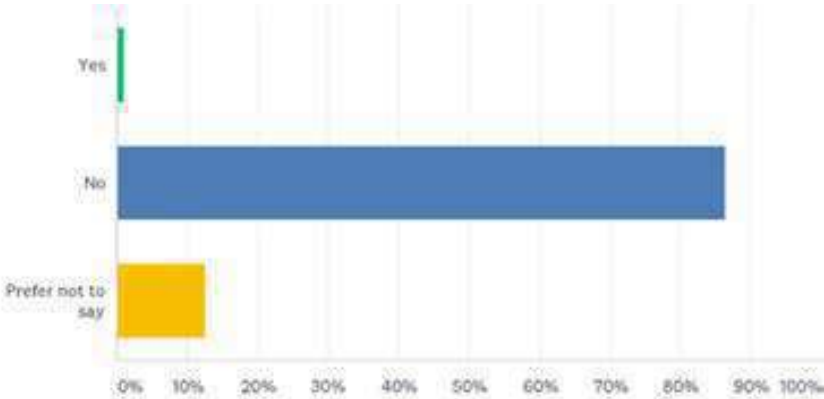
Q9: What gender are you?

Answered: 105 Skipped: 5



Q10: Are you Aboriginal or a Torres Strait Islander?

Answered: 103 Skipped: 7



Appendix B

Stakeholder Engagement Summary

B

Upper Coastal Sporting Facilities Master Plan
Shire of Gingin

Stakeholder Engagement Summary

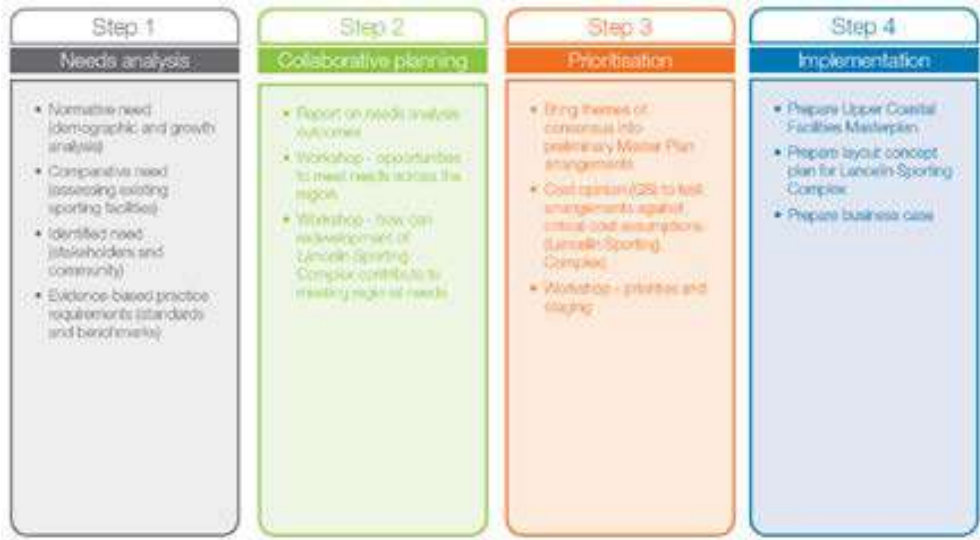
1 Project Vision

“The Upper Coastal Sub-region has appropriate sporting and recreation facilities that are sustainable for both the Shire and the community over the long-term”

Procedure

The process undertaken to develop the Upper Coastal Sporting Facilities Master Plan is summarised below.

Master Planning Process



To inform the master planning process, GHD conducted the following stakeholder engagement in order to better understand the current situation and capture the opportunities and priorities of the Upper Coastal community:

- 110 responses to the Online Sporting Participation Survey
- Approximately 12 x face to face and phone meetings with sporting club representatives
- Membership and participation data from clubs
- Workshop 1 (Nov 2019) - Key Opportunities and Challenges (approximately 70 participants)
- Workshop 2 (Feb 2020) - Long list of Scenario Options (approximately 60 participants)
- Workshop 3 (Mar 2020) - Investment Prioritisation (approximately 60 participants)

Note: the majority of participants attended all three workshops.

1.1 Meetings with sporting club representatives

Aim: To identify the current and future needs of individual sporting clubs in the Sub-region

Key Outcomes:

- For those sports with existing facilities, relatively low memberships numbers mean that clubs need to look for innovate ways to increase participation and utilisation
- Growing demand for netball, basketball and hockey facilities
- Opportunity to review the existing facility management models
- Desire to reduce maintenance costs and burden on volunteers
- Reluctance from clubs to move to another facility due to the time, effort and money invested by club members and volunteers over many years. Fear of losing history and identity of club.
- Non sport-specific facilities such as a gym and hydro pool are desired and currently lacking in the area

1.2 Online Sporting Participation Survey

Aim: To understand the “Identified Need” through consultation with key stakeholders and the community



Key Outcomes:

- Survey participants (approximately 7% of population¹) were generally reflective of the Upper Coastal Sub-region’s age profile
- 93.4% of respondents currently travel by car to participate in sporting activities
- Over 80% of respondents indicated that at least 10-15 minutes by car was an acceptable amount of time to travel to sporting facilities
- All key sporting facilities within the Upper Coastal Sub-region are accessible by car within 15 minutes
- There is more demand than supply for hockey, basketball and netball facilities
- There is more supply than demand for golf and bowls facilities

1.3 Workshop 1: Opportunities and Challenges - December 2019

Aim: Identify the key opportunities and challenges facing the Upper Coastal Sub-region in the provision of sustainable sport and recreation facilities

Context:

- Needs Analysis identified a gap in the provision of facilities to meet current and forecast demand for basketball, netball and hockey. Relatively low golf and bowls membership and participation rates make it difficult to sustain separate facilities at Lancelin and Ledge Point.
- Shire has limited financial resources and therefore any proposed infrastructure upgrades must be eligible for an external funding contribution

Key Outcomes:

Workshop 1	
Opportunities:	Challenges:
<ul style="list-style-type: none"> • Involve local kids to boost membership, participation and utilisation • Marketing • Great facilities already exist • Attract users 7 days a week • Inclusive for all abilities and ages • Social use of facilities • Potential for involvement of commercial operators to help manage aging volunteer base • Better access for pedestrians and cyclists • Tourism – Ledge Point Marina is an enabler, promotion packages, business links 	<ul style="list-style-type: none"> • Low population • Low participation and membership rates • Ongoing funding and costs • Management models and responsibility for facility maintenance • Resistance to existing clubs co-locating • Aging local population • Different priorities amongst the community • Need action

1.4 Workshop 2: Scenario Options - February 2020

Aim: Develop and evaluate a “long list” of scenario options for sporting facilities in the Upper Coastal Sub-region against the following objectives:

1. Co-location of multiple sports or multiple clubs (funding requirement)
2. Financial sustainability - including not investing in duplicated facilities. \$5 million total project budget, including two thirds external funding (funding and community requirement)
3. Accessible for everyone in the Upper Coastal Sub-region - ease of getting there, travel time (funding and community requirement)
4. Facilities meet competition standards for community level sport and recreation (community requirement)
5. Reuse and adapt existing facilities where possible and appropriate (community requirement)
6. Support tourism and economic development (community requirement)
7. Provision of community and social spaces (community requirement)

Key Outcomes:

Workshop 2		
Long List of scenario options		Community feedback
1	Status quo, no upgrade of existing facilities	Unmet demand for basketball, hockey
2	Minor upgrades	Adding gym / hydro pool is desirable
3	Identified hubs for active and whole of life sports	Preference to keep what they have with no upgrades, rather than co-locate golf and bowls
4	Identified hubs for active, indoor and whole of life sports	Preference to keep what they have with no upgrades, rather than co-locate golf and bowls
5	Utilise an independent review of condition and quality to determine which duplicated facilities are preferred. Repurpose and upgrade to facilitate additional sports.	Preference to keep what they have with no upgrades, rather than co-locate golf and bowls

6	Upgrades without removal of facilities	Multiple variations proposed, not financially sustainable
7	Consolidated hub at Lancelin sporting complex only	Not supported
8	Consolidated hub at Ledge Point Country Club only	Not supported
9	Utilise broader district facilities; removal of all sporting facilities upon deterioration without replacement	Not supported
10	Additional options proposed by the community	Generally showed variations of Options 2 and 6

- Workshop participants were not generally supportive of co-locating the existing golf and bowls clubs at this point in time (Options 3,4 & 5)
- The participants expressed a preference to keep what they have with no upgrades, rather than co-locate golf and bowls
- Options 2 and 6 were generally preferred by the participants
- Options 7, 8 and 9 were not generally supported by the participants
- The Option 10 scenarios generally showed variations of Options 2 and 6
- A community gym and hydro pool was generally supported by the participants
- The participants generally acknowledged the need for additional basketball, netball and hockey facilities located in Lancelin

1.5 Workshop 3: Investment Prioritisation and Staging

Aim: Using the Community Sporting and Recreation Facilities Fund (CSRFF) eligibility criteria as a guide, prioritise the investment in sporting infrastructure through a staged approach to the Master Plan

Master Plan Challenges	Turning Challenges into Parameters
Meet the sporting needs of the community	Focus on facility upgrades to meet demand that is not currently met (basketball, netball and hockey)
Meet eligibility criteria of external funding agencies	Prioritise sporting facilities for sports/clubs that are not duplicated across the Sub-region (i.e. no upgrades where there is duplication)
Consider the needs and expectations of the Upper Coastal community as a whole	Ensure flexibility in the nature and timing of any facilities investment

Based on community feedback received during Workshops 1 and 2, the following Stage Master Plan approach was proposed:

Stage 1:

- Includes capital upgrades to meet unmet sporting demand (e.g. basketball, netball, tennis and hockey)
- Continue to maintain existing facilities that are not eligible for external funding (e.g. bowls and golf) without upgrades

Stage 2:

- Stage 2 could occur if co-location is desirable to access upgraded, higher quality facilities, or becomes necessary if declining club membership and volunteer numbers cannot sustain the maintenance of existing facilities
- There would be a minimum timeframe for the Shire to then commence the planning and resourcing of funds for the Stage 2 upgrades prior to commencement of capital works. This includes applying for funding through external grant programs, and will be influenced by any other priority high cost projects and associated funds already scheduled in future capital works plans.

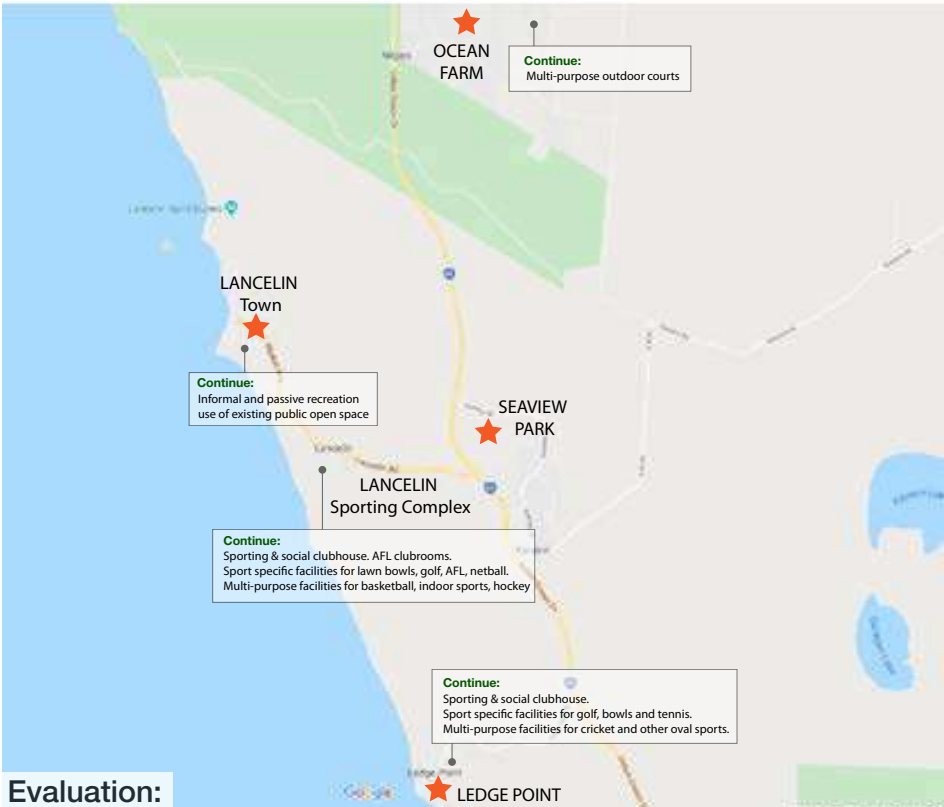
- Upgrades associated with either stage of the Master Plan will have criteria associated with the operational sustainability of the clubs using or leasing those facilities as the clubs may incur extra maintenance costs and/or require additional volunteers to maintain them

Key Outcomes:

The participants were asked to review the Staged Master Plan in small groups and the following investment was supported:

- Resurface 3 x tennis hardcourts at Ledge Point
- Additional multi-purpose court in Lancelin
- Upgrade floodlighting to tennis courts at Ledge Point and multi-purpose courts in Lancelin
- Provision of hockey and basketball facilities for training and competition in Lancelin

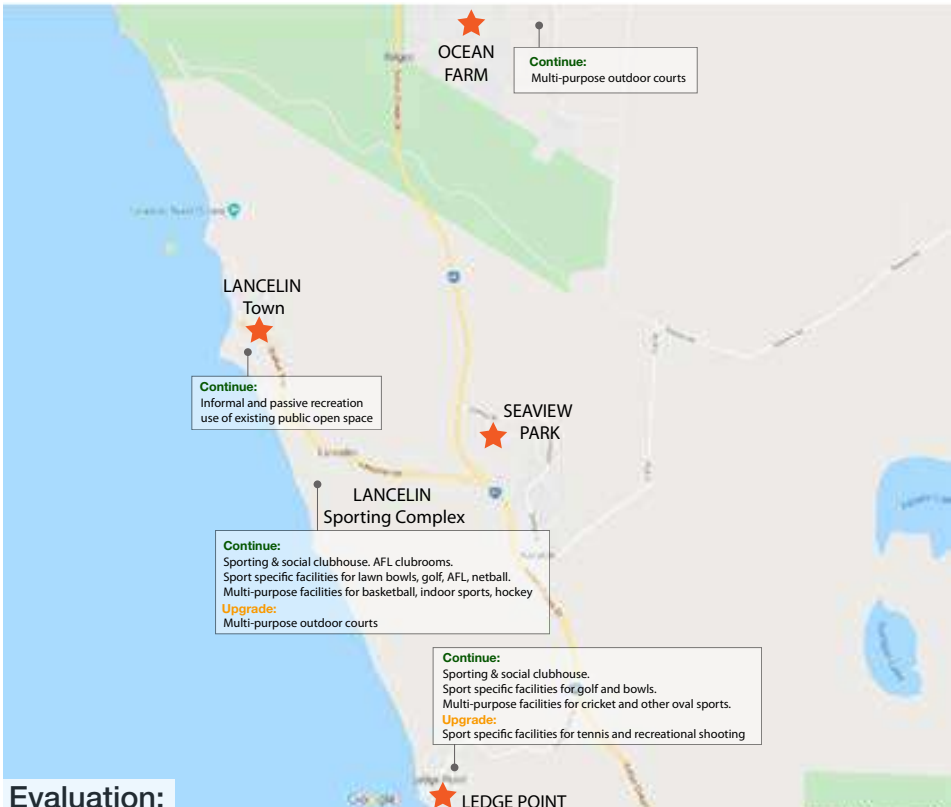
Scenario No. 1: Status quo; no upgrade of existing facilities.



Evaluation:

Objective 1: Co-location (of multiple sports, or multiple clubs sharing facilities) (a funding requirement)	Objective 5: Reuse and adapt existing facilities where possible and appropriate (community requirement)
<div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div><div></div></div>
Objective 2: Financial sustainability - including not unnecessarily providing duplicated facilities, covering operational costs, capital costs achievable within \$5million (funding and community requirement)	Objective 6: Support tourism and economic development (community requirement)
<div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div><div></div></div>
Objective 3: Accessible for everyone in the Upper Coastal sub-region - ease of getting there, travel time (funding and community requirement)	Objective 7: Provision of community and social spaces (community requirement)
<div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div><div></div></div>
Objective 4: Facilities meet competition standards for community level sport and recreation (community requirement)	
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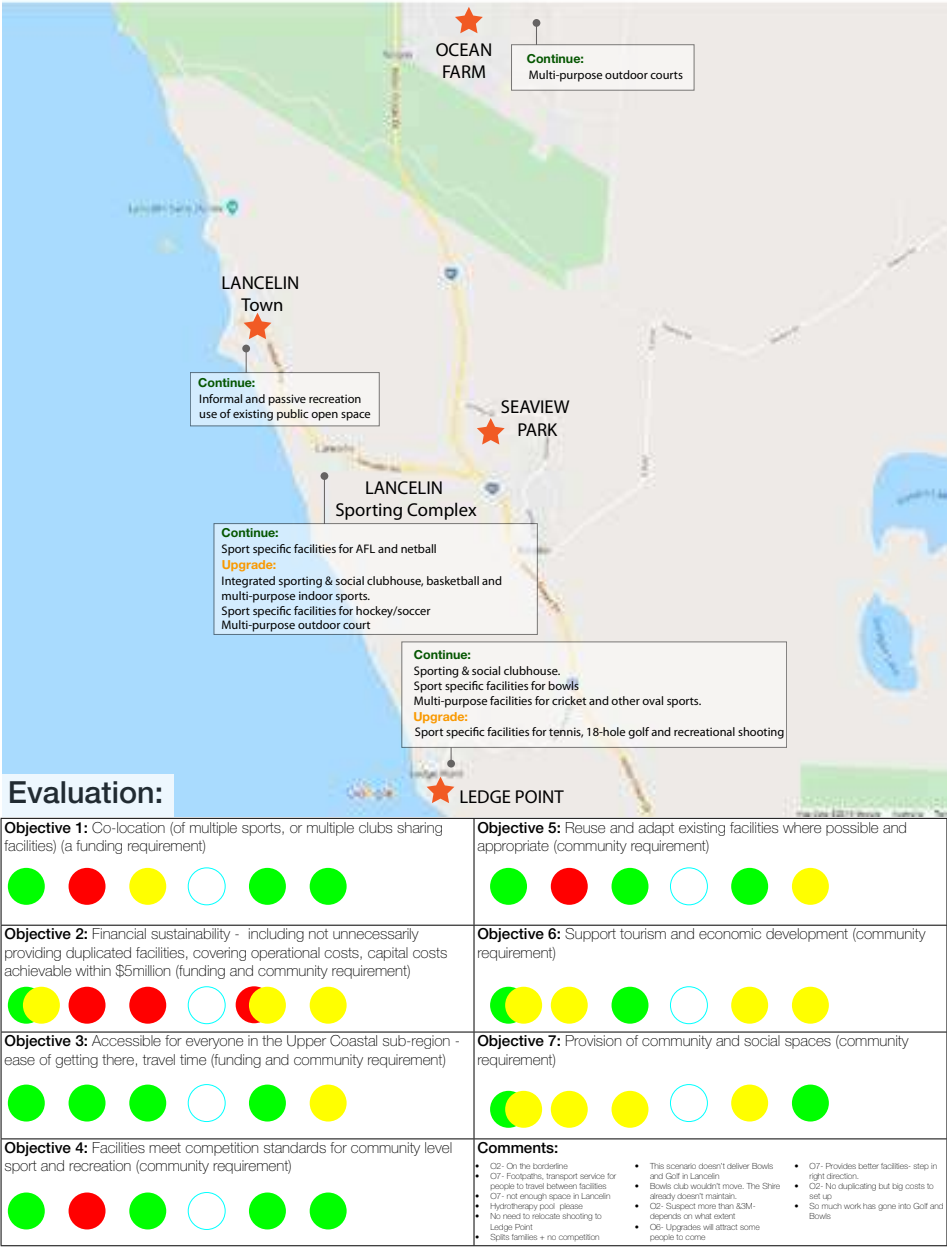
Scenario No. 2: Minor upgrades



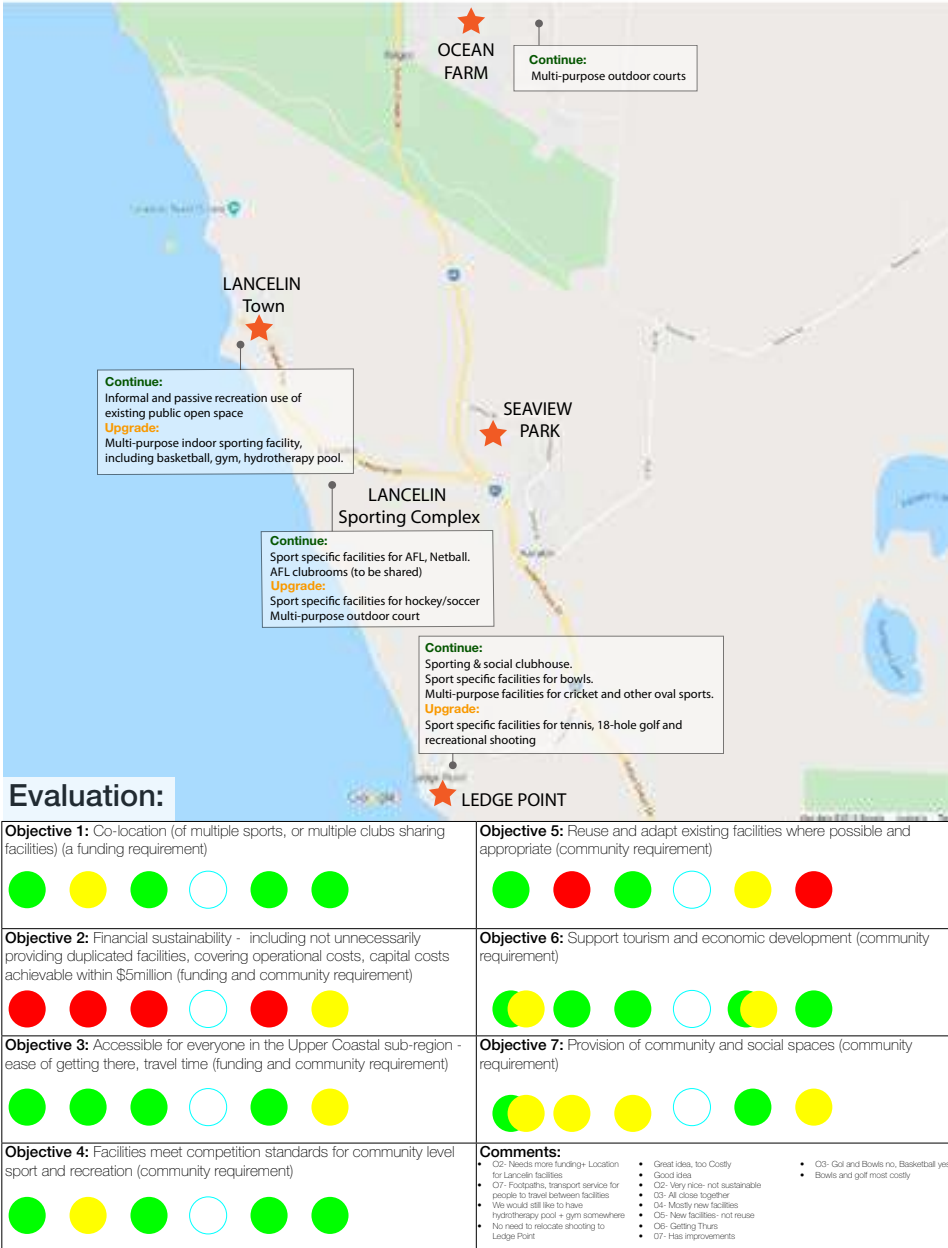
Evaluation:

Objective 1: Co-location (of multiple sports, or multiple clubs sharing facilities) (a funding requirement)	Objective 5: Reuse and adapt existing facilities where possible and appropriate (community requirement)
<div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div><div></div></div>
Objective 2: Financial sustainability - including not unnecessarily providing duplicated facilities, covering operational costs, capital costs achievable within \$5million (funding and community requirement)	Objective 6: Support tourism and economic development (community requirement)
<div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div><div></div></div>
Objective 3: Accessible for everyone in the Upper Coastal sub-region - ease of getting there, travel time (funding and community requirement)	Objective 7: Provision of community and social spaces (community requirement)
<div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div><div></div></div>
Objective 4: Facilities meet competition standards for community level sport and recreation (community requirement)	
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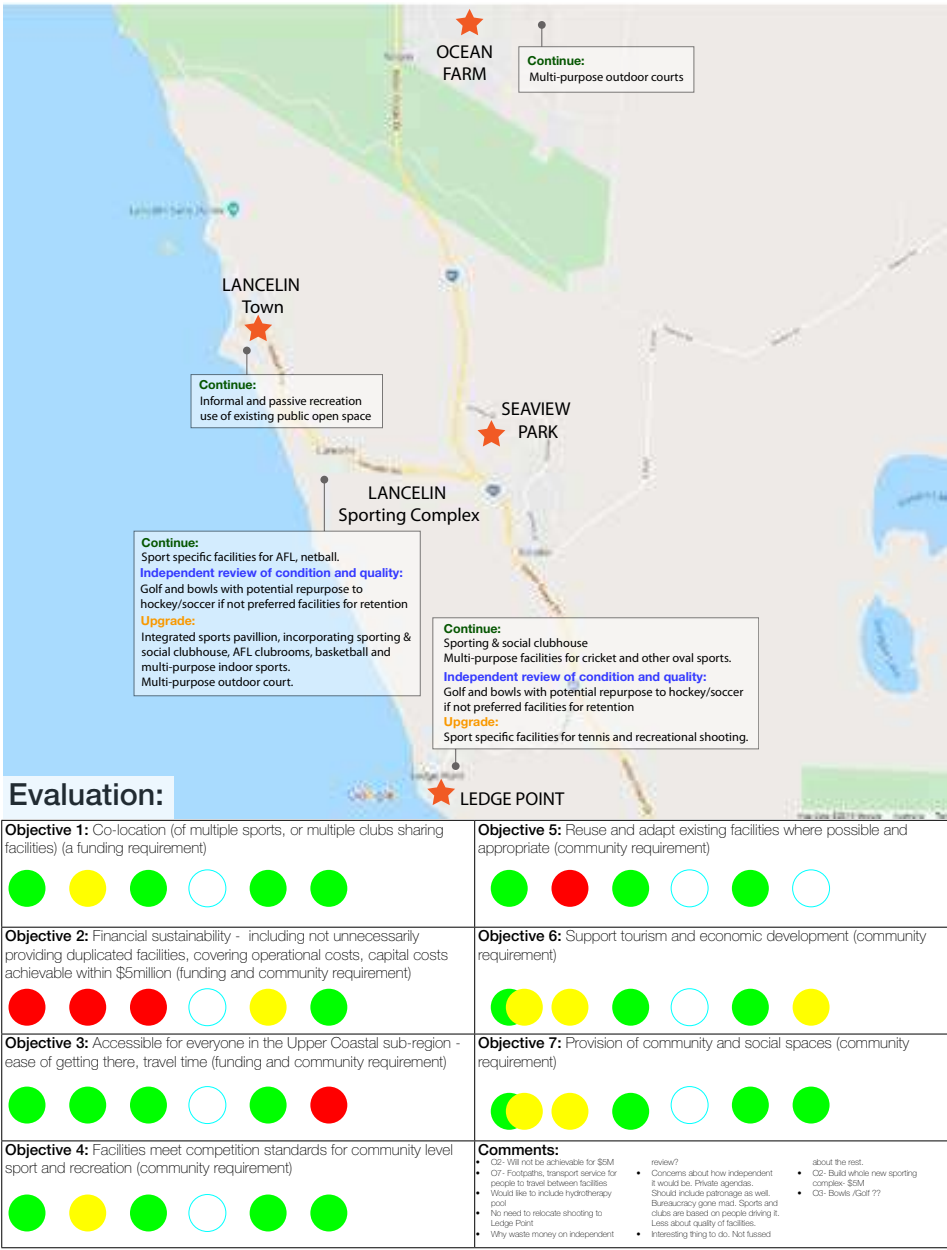
Scenario
No. 3: Identified hubs for active, and whole of life sports.



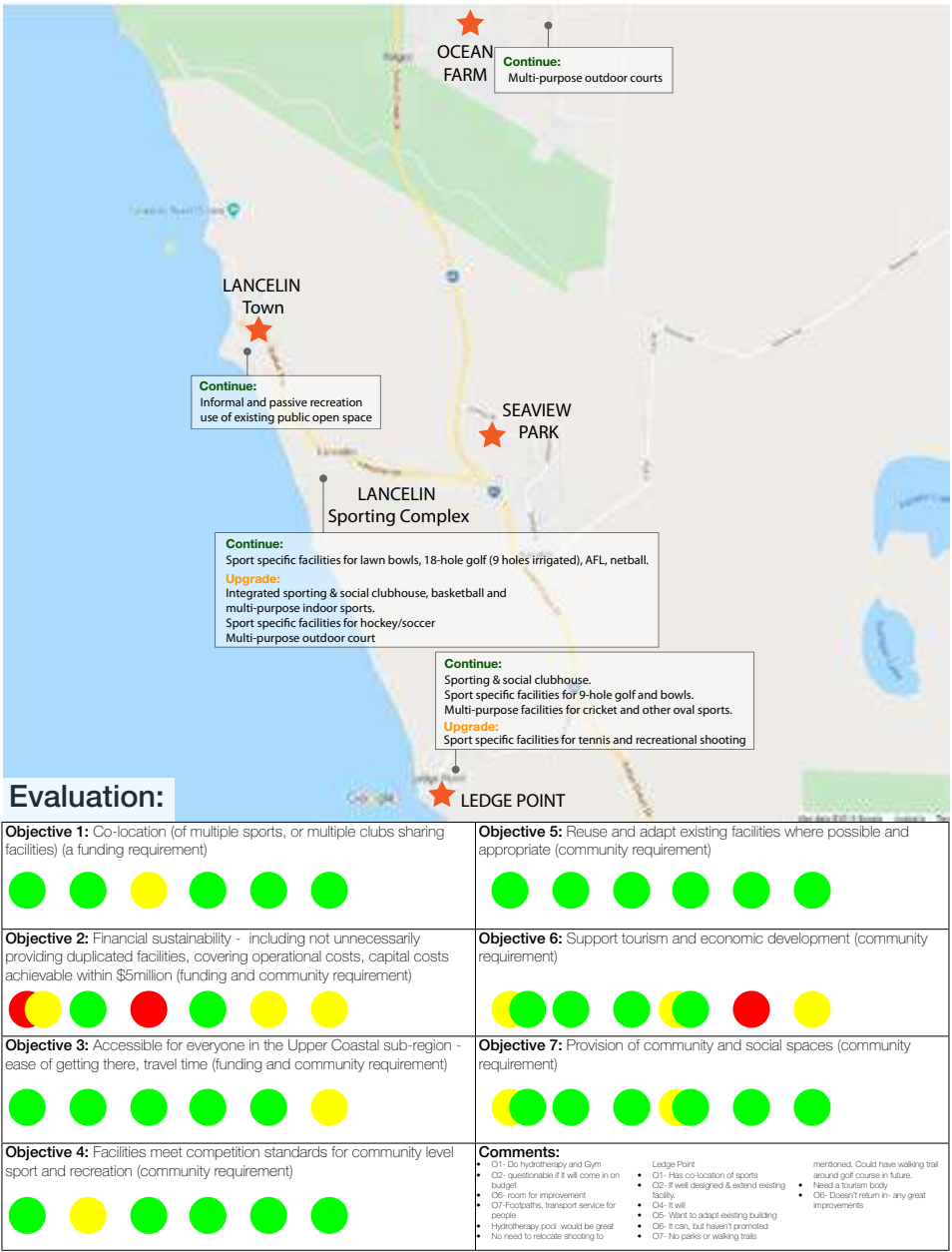
Scenario
No. 4: Identified hubs for active, indoor and whole of life sports.



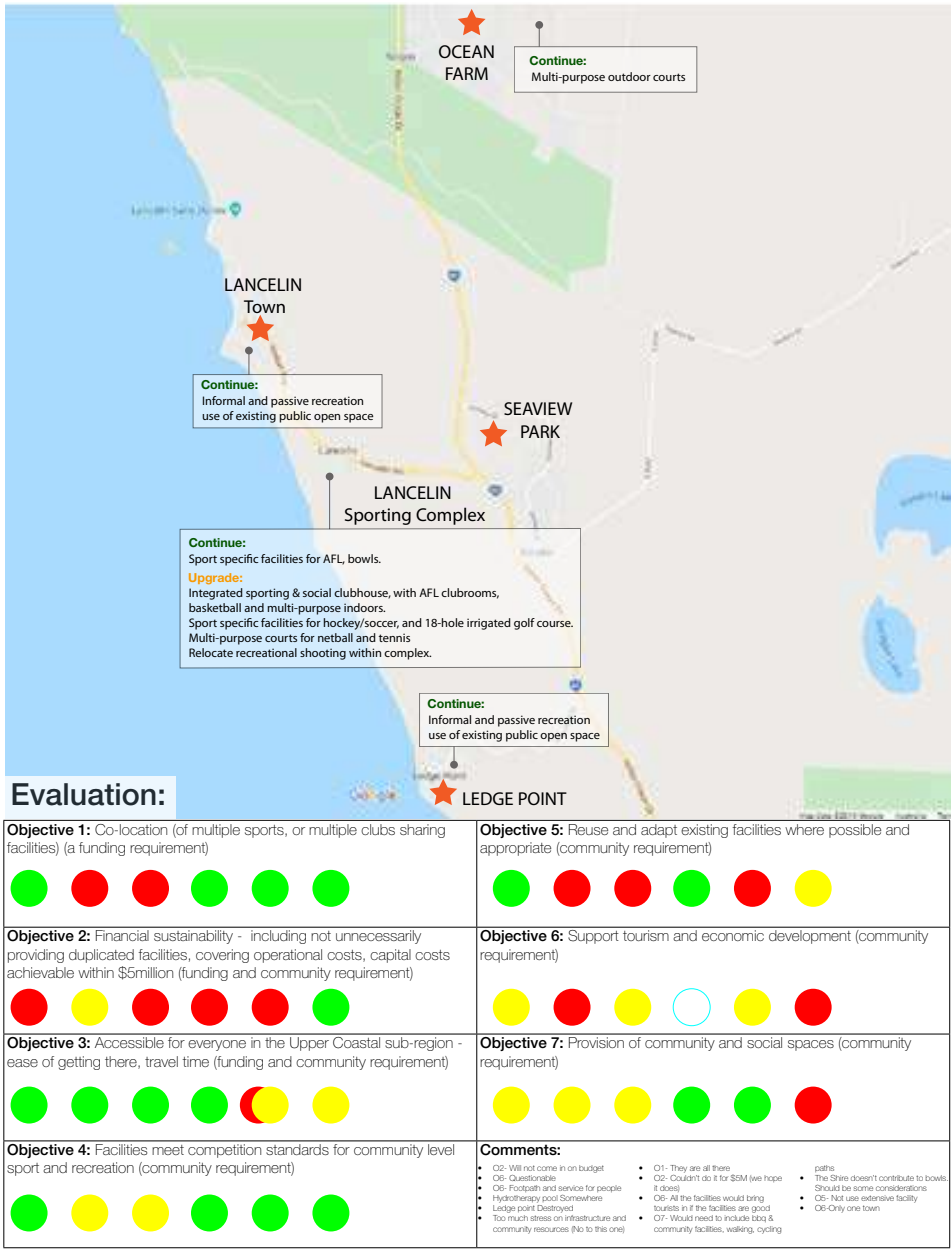
Scenario No. 5: Utilise an independant review of condition and quality to determine which duplicated facilities are preferred. Repurpose and upgrade to facilitate additional sports.



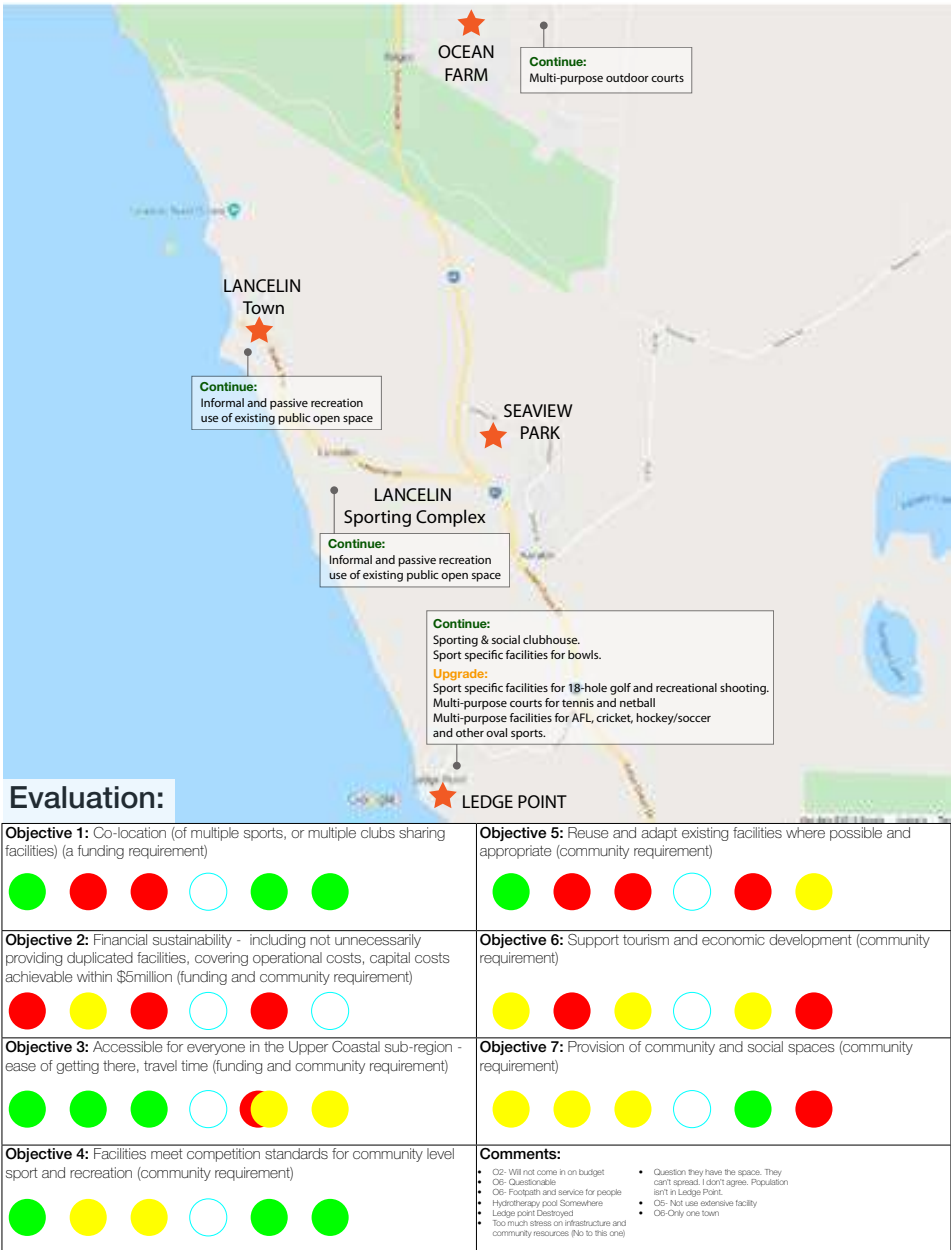
Scenario No. 6: Upgrades without removal of facilities



Scenario Consolidated hub at Lancelin Sporting Complex.
No. 7:

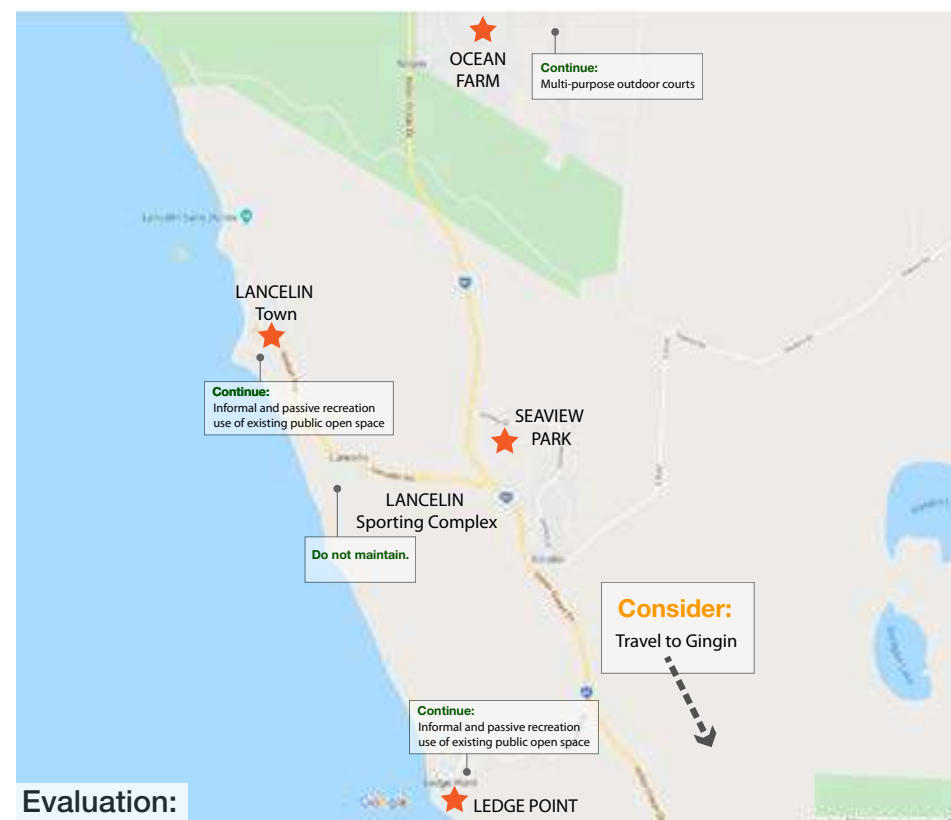









Scenario Consolidated hub at Ledge Point.
No. 8:



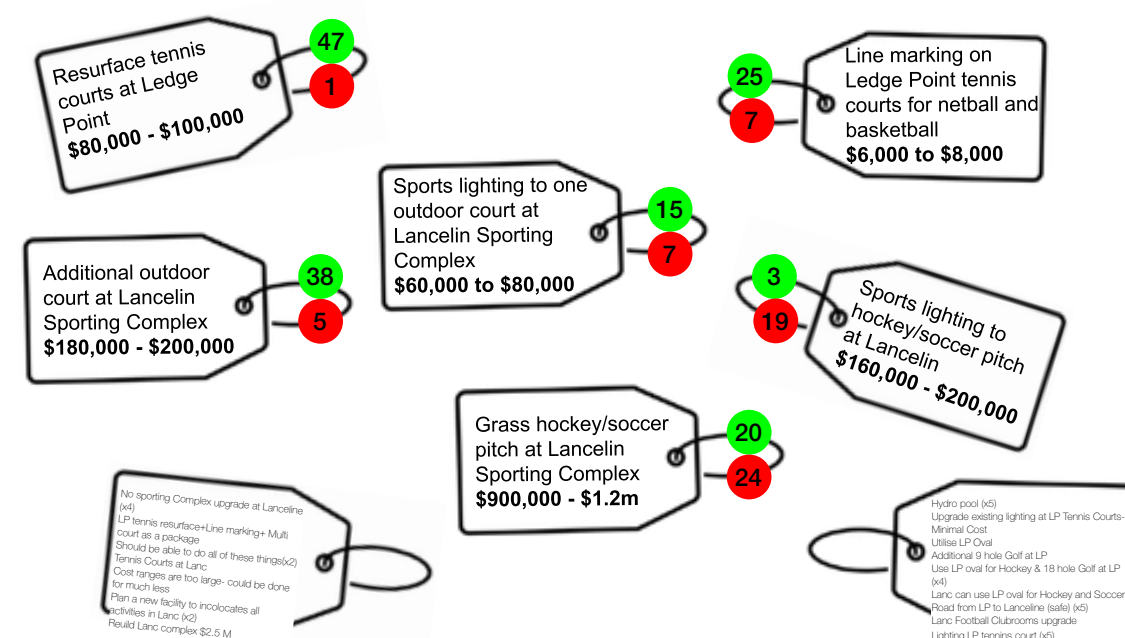
Scenario No. 9:




Utilise district facilities.
Removal of all sporting facilities upon deterioration without replacement.

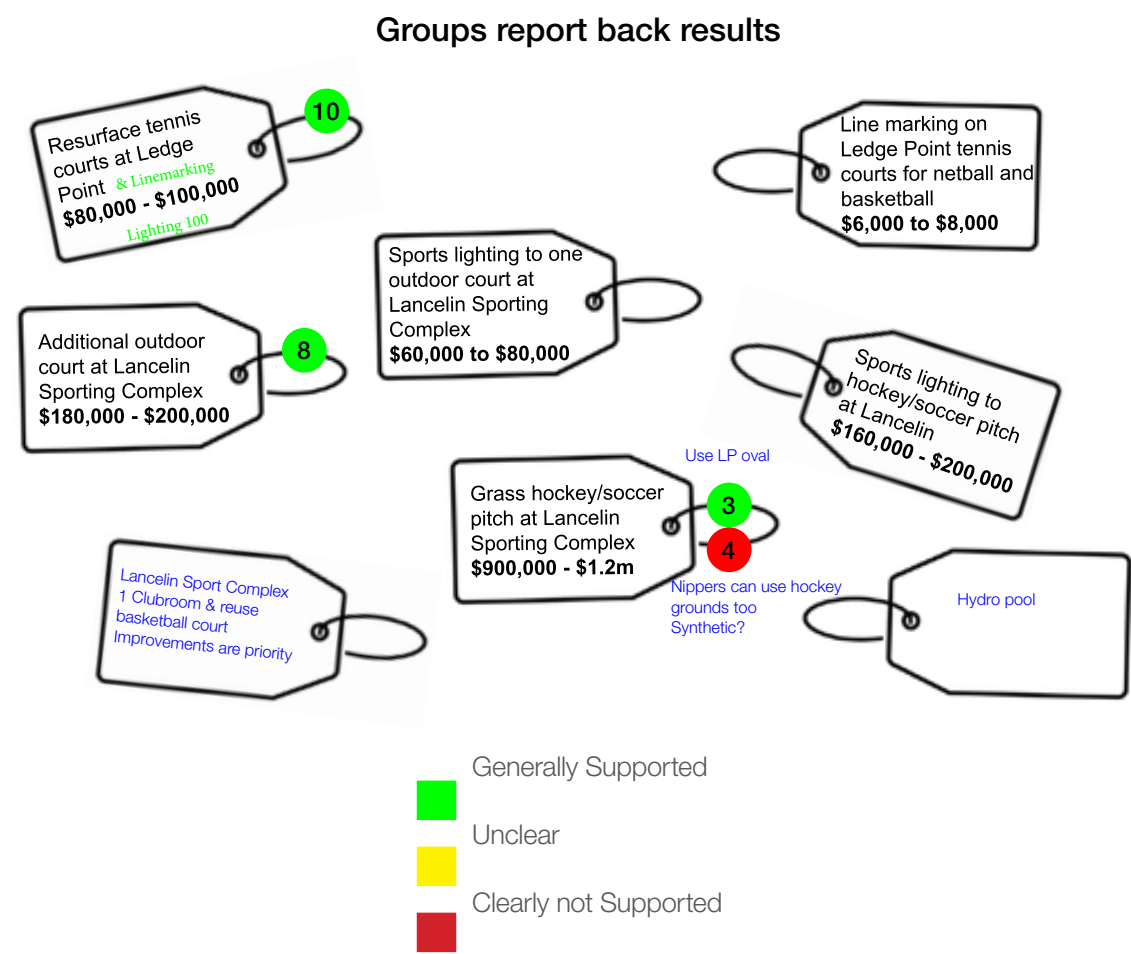


<p>Objective 1: Co-location (of multiple sports, or multiple clubs sharing facilities) (a funding requirement)</p> 	<p>Objective 5: Reuse and adapt existing facilities where possible and appropriate (community requirement)</p> 
<p>Objective 2: Financial sustainability - including not unnecessarily providing duplicated facilities, covering operational costs, capital costs achievable within \$5million (funding and community requirement)</p> 	<p>Objective 6: Support tourism and economic development (community requirement)</p> 
<p>Objective 3: Accessible for everyone in the Upper Coastal sub-region - ease of getting there, travel time (funding and community requirement)</p> 	<p>Objective 7: Provision of community and social spaces (community requirement)</p> 
<p>Objective 4: Facilities meet competition standards for community level sport and recreation (community requirement)</p> 	<p>Comments:</p> <ul style="list-style-type: none"> • CE - Not realistic • CE - Mixed feelings • Not realistic to travel to Gargah • Rubbish • No • Doesn't work here. We've tried before. • Travel at night. Rubbish

Individuals report back results



 Generally Supported
 Unclear
 Clearly not Supported

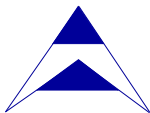


Appendix C

QS Report

C

C. QS report - Option 1



Ashton Associates

Professional Advisors to the Construction and Property Industry
Trading for 20 Years

Quantity Surveying
Construction Cost Management
Project Risk Management

Suite 2A, 163 Canning Highway, EAST FREMANTLE WA 6158
Telephone: (08) 9319 1230
EMail: Admin@Ashtonassociates.com.au
Ref: 3567-06

10th June 2020

Struan Burges
GHD
999 Hay Street
PERTH WA 6000

Dear Struan

RE:

SHIRE OF GINGIN UPPER COASTAL REGION
SPORTING FACILITIES MASTERPLAN
QUANTITY SURVEYORS OPINION OF CONSTRUCTION COST REPORT 1A

Please find enclosed our 'opinion of construction cost estimate' for the above masterplan options based on the GHD drawings received 28/05/20, 29/05/20 and email 09/06/20.

The 'opinion of construction cost' estimate indicates a construction cost range of:

1. Lancelin Masterplan = \$6,300,000 to \$7,100,000 excluding GST

2. Ledge Point Masterplan = \$200,000 to \$240,000 excluding GST

A summary is included on pages 3 & 4 and exclusions for which no allowances have been made are listed on page 5. The exclusions should be considered carefully to establish if any additional allowances may be required. Please note that the costs exclude any allowances for rock excavation and to upgrade power supply, water & sewer services to the sites. These costs may be significant and should be investigated by appropriate consultants.

A 5% contingency allowance is included.

The eventual cost will be dependent on the final scope of work, level of specification, clarification of currently unknown elements, and the nature and time of tendering.


The estimate excludes any allowance for construction cost escalation beyond June 2020. The construction cost will be subject to future market conditions and should be reviewed on a regular basis as part of the cost planning process.

This opinion is an order of cost estimate using 'broad construction type rates' without a detailed calculation and as such provides limited accuracy. It should be considered as indicative to be used as a guide to assist in the cost management of the project. We recommend that a more detailed 'cost plan' be prepared and updated on a regular basis to assist with the cost management of the project.

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed work. The estimate has been prepared from limited information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work , existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project. Ashton Associates are not responsible for design and are not liable is the design is not approved, or is unachievable

Please do not hesitate to contact me if you require any clarification or additional information.

Yours sincerely
ASHTON ASSOCIATES


Mark Ashton

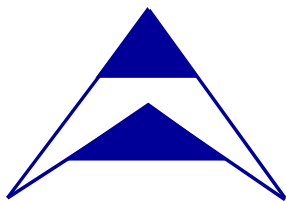
Mark Ashton ARICS AAIQS BSc
Ashton Associates Pty Ltd (ACN 091 782 839) as Trustee for the M & E Ashton Family Trust
ABN 51 357 389 113

GHD

Shire of Gingin

42

150



Ashton Associates

Quantity Surveyors

Suite 2A, 163 Canning Highway,
EAST FREMANTLE WA 6158

QUANTITY SURVEYORS OPINION OF CONSTRUCTION COST REPORT 1A

SHIRE OF GINGIN

GINGIN UPPER COASTAL REGION - SPORTING FACILITIES MASTERPLAN

10th JUNE 2020

PREPARED FOR	Shire of Gingin & GHD		
CONTACT PERSON	Struan Burges		
	GHD		
	999 Hay Street PERTH WA 6000		
DIRECTOR SIGN OFF			10/06/2020
ASHTON ASSOCIATES REFERENCE	Mark Ashton, Ashton Associates Pty Ltd 3567		

SHIRE OF GINGIN
GINGIN UPPER COASTAL REGION - SPORTING FACILITIES MASTERPLAN
OPINION OF CONSTRUCTION COST ESTIMATE NO 1A

Ref: 3567

10/06/2020

REPORT CONTENTS & SCOPE

Contents:

1 Report Contents & Scope	Page 2
2 Cost Summary - Lancelin	Page 3
3 Cost Summary - Ledge Point	Page 4
4 Schedule of Exclusions	Page 5

Scope:

Building Works comprise:
Proposed additions & alterations to the Lancelin & Ledge Point Sporting Complexes
Associated external works
GHD email 09/06/2020

The estimate has been based on:
GHD master plan drawings dated 28/05/2020 received 29/05/2020
Medium Specification

Estimate Notes:

This opinion is an order of cost estimate using 'broad construction type rates' without a detailed calculation and as such provides limited accuracy. It should be considered as indicative to be used as a guide to assist in the cost management of the project. We recommend that a more detailed 'cost plan' be prepared and updated on a regular basis to assist with the cost management of the project

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed works. The estimate has been prepared from minimal information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work , existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project.

This report has been based on small scale conceptual drawings (1:500 and 1:1000) and measurement tolerances will need to be far higher than normal. This will provide limited accuracy and Ashton Associates accept no liability for inaccuracies caused by the scale and nature of the documentation.

Clients and Owners should check that the correct interpretation has been accounted for and that allowances and exclusions are in accordance with expectations.

Ashton Associates are not responsible for design and are not liable is the design is not approved, or is unachievable

OPINION OF CONSTRUCTION COST - LANCELIN MASTERPLAN

Refer to pages 1 to 5 of this report for the basis of the opinion of cost.

All costs are exclusive of GST unless noted otherwise.

The following summary is a theoretical analysis of the construction costs subject to further review

This report is an 'opinion of construction cost' based on limited information, and should be considered as indicative only. Estimates of this nature provide limited accuracy and the estimate should not be used for final determinations. We recommend that a more detailed 'cost plan' be prepared to more accurately define the construction costs and be updated on a regular basis through the design process to assist with the cost management of the project.

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed works. The estimate has been prepared from minimal information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work, existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project.

JUNE 2020 COSTS	Total Cost Range
1 BUDGET ALLOWANCES (Subject to review of full design implications)	
1a New outdoor multipurpose court (excludes lighting)	\$220,000 - \$250,000
1b Additional line marking to existing netball court	\$8,000 - \$10,000
1c Sports lighting to outdoor courts (subject to power source)	\$80,000 - \$100,000
2a Car park - courts (excludes kerbs, drainage & lighting)	\$380,000 - \$420,000
2b Car park - hockey (resurface only, excludes kerbs, drainage & lighting)	\$320,000 - \$350,000
3 Overflow car park	Excluded
4 Nature play ground	\$60,000 - \$70,000
5 Existing change rooms	Excluded
6 Toilet block & canteen	Excluded
7 Stair access - included in paving	Included
8a New synthetic hockey pitch (includes earthworks, retaining & fencing)	\$2,400,000 - \$2,600,000
8b Sports lighting to hockey (subject to power source)	\$200,000 - \$220,000
9 Team bunkers	\$30,000 - \$40,000
10 Viewing terrace	\$200,000 - \$300,000
11 Disable access - included in paving	Included
12 Existing sporting club	Excluded
13 Nature play & viewing area	\$60,000 - \$70,000
14 Seal existing access road (excludes kerbs, drainage & lighting)	\$340,000 - \$380,000
15 Shooting club (simple structure with no range)	\$300,000 - \$350,000
16 Paving - includes stairs (item 7) & disable access (item 11)	\$500,000 - \$550,000
Lighting to football oval - 3 No (subject to power source)	\$240,000 - \$260,000
General soft landscaping	\$100,000 - \$150,000
ESTIMATED CONSTRUCTION COST - (June 2020)*	\$5,438,000 - \$6,120,000
Allowance for escalation	Excluded
Allowance for design consultant fees	\$562,000 - \$640,000
Allowance for contingency (5%)	\$300,000 - \$340,000
ESTIMATED CONSTRUCTION COST - (June 2020)* Excl. GST	\$6,300,000 - \$7,100,000
GST allowance (10%)	\$630,000 - \$710,000
ESTIMATED PROJECT COST (June 2020) - (Incl. GST)*	\$6,930,000 - \$7,810,000

* Refer to Schedule of Exclusions

OPTIONS (Subject to review of full design implications)

17 Basketball court extension	including GST	\$ 990,000	\$ 1,100,000
18 Future fitness club	including GST	\$ 440,000	\$ 495,000

OPINION OF CONSTRUCTION COST - LEDGE POINT MASTERPLAN

Refer to pages 1 to 5 of this report for the basis of the opinion of cost.

All costs are exclusive of GST unless noted otherwise.

The following summary is a theoretical analysis of the construction costs. Refer to the detailed opinion of cost for further details.

This report is an 'opinion of construction cost' based on limited information, and should be considered as indicative only. Estimates of this nature provide limited accuracy and the estimate should not be used for final determinations. We recommend that a more detailed 'cost plan' be prepared to more accurately define the construction costs and be updated on a regular basis through the design process to assist with the cost management of the project.

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed works. The estimate has been prepared from minimal information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work, existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project.

JUNE 2020 COSTS	Total Cost Range
1 BUDGET ALLOWANCES (Subject to review of full design implications)	
1a Resurface existing courts - 3 No (excludes fencing)	\$80,000 - \$100,000
1b Lighting to tennis courts - 3 No (subject to power source)	\$100,000 - \$120,000
ESTIMATED CONSTRUCTION COST - (June 2020)*	\$180,000 - \$220,000
Allowance for escalation	Excluded - Excluded
Allowance for design consultant fees	\$20,000 - \$20,000
Allowance for contingency	\$0 - \$0
ESTIMATED CONSTRUCTION COST - (June 2020)* Excl. GST	\$200,000 - \$240,000
GST allowance (10%)	\$20,000 - \$24,000
ESTIMATED PROJECT COST (June 2020) - Incl. GST*	\$220,000 - \$264,000

* Refer to Schedule of Exclusions

SHIRE OF GINGIN
GINGIN UPPER COASTAL REGION - SPORTING FACILITIES MASTERPLAN
OPINION OF CONSTRUCTION COST ESTIMATE NO 1A

Ref: 3567

10/06/2020

SCHEDULE OF EXCLUSIONS

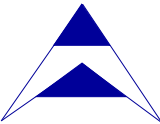
This Estimate excludes the cost of the following items:

Standard Exclusions

- 1 Land cost and legal fees
- 2 Finance costs and interest charges
- 3 Council rates, land taxes and holding costs
- 4 Development approvals & Building Permit
- 5 Compliance with planning approval conditions not on drawings
- 6 Compliance with building permit conditions not on drawings
- 7 Council fees, levies & bonds
- 8 Water Corporation headworks fees
- 9 Western Power headworks fees
- 10 Gas supply fees
- 11 Telstra fees
- 12 Escalation beyond this report date
- 13 Legal fees and disbursements
- 14 Work outside the boundary
- 15 Removal of hazardous materials (asbestos etc.)
- 16 Demolition & ground decontamination
- 17 Unknown ground conditions, rock excavation, ground improvement, piling & dewatering
- 18 Subsoil drainage
- 19 Working around, replacing and re-routing any existing service mains
- 20 Upgrading services to the site (power supply, water supply, sewer extensions etc.)
- 21 Equipment and associated building works
- 22 Fitout, window treatments, loose furniture, furnishings, equipment, white goods
- 23 Corporate signage
- 24 Potential costs associated with EBA agreements
- 25 Delay costs
- 26 Staging the project
- 27 Relocation Costs
- 28 Public Art

Project Specific Exclusions

- 1 Land resumption costs, approvals, consultants fees
- 2 Overflow car park
- 3 Work to existing change rooms
- 4 Work to toilet block & canteen
- 5 Work to existing sporting club
- 6 Work to unsealed loading area
- 7 Alternative power systems (solar etc)
- 8 Sewer treatment plant and upgrades
- 9 All other items noted as excluded



Ashton Associates

Professional Advisors to the Construction and Property Industry
Trading for 20 Years

Quantity Surveying
Construction Cost Management
Project Risk Management

Suite 2A, 163 Canning Highway, EAST FREMANTLE WA 6158
Telephone: (08) 9319 1230
Email: Admin@Ashtonassociates.com.au
Ref: 3567-08

8 July 2020

Struan Burges
GHD
999 Hay Street
PERTH WA 6000

Dear Struan

RE: SHIRE OF GINGIN UPPER COASTAL REGION
SPORTING FACILITIES MASTERPLAN OPTION 2
QUANTITY SURVEYORS OPINION OF CONSTRUCTION COST REPORT 2A

Please find enclosed our 'opinion of construction cost estimate' for the above masterplan options based on the GHD drawings and emails 02/07/20 and 07/07/20.

The 'opinion of construction cost' estimate indicates a construction cost range of:

1. Lancelin Masterplan = \$6,100,000 to \$6,900,000 excluding GST
2. Ledge Point Masterplan = \$200,000 to \$240,000 excluding GST

A summary is included on pages 3 & 4 and exclusions for which no allowances have been made are listed on page 5. The exclusions should be considered carefully to establish if any additional allowances may be required. Please note that the costs exclude any allowances for rock excavation and to upgrade power supply, water & sewer services to the sites. These costs may be significant and should be investigated by appropriate consultants.

A 5% contingency allowance is included.

The eventual cost will be dependent on the final scope of work, level of specification, clarification of currently unknown elements, and the nature and time of tendering.

The estimate excludes any allowance for construction cost escalation beyond June 2020. The construction cost will be subject to future market conditions and should be reviewed on a regular basis as part of the cost planning process.

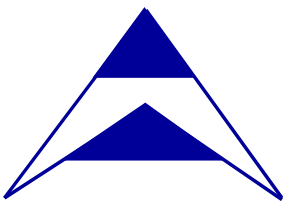
This opinion is an order of cost estimate using 'broad construction type rates' without a detailed calculation and as such provides limited accuracy. It should be considered as indicative to be used as a guide to assist in the cost management of the project. We recommend that a more detailed 'cost plan' be prepared and updated on a regular basis to assist with the cost management of the project.

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed work. The estimate has been prepared from limited information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work, existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project. Ashton Associates are not responsible for design and are not liable if the design is not approved, or is unachievable.

Mark Ashton ARICS AAIQS BSc
Ashton Associates Pty Ltd (ACN 091 782 839) as Trustee for the M & E Ashton Family Trust
ABN 51 357 389 113

Ashton Associates
Quantity Surveying,
Project Management,
Construction Cost Management

C. QS report -
Option 2



Ashton Associates
Quantity Surveyors

Suite 2A, 163 Canning Highway,
EAST FREMANTLE WA 6158

QUANTITY SURVEYORS OPINION OF CONSTRUCTION COST REPORT

SHIRE OF GINGIN

GINGIN UPPER COASTAL REGION - SPORTING FACILITIES MASTERPLAN - OPTION 2

8 JULY 2020

PREPARED FOR	Shire of Gingin & GHD
CONTACT PERSON	Struan Burges GHD 999 Hay Street PERTH WA 6000
DIRECTOR SIGN OFF	 08/07/2020 Mark Ashton, Ashton Associates Pty Ltd
ASHTON ASSOCIATES REFERENCE	3567

Please do not hesitate to contact me if you require any clarification or additional information.

Yours sincerely
ASHTON ASSOCIATES


Mark Ashton

Mark Ashton ARICS AAIQS BSc
Ashton Associates Pty Ltd (ACN 091 782 839) as Trustee for the M & E Ashton Family Trust
ABN 51 357 389 113

SHIRE OF GINGIN
GINGIN UPPER COASTAL REGION - SPORTING FACILITIES MASTERPLAN - OPTION 2
OPINION OF CONSTRUCTION COST ESTIMATE NO 2A

Ref: 3567

8/07/2020

REPORT CONTENTS & SCOPE

Contents:

1 Report Contents & Scope	Page 2
2 Cost Summary - Lancelin	Page 3
3 Cost Summary - Ledge Point	Page 4
4 Schedule of Exclusions	Page 5

Scope:

Building Works comprise:
Proposed additions & alterations to the Lancelin & Ledge Point Sporting Complexes
Associated external works
GHD email 02/07/2020 & 07/07/2020

The estimate has been based on:
GHD master plan option 2 drawings dated 02/07/2020
Medium Specification

Estimate Notes:

This opinion is an order of cost estimate using 'broad construction type rates' without a detailed calculation and as such provides limited accuracy. It should be considered as indicative to be used as a guide to assist in the cost management of the project. We recommend that a more detailed 'cost plan' be prepared and updated on a regular basis to assist with the cost management of the project

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed works. The estimate has been prepared from minimal information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work, existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project.

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Clients and Owners should check that the correct interpretation has been accounted for and that allowances and exclusions are in accordance with expectations.

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Ashton Associates
Quantity Surveyors,
Construction Cost Consultants,
Project Managers

OPINION OF CONSTRUCTION COST - LANCELIN MASTERPLAN

Refer to pages 1 to 5 of this report for the basis of the opinion of cost.

All costs are exclusive of GST unless noted otherwise.

The following summary is a theoretical analysis of the construction costs subject to further review

This report is an 'opinion of construction cost' based on limited information, and should be considered as indicative only. Estimates of this nature provide limited accuracy and the estimate should not be used for final determinations. We recommend that a more detailed 'cost plan' be prepared to more accurately define the construction costs and be updated on a regular basis through the design process to assist with the cost management of the project.

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JUNE 2020 COSTS	Total Cost Range
<u>BUDGET ALLOWANCES (Subject to review of full design implications)</u>	
1a Two new outdoor multipurpose courts (excludes retain & lights)	\$400,000 - \$450,000
1c Sports lighting to outdoor courts (subject to power source)	\$80,000 - \$100,000
2a Car park - Hockey (excludes kerbs, drainage & lighting)	\$380,000 - \$420,000
2b Car park upgrade - Courts (excludes resurface, kerbs, drainage & lighting)	\$120,000 - \$150,000
3 Overflow car park	Excluded
4 Nature play ground	\$60,000 - \$70,000
5 Existing change rooms	Excluded
6 Toilet block & canteen	Excluded
7 Stair access - included in paving	Included
8a New synthetic hockey pitch (includes earthworks, retaining)	\$2,200,000 - \$2,400,000
8b Sports lighting to hockey pitch (subject to power source)	\$250,000 - \$280,000
9 Team bunkers	\$30,000 - \$40,000
10 Viewing terrace	\$200,000 - \$300,000
11 Disable access - included in paving	Included
12 Existing sporting club	Excluded
13 Nature play & viewing area	\$60,000 - \$70,000
14 Seal existing access road (excludes kerbs, drainage & lighting)	\$340,000 - \$380,000
15 Shooting club (simple structure with no range)	\$300,000 - \$350,000
16 Paving - includes stairs (item 7) & disable access (item 11)	\$500,000 - \$550,000
18 Lighting to football oval - 3 No (subject to power source)	\$240,000 - \$260,000
General soft landscaping	\$100,000 - \$150,000
ESTIMATED CONSTRUCTION COST - (June 2020)*	\$5,260,000 - \$5,970,000
Allowance for escalation	Excluded
Allowance for design consultant fees	\$540,000 - \$600,000
Allowance for contingency (5%)	\$300,000 - \$330,000
ESTIMATED CONSTRUCTION COST - (June 2020)* Excl. GST	\$6,100,000 - \$6,900,000
GST allowance (10%)	\$610,000 - \$690,000
ESTIMATED PROJECT COST (June 2020) - (Incl. GST)*	\$6,710,000 - \$7,590,000

* Refer to Schedule of Exclusions

OPTIONS (Subject to review of full design implications)

1b Two new outdoor multipurpose courts (excludes retain & lights)	Incl GST	\$610,000 - \$700,000
8a Saving for Turf hockey pitch (adjusted cost to item 8a)	Incl GST	-\$1,000,000 - -\$1,100,000
17 Road to maintenance (excludes kerbs, drainage & lighting)	Incl GST	\$530,000 - \$580,000
19 Basketball court extension	including GST	Incl GST \$990,000 - \$1,100,000
20 Future fitness club	including GST	Incl GST \$440,000 - \$495,000

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Quantity Surveying,
Project Management,
Construction Cost Management

OPINION OF CONSTRUCTION COST - LEDGE POINT MASTERPLAN

Refer to pages 1 to 5 of this report for the basis of the opinion of cost.

All costs are exclusive of GST unless noted otherwise.

The following summary is a theoretical analysis of the construction costs. Refer to the detailed opinion of cost for further details.

This report is an 'opinion of construction cost' based on limited information, and should be considered as indicative only. Estimates of this nature provide limited accuracy and the estimate should not be used for final determinations. We recommend that a more detailed 'cost plan' be prepared to more accurately define the construction costs and be updated on a regular basis through the design process to assist with the cost management of the project.

This estimate is an 'opinion of construction cost' only and is not a quote or definitive cost of the proposed works. The estimate has been prepared from minimal information without a full scope, specification or engineering input and as such should be considered as indicative to be used as a guide to assist in the cost management of the project. Estimates of this nature provide limited accuracy and actual costs will be influenced by the design and scope of work, existing infrastructure, documentation and specification, tendering procedure, market conditions, availability and workload of builders, subcontractors, trades and materials. The report should not be used for final determinations and we recommend that the report be updated as information becomes available to assist with the cost management of the project.

JUNE 2020 COSTS	Total Cost Range
<u>BUDGET ALLOWANCES (Subject to review of full design implications)</u>	
1a Resurface existing courts - 3 No (excludes fencing)	\$80,000 - \$100,000
1b Lighting to tennis courts - 3 No (subject to power source)	\$100,000 - \$120,000
ESTIMATED CONSTRUCTION COST - (June 2020)*	\$180,000 - \$220,000
Allowance for escalation	Excluded - Excluded
Allowance for design consultant fees	\$20,000 - \$20,000
Allowance for contingency	\$0 - \$0
ESTIMATED CONSTRUCTION COST - (June 2020)* Excl. GST	\$200,000 - \$240,000
GST allowance (10%)	\$20,000 - \$24,000
ESTIMATED PROJECT COST (June 2020) - Incl. GST*	\$220,000 - \$264,000

* Refer to Schedule of Exclusions

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Project Management,
Construction Cost Management

SCHEDULE OF EXCLUSIONS

This Estimate excludes the cost of the following items:

Standard Exclusions

- 1
- Land cost and legal fees
- 2
- Finance costs and interest charges
- 3
- Council rates, land taxes and holding costs
- 4
- Development approvals & Building Permit
- 5
- Compliance with planning approval conditions not on drawings
- 6
- Compliance with building permit conditions not on drawings
- 7
- Council fees, levies & bonds
- 8
- Water Corporation headworks fees
- 9
- Western Power headworks fees
- 10
- Gas supply fees
- 11
- Telstra fees
- 12
- Escalation beyond this report date
- 13
- Legal fees and disbursements
- 14
- Work outside the boundary
- 15
- Removal of hazardous materials (asbestos etc.)
- 16
- Demolition & ground decontamination
- 17
- Unknown ground conditions, rock excavation, ground improvement, piling & dewatering
- 18
- Subsoil drainage
- 19
- Working around, replacing and re-routing any existing service mains
- 20
- Upgrading services to the site (power supply, water supply, sewer extensions etc.)
- 21
- Equipment and associated building works
- 22
- Fitout, window treatments, loose furniture, furnishings, equipment, white goods
- 23
- Corporate signage
- 24
- Potential costs associated with EBA agreements
- 25
- Delay costs
- 26
- Staging the project
- 27
- Relocation Costs
- 28
- Public Art

Project Specific Exclusions

- 1
- Land resumption costs, approvals, consultants fees
- 2
- Overflow car park
- 3
- Work to existing change rooms
- 4
- Work to toilet block & canteen
- 5
- Work to existing sporting club
- 6
- Work to unsealed loading area
- 7
- Alternative power systems (solar etc)
- 8
- Sewer treatment plant and upgrades
- 9
- All other items noted as excluded



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14.2 LIST OF PAID ACCOUNTS FOR THE PERIOD ENDING 30 SEPTEMBER 2021

File	FIN/25
Author	Tania Ladner – Finance Support Officer
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to note the payments made in September 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 \$1,453,285.97 were paid during the month of September 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) \$867,379.38
- Municipal Fund cheques \$0.00
- Municipal Fund direct debits \$585,906.59

Total Municipal Expenditure \$1,453,285.97

Total Trust Fund Expenditure \$0.00

Total Expenditure \$1,453,285.97

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	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 September 2021 totalling \$1,453,285.97 as detailed in the schedule provided to Councillors comprising:

• Municipal Fund electronic funds transfers (EFT)	\$867,379.38
• Municipal Fund cheques	\$0.00
• Municipal Fund direct debits	\$585,906.59
• Trust Fund	\$0.00

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*

15 REPORTS - REGULATORY AND DEVELOPMENT SERVICES

15.1 PROPOSED SUBDIVISIONS (LAND ACQUISITIONS) BY THE DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS

File	ENV/32
Author	Kylie Bacon – Manager Statutory Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	1. Location & Provisional Subdivision Plans [15.1.1 - 10 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider a proposal by the Department of Biodiversity, Conservation and Attractions (DBCA) for the subdivision of:

- Lot 5324 Cowalla Road, Cowalla;
- Lot 2 Pin Pin Road, Beermullah;
- Lot 11 Breera Road, Breera;
- Lot 2 Orange Springs Road, Orange Springs; and
- Lot 8037 Duringen Road, Cowalla.

Location Plans and Provisional Subdivision Design Plans are provided in **Appendix 15.1.1**.

BACKGROUND

The DBCA is seeking to purchase portions of each of the identified properties to assist in meeting offset requirements imposed under the *Environmental Protection and Biodiversity Conservation Act 1999* (the Act). The areas subject to purchase have been identified due to their underlying environmental characteristics and will be transferred to the State of Western Australia and included in the State's Conservation Estate under DBCA management. The respective landowners have voluntarily entered into agreements for the sale of the land concerned.

In order to facilitate the land purchases, Council's support for subdivision of the properties is sought.

Consideration of this item was deferred at the 21 September 2021 Ordinary Council Meeting in order to allow for further investigation with respect to the financial implications for the Shire resulting from the loss of rate revenue when land that is formerly privately owned moves to State control. This has been addressed under the Budget Implications heading of the report below.

The following table summarises the properties that are subject to the potential subdivision:

Proposal	Property Details	Original Lot Size (Hectares)	Local Planning Scheme No. 9 (LPS 9) Zoning	Summary of Proposal
1	Lot 5324 Cowalla Road, Cowalla	782 Ha	General Rural Uncoded	Subdivision creating two new lots being the remnant vegetation (722 Ha) and balance portion remaining in private ownership (60 Ha).
Comment	The portion that is subject to DBCA's purchase features Banksia Threatened Ecological Community (TEC) and vegetation suitable as Black Cockatoo habitat, and is proposed to be created as Nature Reserve and included in the State's conservation estate. The purchase is for offset purposes required by Main Roads WA in accordance with their offset requirements for several proposed infrastructure projects.			
2	Lot 2 Pin Pin Road, Beermullah	638 Ha	General Rural Uncoded	Subdivision creating three new lots being the remnant vegetation (146 Ha & 19 Ha) and balance portion remaining in private ownership (473 Ha).
Comment	<p>The portion that is subject to DBCA's purchase contains Banksia TEC and is assessed to be suitable Black Cockatoo foraging habitat with 79 trees identified as being potential breeding trees. The remnant vegetation located on Lot 20 of the subdivision plan (north-west corner) has been identified for its Conservation Category wetland value and is a suitable habitat for the Western Swamp Tortoise and sits adjacent to the south of an existing release site.</p> <p>Following the transfer of the subject portions to the State of WA the land is to be amalgamated into the adjacent Moore River Nature Reserve and included in the State's conservation estate under DBCA management.</p>			
3	Lot 11 Breera Road, Breera	180 Ha	General Rural Uncoded	Subdivision creating two new lots being the remnant vegetation (143 Ha) and balance portion remaining in private ownership (37 Ha)

Comment	The portion that is subject to DBCA's purchase contains Banksia TEC and Declared Rare Flora and is a DBCA targeted acquisition for inclusion in the State's conservation estate. The subject portion proposed for acquisition is to serve several smaller offset requirements for individual proponents.			
4	Lot 2 Orange Springs Road, Orange Springs	192 Ha	General Rural Uncoded	Subdivision creating two new lots being the remnant vegetation (167 Ha) and balance portion remaining in private ownership (25 Ha)
Comment	DBCA is in negotiations with the landowner for the purchase of a 167 Ha portion of the property which has been identified as a suitable offset required by Main Roads WA in accordance with their offset requirements for a number of proposed infrastructure projects. A flora assessment has not yet been completed, however the land is expected to contain Banksia TEC consistent with the vegetation types of adjacent properties. A flora assessment is to be completed prior to an agreement being reached to ground-proof existing flora types. Should agreement be reached, the subject portion will be transferred to the State of WA to be amalgamated into the adjacent Moore River National Park and included in the State's conservation estate under DBCA management.			
5	Lot 8037 Duringen Road, Cowalla	601 Ha	General Rural Uncoded	Subdivision creating two lots being the remnant vegetation (310 Ha) and balance portion remaining in private ownership (291 Ha)
Comment	<p>The portion that is subject to DBCA's purchase features Banksia TEC and vegetation suitable as Black Cockatoo habitat and is proposed to be created as a Nature Reserve and included in the State's conservation estate. The purchase is for offset purposes required by Main Roads WA in accordance with their offset requirements for a number of proposed infrastructure projects.</p> <p>Lot 8037 Duringen Road sits immediately east of Lot 5324 Cowalla Road, Cowalla (Subdivision proposal 1 above). DBCA is also amalgamating the purchased portions of Lot 8037 and 5324 into a single lot.</p>			

COMMENT

Strategic Community Plan 2019-2029

The Shire's Strategic Community Plan identifies the Natural Environment as one of its focus areas. The outlined objective is *'to develop the Shire's capacity to support the conservation of natural assets and undertake sustainable resource management'*. An outcome in achieving the above is through Conservation where *'the Shire's ecological services and natural assets are respected and enhanced'*, with a priority of *'advocating to ensure the Shire is not disadvantaged by environmental offsets from urban areas or other State infrastructure'*.

It is considered that DBCA's request to subdivide the five properties in question does not disadvantage the Shire with respect to allocating environmental offsets within the Shire's locality. Specifically, the request is supported by and aims to achieve not only the Natural Environment objective within the Shire's Strategic Community Plan, but also other objectives and key actions from the strategic and statutory documents outlined below.

Furthermore, the native vegetation that has been identified for subdivision is of such significant value that a request to clear the remnant vegetation for agricultural purposes would most likely not be approved. Therefore, the existing rural properties are not being disadvantaged as they are already limited (regardless of the subdivision occurring or not) in their development/operational footprint.

However, the Shire is financially disadvantaged by the environmental offsets by the loss of rate revenue. This is explained in more detail under the Budget Implications heading.

Local Planning Strategy (LPS)

The Shire of Gingin's Local Planning Strategy (LPS or Strategy) identifies the natural environment within the shire as *"forms a major component of the Shire of Gingin's landscape and lifestyle with the principle economic activities in agriculture, fishing and tourism being dependent on the quality of the environment"*.

The Strategy outlines the key environmental objectives in terms of native vegetation conservation which are:

- Promote and pursue a sustainable balance between the competing demands of land required for natural vegetation and land required for rural/agricultural purposes.
- Protect the natural environment and biodiversity while ensuring appropriate development opportunities within the Shire are realised.
- Protect the integrity and health of the Moore River and the estuarine environment, the riparian zone and the adjacent remnant vegetation between the coast and the Indian Ocean Drive.

The Strategy's following actions aim to achieve these environmental objectives with respect to subdividing rural land in order to protect native vegetation.

- Where ad-hoc rezoning proposals for Rural Living or rural small holdings are made, or in considering proposals for subdivision of rural land Council will consider whether the proposal:
 - Is supported by demonstrated demand and justified in terms of achieving productive use of rural land and/or net environmental benefit.

The proposed subdivision requests from DBCA achieve net environmental benefit for the conservation of high biodiversity value and carbon, while not impacting upon the productive use of rural land. It is made clear throughout this report that there is a sustainable balance between the competing demands of land required for natural vegetation and land required for rural/agricultural purposes.

Local Planning Scheme No. 9 (LPS 9)

The subject lots are zoned General Rural (Uncoded) under LPS 9. The objectives of the General Rural zone are to:

- a) *manage land use changes so that the specific local rural character of the zone is maintained or enhanced;*
- b) *encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;*
- c) *maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and*
- d) *provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone*

It is considered that DBCA's request to subdivide rural land for the purpose of protecting environmentally sensitive areas does not impact upon the General Rural objectives outlined above for the reasons that have been outlined in this report.

LPS 9 does not support further subdivision of uncoded General Rural zoned land unless it meets the exceptional circumstance requirements under the West Australian Planning Commission (WAPC) Development Control Policy 3.4 Rural Subdivision (DC Policy 3.4). This is further explained and supported below.

State Planning Policy 2.5 Rural Planning (SPP 2.5) and Guidelines

The purpose of SPP 2.5 is to protect and preserve Western Australia's *'rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome'*.

Furthermore, the policy aims to ensure that any negative impact on environmentally sensitive areas is minimised by *'supporting the establishment of environmental corridors in strategies and schemes, including connection of State and local reserves and waterways and wetlands within private conservation areas'*. The proposed subdivision of environmentally sensitive areas achieves this protection as the land is to be either amalgamated into adjacent existing Nature Reserves and/or become new reserves created to be included in the State's conservation estate.

Further guidance on subdividing rural land relies on the direction of the WAPC's Development Control Policy 3.4 Rural Subdivision (DC Policy 3.4), which is outlined below.

Development Control Policy 3.4 Rural Subdivision (DC Policy 3.4)

DC Policy 3.4 guides the subdivision of rural land to achieve the key objectives of *State Planning Policy 2.5: Rural Planning*. The following objective is applicable with respect to subdividing rural land for environmental conservation:

- Protect and sustainably manage environmental, landscape and water resource assets.

DC Policy 3.4 also outlines and guides subdivision:

- For other unusual or unanticipated purposes which, in the opinion of the West Australian Planning Commission (WAPC), do not conflict with this and other relevant policies and are necessary to the public interest.

In this instance it is considered that the proposed subdivision requests from DBCA are appropriate and justified as they achieve environmental benefit which overall is also a benefit to the public interest.

Section 6.5 of the Policy provides guidance on the conservation of biodiversity and natural heritage, where lots may be created to conserve significant environmental features and remnant vegetation provided that:

- a) *the application includes advice from the Department of Parks and Wildlife, National Trust of Australia (WA), or another relevant agency, endorsing the suitability of the new lot for the intended purpose of retaining environmental values including:*
 - i) *the adequacy of the lot size proposed (if it is less than 40 hectares) to retain the conservation value in perpetuity; and*
 - ii) *in-principle agreement to administer the necessary conservation covenant.*
- b) *generally at least 85 per cent of the area of the conservation lot has high environmental values or is covered by endemic or regenerated vegetation and/or wetland;*
- c) *the proposed conservation lot has an appropriate shape having regard for the native vegetation, natural features, bush fire management, water resources, property management and existing or proposed structures;*
- d) *a conservation covenant in perpetuity with the Department of Parks and Wildlife, the National Trust of Australia (WA), or an alternative authority acceptable to the WAPC, is registered on the certificate of title as a condition of subdivision for the proposed conservation lot and that the covenant includes provisions that:*
 - (i) *prohibit further clearing (other than for necessary land and fire management requirements);*
 - (ii) *clearly delineate a building envelope and/or building exclusion area which is also shown on the subdivision plan; and*
 - (iii) *prohibit stocking outside any existing cleared area.*
- e) *bushfire risk can be managed in accordance with WAPC guidelines without resulting in loss of conservation values; and*
- f) *the balance lot is suitable for the continuation of the rural land use and retains where practical, native or regenerated vegetation as an integral part of sustainable primary production, provided that this does not result in the division of significant endemic vegetation in order to include a portion of that vegetation within the agricultural lot.*

It is considered that the subdivision request from DBCA meets the above objectives as the subdivisions are for the purpose of retaining native vegetation that has a high conservation value and will form part of the State's conservation estate. The remaining rural land remains unaffected with respect to its continuation, as the areas where the rural land use can operate are already limited because of the significant native vegetation surrounding them. It would be highly unlikely that any clearing permits would be granted because of the conservation value of the land. Furthermore, the respective landowners have voluntarily entered into agreements for the sale of the property.

Department of Water and Environmental Regulation (DWER) Draft Native Vegetation Policy

The draft policy proposes strategic direction to modernise native vegetation management in Western Australia. The aim is to inspire and support various sectors to conserve and restore native vegetation by providing a regionally tailored approach in planning for and coordinating its management. This includes a coordinated approach to offsets, revegetation, and threat management to list a few.

DBCA's request to subdivide existing General Rural zoned land achieves the objectives and intent of the draft policy, particularly through its Action 1.6 which states as follows (only those items that are applicable have been listed):

1.6 Address ongoing loss of native vegetation in the Wheatbelt through whole of government approaches:

- a) Prepare a whole of government strategy for a nett improvement in Wheatbelt native vegetation extent – through coordination of restoration (including offsets); reserve and roadside management; and regulation.

Includes defining the policy making pathway(s), spatial boundaries and stakeholder engagement approach.

- b) Establish a whole of government approach to Wheatbelt restoration to coordinate offsets, carbon farming, natural resource management funding, regenerative agriculture and other funding streams with conservation investment.

The subdivision of rural land for those areas that have high conservation value assists in contributing to the nett improvement of preserving native vegetation that is of significance with its surrounding national park(s) and reserve(s), and through offsets.

Summary

The conservation of environmental assets is seen as enhancing the sustainability of rural areas. Areas of environmental significance (including remnant vegetation, riparian vegetation, waterways and wetlands) provide aesthetic and sustainability benefits for the Shire of Gingin, and the proposed subdivisions are on-ground actions that establish a stewardship for the protection of native vegetation.

It is considered that the proposed subdivision of rural land meets the exceptional circumstance requirements of DC Policy 3.4 and the aims and objectives of the statutory and strategic documents outlined above. The subdivision achieves environmental and cultural benefits without compromising existing rural operations.

STATUTORY/LOCAL LAW IMPLICATIONS

Environmental Act 1986

Environment Protection and Biodiversity Conservation Act 1999

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 9 (LPS 9)

POLICY IMPLICATIONS

State Planning 2.5 Rural Planning and Guidelines

Development Control Policy 3.4 Rural Subdivision (DC Policy 3.4)

DWER Draft Native Vegetation Policy

Local Planning Strategy (LPS)

BUDGET IMPLICATIONS

The following table outlines the current rate revenue derived from the subject properties and the approximate loss of rate revenue after subdivision. It should be noted that the amounts are based on the Unimproved Value (UV) rate only and do not include other charges such as the Emergency Services Levy, Waste Management Rate and Rubbish Charge.

	Property Details	Lot Size (Hectares) & Current UV Rates	Approximate UV Rates after Subdivision (Smaller Lot Size)	Revenue Loss (Annually)
1	Lot 5324 Cowalla Road, Cowalla	782 Ha \$2380.34	60 Ha \$1470.00	\$910.34
2	Lot 2 Pin Pin Road, Beermullah	638 Ha Rated as a contiguous property over 1800 Ha \$17839.72	473 Ha Unknown	Unknown
3	Lot 11 Breera Road, Breera	180 Ha \$2528.79	37 Ha \$1470 - \$2062.96	\$1058.80 - \$465.80
4	Lot 2 Orange Springs Road, Orange Springs	192 Ha \$1470.00	25 Ha \$1470.00	\$0 minimum rates are being charged
5	Lot 8037 Duringen Road, Cowalla	601 Ha \$2431.53	291 Ha \$1760.94	\$670.59 or less

The above figures are approximate as the estimates have been derived from one of the following methods:

- Using the minimum rate base, particularly where the lot is currently being charged the rate minimum (i.e. Lot 2 Orange Springs Road); and
- A comparison with other lots of similar size and land use functionality within the locality.

With respect to Lot 5324 Cowalla Road, it is envisaged that once subdivision occurs the minimum rate value will be given.

Lot 2 Pin Pin Road is rated as a contiguous property over 1800 ha. Contiguously rated cannot simply be compared to a lot of similar size and land use. Therefore, the value is unknown.

With respect to Lot 11 Breera Road, a range from the minimum rate to a comparison rate with another lot has been given.

In estimating the revenue loss for Lot 8037 Duringen Road, a similar lot was used as a comparison.

It should be noted that the method of calculating rates varies from property to property. While every effort has been given to provide approximate figures, the only way to accurately determine loss of income would be to have the properties assessed by the Valuer General's Office, and unfortunately the turnaround time for this process is more than 90 days. It is possible, therefore, that the ultimate figures will bear little relation to the estimates provided above.

The loss of rate revenue is in perpetuity. Under the *Environmental Protection Act 1986* (WA) and the *Environment Protection and Biodiversity Conservation Act 1999* (C/wealth) there is no provision for the State to compensate a local government for the loss of rates when subdivided land is amalgamated for the benefit of environmental offsets.

Summary

While there will be a loss in rate revenue, there are other opportunities and benefits arising from the inclusion of land in the conservation estate. As advised by DBCA, these include the possibility of additional apiary sites and an increase in visitation numbers to the local government area as land is opened to public access for conservation and recreation purposes. DBCA also regularly engages environmental management groups to participate in land management which utilises local resources. The broader benefits to the State's environmental reserve system should also be acknowledged.

Additionally, where DBCA purchases land required for conservation there is generally an increase in improved fire management across such land. DBCA has been undertaking prescribed burns on acquired land which in some cases has not been burnt for periods more than 40 years.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	Natural Environment
Objective	2. To develop the Shire's capacity to support the conservation of natural assets and undertake sustainable resource management.
Outcome	2.1 Conservation: The Shire's ecological services and natural assets and respected and enhanced.
Key Service Area	Conservation and Environmental Management Strategic Town Planning
Priorities	2.1.3 Advocate to ensure the Shire is not disadvantaged by environmental offsets from urban areas or other State infrastructure.

VOTING REQUIREMENTS - SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council,

1. In order to facilitate the satisfying of offset requirements imposed under the *Environmental Protection and Biodiversity Conservation Act 1999*:
 - a. Advise the Department of Biodiversity, Conservation and Attractions that it has no objection to the subdivision of the following lots as proposed:
 - Lot 5324 Cowalla Road, Cowalla;
 - Lot 2 Pin Pin Road, Beermullah;
 - Lot 11 Breera Road, Breera;
 - Lot 2 Orange Springs Road, Orange Springs; and
 - Lot 8037 Duringen Road, Cowalla.
 - b. Support the amalgamation of the purchased portions of Lot 8037 and 5324 into a single lot.
2. In its submission in relation to the Department of Water and Environmental Regulation draft Native Vegetation Policy for Western Australia, put forward a

proposal that local governments should be compensated for the loss of rate revenue which results from land being ceded to or purchased by the State for environmental offset purposes.

LAPSED FOR WANT OF A MOVER

ALTERNATIVE MOTION

MOVED: Councillor Fewster

SECONDED: Councillor Court

That Council not support the subdivision to facilitate the offset requirements imposed under the *Environmental Protection and Biodiversity Conservation Act 1999* for the following lots:

- Lot 5324 Cowalla Road, Cowalla;
- Lot 2 Pin Pin Road, Beermullah;
- Lot 11 Breera Road, Breera;
- Lot 2 Orange Springs Road, Orange Springs; and
- Lot 8037 Duringen Road, Cowalla.

until the State can facilitate a compensation arrangement with the Shire of Gingin.

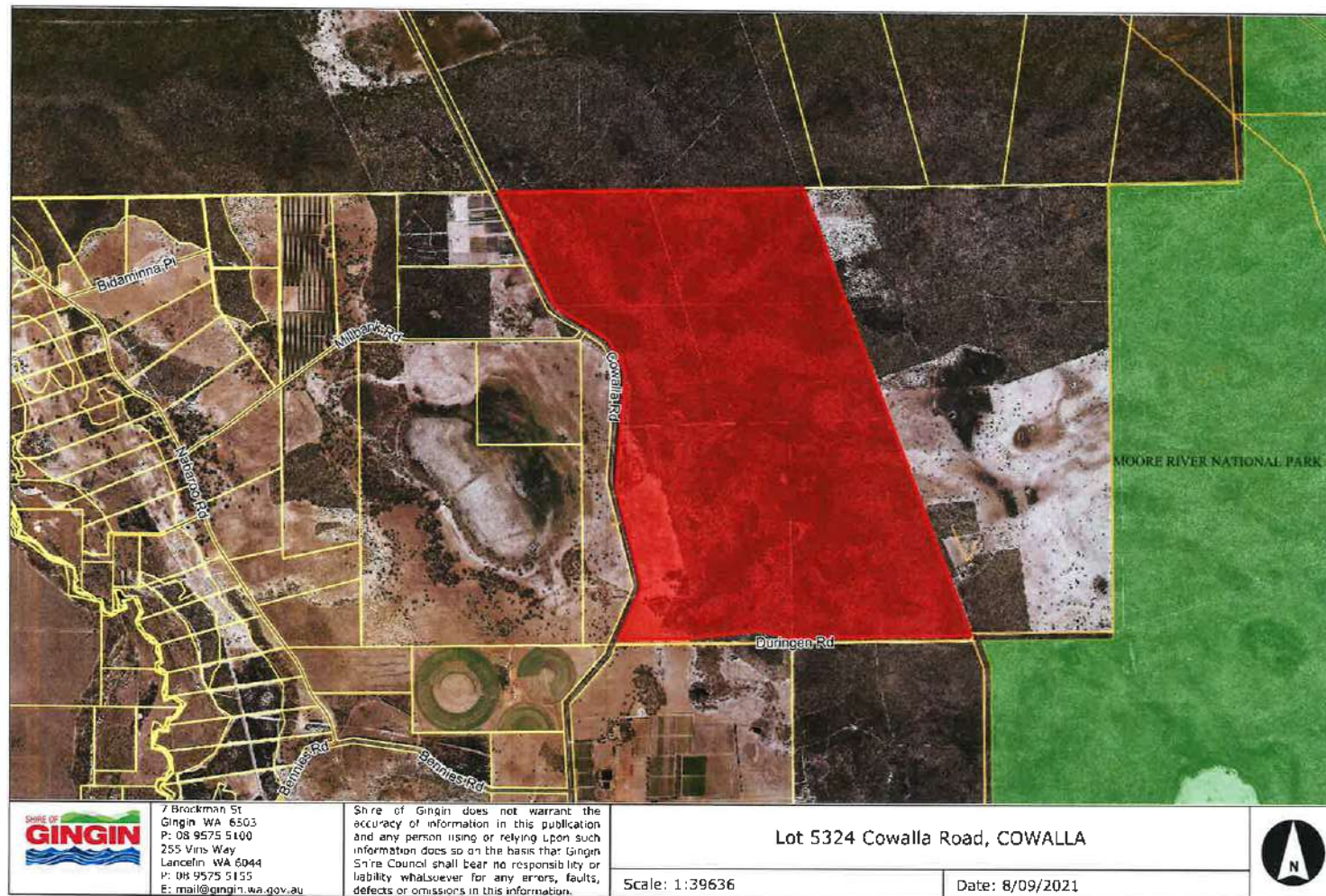
CARRIED UNANIMOUSLY
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FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Court, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

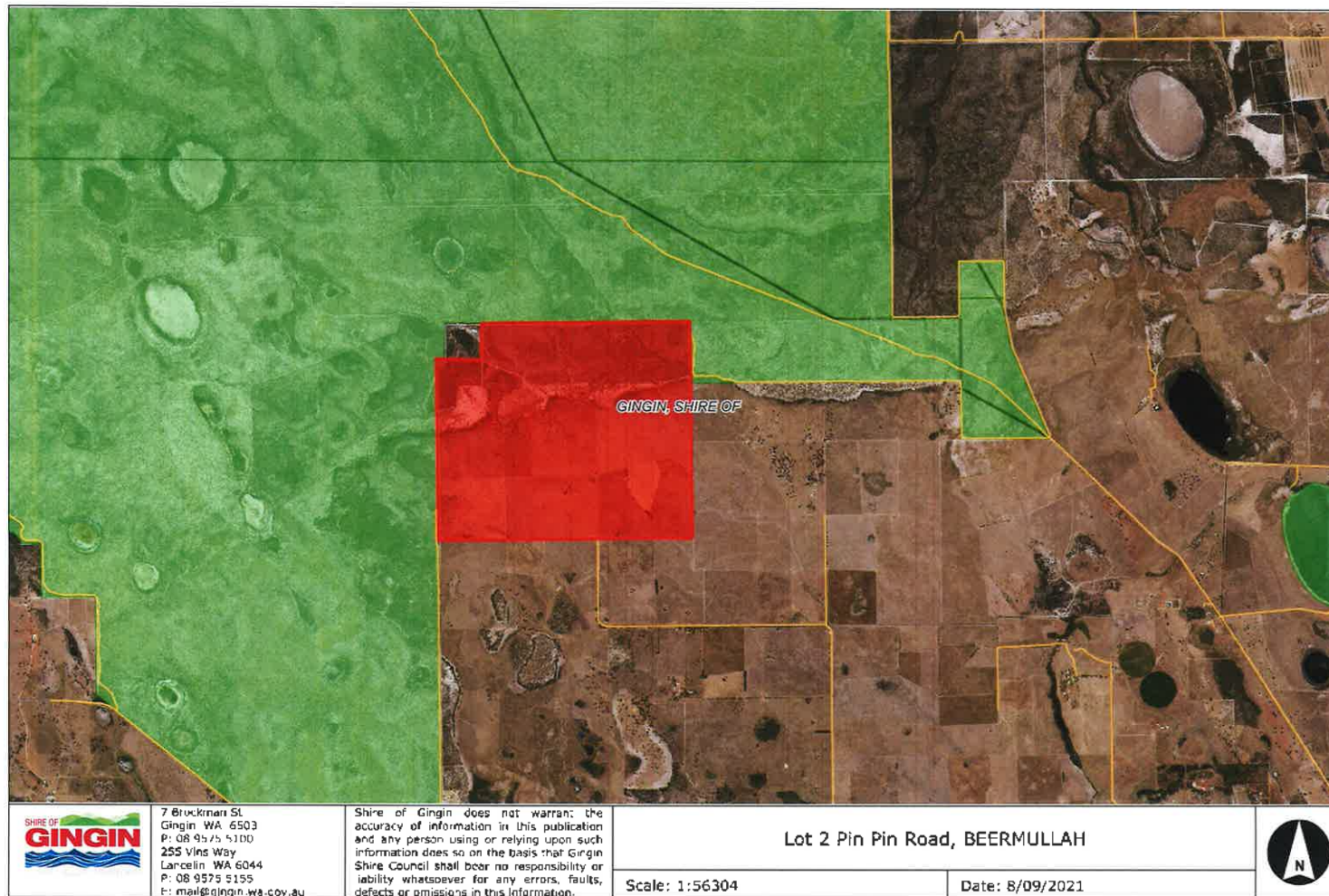
AGAINST: *Nil*

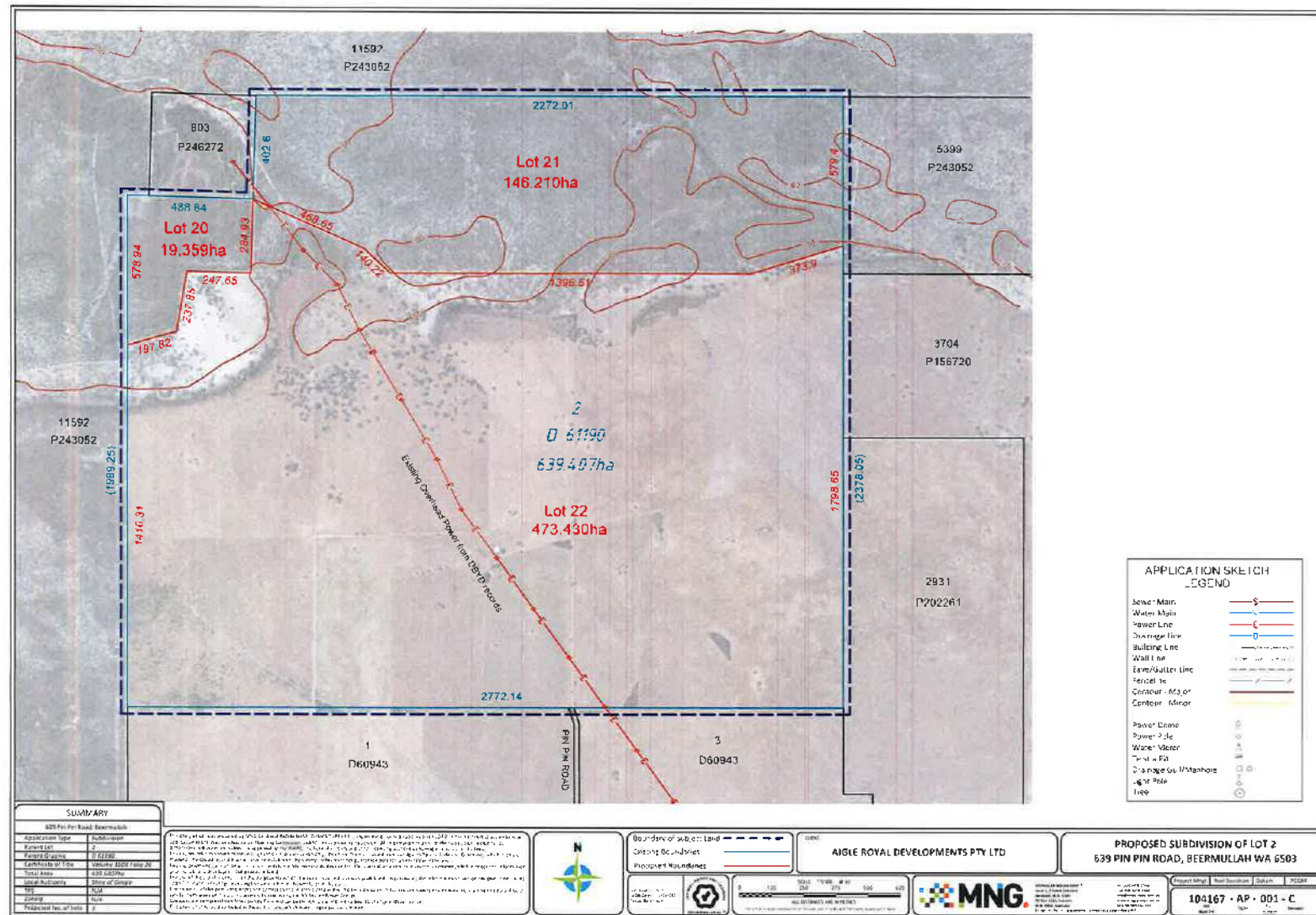
REASON FOR ALTERNATIVE MOTION:

Local Government should be compensated by the State for the loss of rate revenue which results from land being ceded to or purchased by the State for environmental offset purposes.













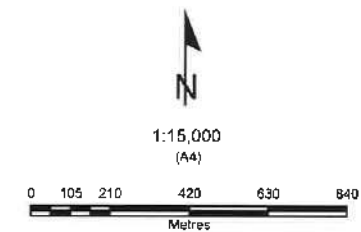
**Lot 11 Breera Road, Breera -
Proposed portion for acquisition
and subdivision**

Lot 11 on Diagram 67529 being the whole of
the land contained in Certificate of Title
1685/893

Legend

Cadastre SCDB - State

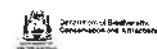
- Freehold
- Crown Reserve
- Public Roads/Other Public Lands



GDA94 MGA Zone 50



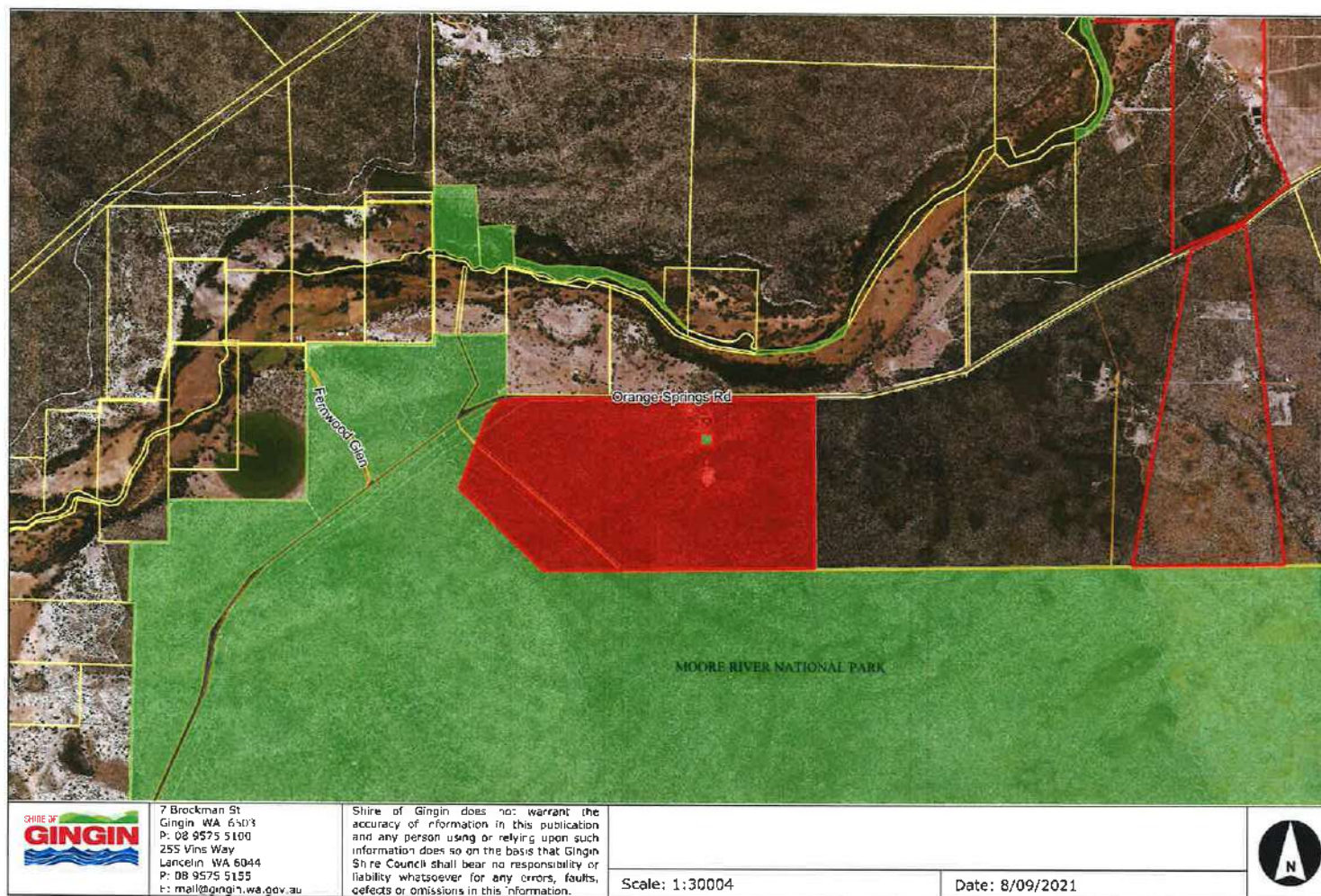
Produced by the
Department of
Biodiversity, Conservation
and Attractions

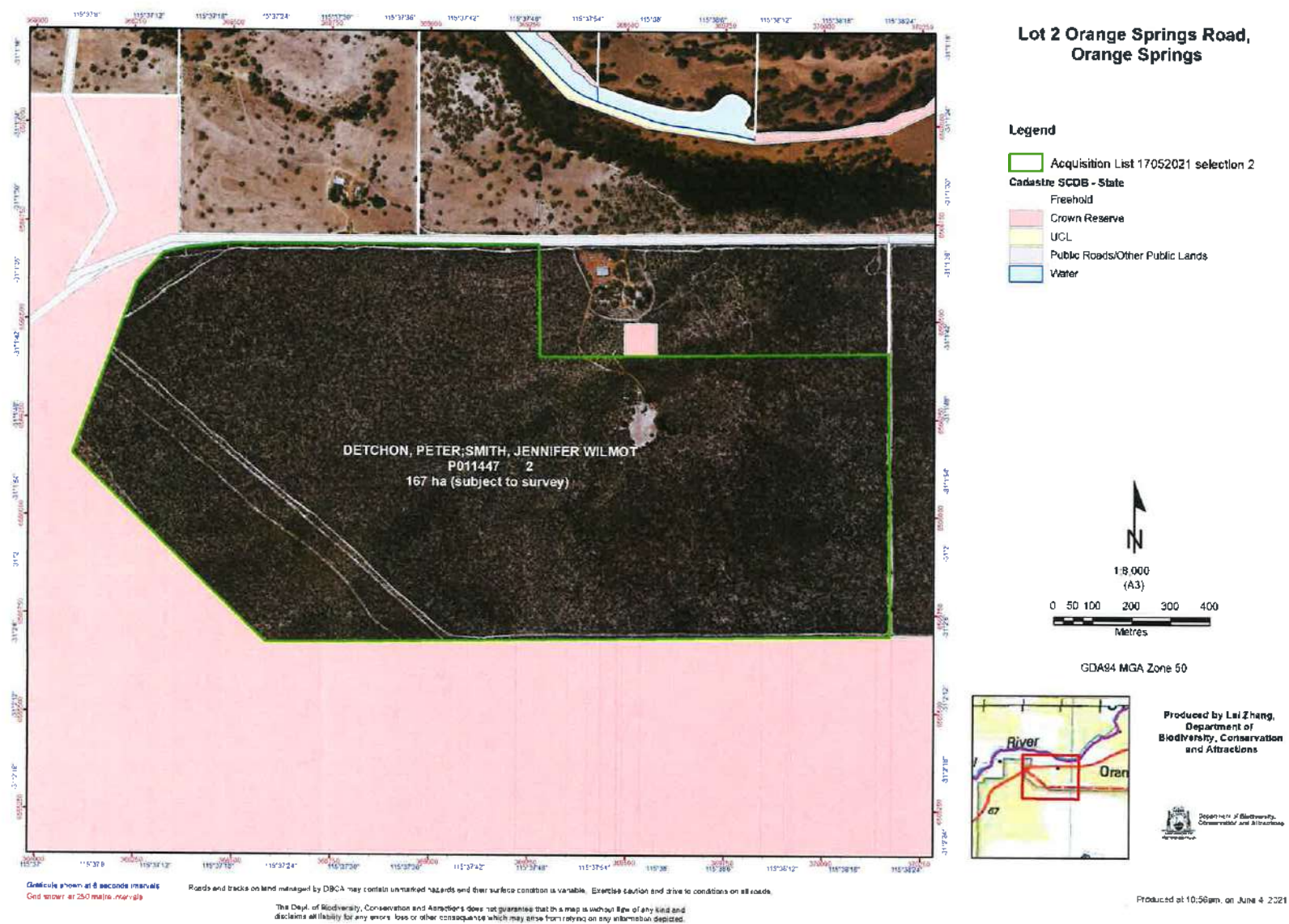


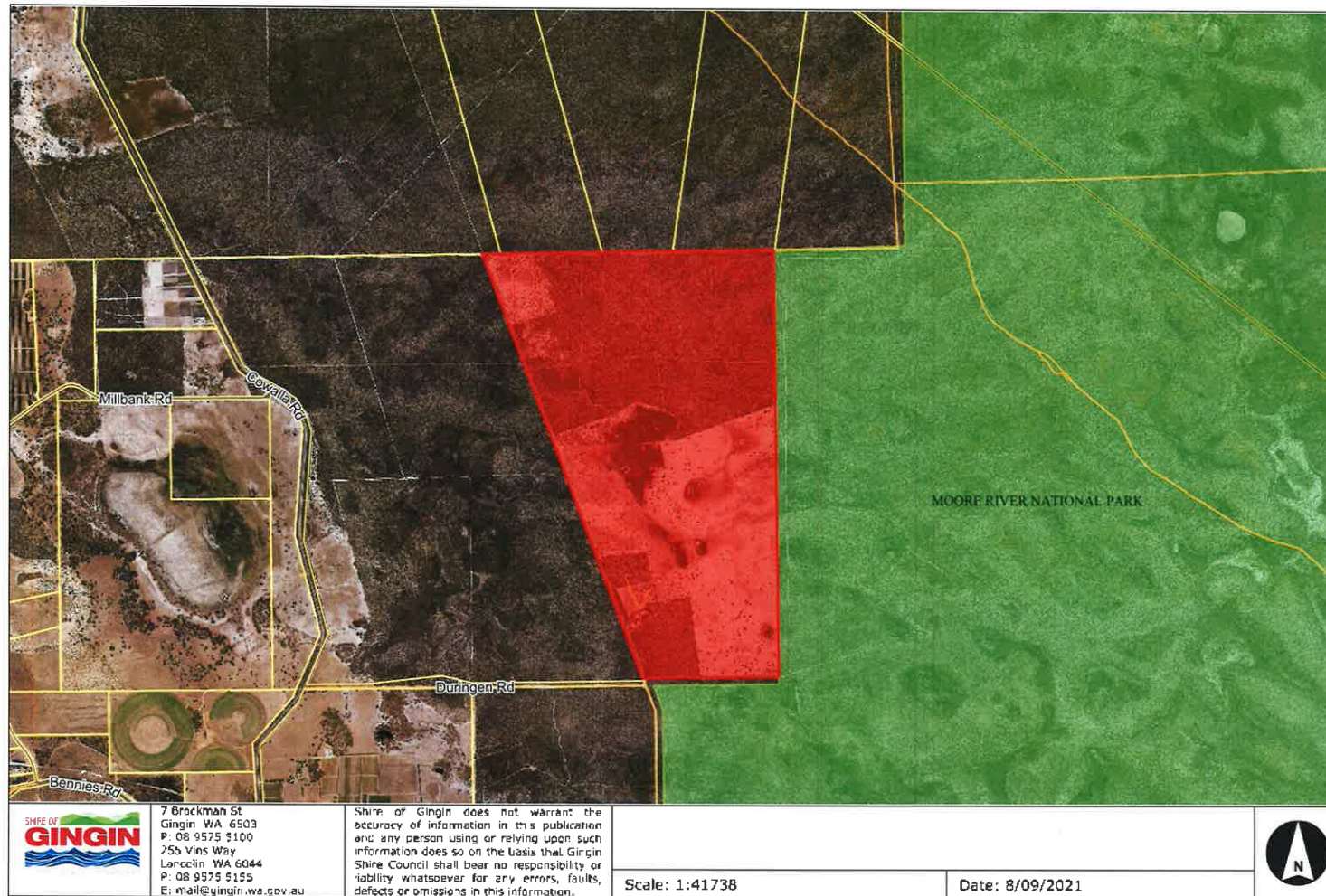
Graticule shown at 1 minute intervals
Grid shown at 1000 metre intervals

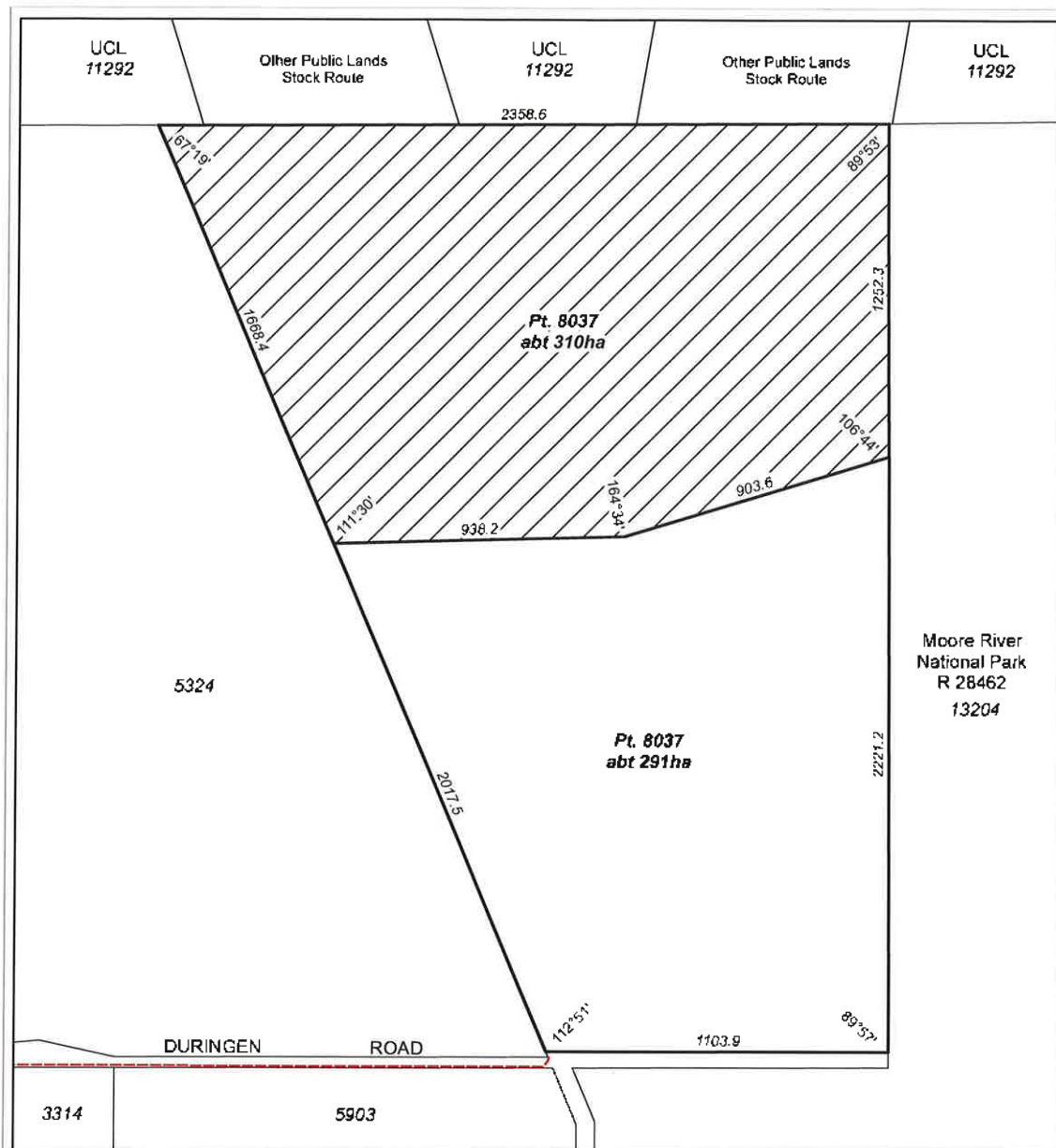
The Dept. of Biodiversity, Conservation and Attractions does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.

Produced at 11:23am, on Sep 8, 2021









NOTE:
All dimensions are approximate
and are subject to survey.
Total area of Lot 8037 is abt 601ha

PROPOSED SUBDIVISION

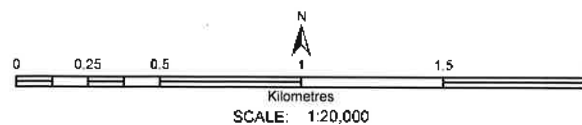
Legend



Land subject to SUBDIVISION - abt 310ha

Location(s): Portion of Lot 8037 on Deposited Plan 172537
as shown on Certificate of Title 1472/107

Owner(s): Alfred George Bunting and Gwyneth Evelyn Bunting



**15.2 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED USE NOT LISTED
(CONTAINER DEPOSIT RECYCLING POINT) AT LOT 301 (13) KING DRIVE, WOODRIDGE**

File	BLD/5125
Applicant	Rowe Group Pty Ltd
Location	Lot 301 (13) King Drive, Woodridge
Owner	Shire of Gingin
Zoning	Local Reserve – Shire Purposes
WAPC No	NA
Author	Matthew Tallon – Statutory Planning Officer Lee-Anne Burt – Coordinator Governance
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	21 September 2021, Item 13.2
Appendices	1. Location Plan, Aerial Imagery and Applicant's Proposal [15.2.1 - 10 pages] 2. Schedule of Submissions and Recommended Responses [15.2.2 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for a proposed Use Not Listed (Container Collection Cage) at Lot 301 (13) King Drive, Woodridge. Council's determination is required as Administration does not have delegation to approve a Use Not Listed or development on Shire-controlled reserves.

BACKGROUND

The subject lot is located at the entrance to the Woodridge Rural Living Estate currently containing the Woodridge Community Hall, a café, tennis courts, playground and public toilets. The portion of the lot in which the development is proposed is indicated as a caravan turning circle area with a toilet block located towards the centre of the lot. This is the predominant recreation/community area for the Woodridge Rural Living Estate. The lot is maintained by the Shire of Gingin.

The application seeks development approval for a Use Not Listed (Container Collection Cage) which is comprised of a sea container with a length of 6m, height of 2m and a width of 2.4m (20 feet) which will be painted with the Eco Exchange logo situated on the southern portion of the lot fronting Woollybush Loop and accessible via the crossovers to that road.

The proposal notes that the development is to be operated as a bag drop facility only, with no requirement for any staff other than for container collection and maintenance works. The Container Deposit Scheme ID system is utilised in refunding participating customers, thereby allowing the bag drop facility to remain unmanned throughout the transaction process.

Eco Exchange currently operates within Woodridge via a Mobile Trading Permit located at the Woodridge Community Hall carpark on King Drive. If this proposal is supported then their Mobile Trading Permit will no longer be required and the operator will enter into a commercial lease with the Shire.

The proposal does not outline any works to the reserve other than the placement and maintenance of the Sea Container.

The location plan, aerial imagery and the Applicant's proposal are provided as **Appendix 15.2.1**

COMMENT

Stakeholder Consultation

Clause 3.4.3 of LPS 9 outlines requirements for a use not listed in the Scheme, notably requiring advertisement of the proposal and recognition that the development is consistent with the objectives of the zone.

As such the proposal was advertised for a period of 14 days in accordance with clause 64 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Deemed Provisions). This was done via direct letters to landowners in proximity to the location, and a notice on the Shire's website. The application was not advertised to the Woodridge Community Association as it utilises a separate access and the land is managed by the Shire of Gingin.

During this timeframe, one submission objecting to the proposal was received. The Officer has responded to the comments which are available in the Schedule of Submissions provided as **Appendix 15.2.2**.

Disposition of Property Requirements – *Local Government Act 1995* s.3.58

In the event that Council agrees to approve this Development Application, it will be necessary to comply with the disposition of property requirements contained within the *Local Government Act 1995* (the Act) in order for the sea container to occupy the site.

Under s.3.58 of the Act, "dispose" in relation to property *includes to sell, lease, or otherwise dispose of, whether absolutely or not*. A local government can only dispose of property:

- To the highest bidder at public auction; or
- By calling public tenders; or
- By giving public notice of the proposed disposition (including details of the proposed lessor, the consideration to be received for the property and the market value of the property as determined by a formal valuation), inviting submissions for a minimum of two weeks and then considering any submissions received before making a decision to dispose of the property.

The disposition of property is exempt from these requirements under certain circumstances (set out in the *Local Government (Functions and General) Regulations 1996*), but this proposal does not fall into any of the exempt categories.

Obviously, the options of public auction or public tender are inappropriate in this instance, and therefore it is suggested that the giving of public notice for the purpose of submissions is the preferred option.

A licensed valuer was engaged to provide a market rental value for the site and has confirmed a market rental of \$500 per annum (ex GST).

It is therefore recommended that, in the event that Council grants development approval for the proposal, it also:

1. Agree that it is prepared to dispose of that portion of Lot 301 King Drive, Woodridge to be occupied by the proposed sea container to Eco Exchange by way of a lease or licence arrangement (as recommended by the Shire's legal advisors) for a term of 2 years consistent with the life of the Development Approval, for a consideration of \$500 per annum.
2. Authorise the CEO to give local public notice for a period of two weeks of the proposed disposition in accordance with s.3.58 of the *Local Government Act 1995* and report back to Council if any submissions are received.
3. Authorise the CEO, in the event that no submissions are received at the conclusion of the public submission period, to negotiate an appropriate lease or licence arrangement (as recommended by the Shire's legal advisors).
4. Authorise the Shire President and CEO to execute the resulting lease or licence arrangement, including affixing of the Common Seal of the Shire of Gingin if required.

PLANNING FRAMEWORK

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

The subject lot is zoned Public Use – Shire Purposes. LPS 9 does not afford any objectives to this zone, and therefore reference is made to the objectives for this zoning under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ‘Model Provisions’.

The zone *Reserve – Shire Purposes* is not specifically mentioned in the Model Provisions however the officer notes the objective for Reserve – Public Purposes as outlined in the Model Provisions is as follows:

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

As noted in the Background of this report, this lot supplies community and recreation facilities to the Woodridge Rural Living Estate. The proposal provides a service allowing the community to participate in the Containers for Change program.

The zoning does not employ any specific development standards, however the Officer’s report includes an assessment against the relevant matters to be considered under clause 67 of the Deemed Provisions.

As the proposal is for a Use Not Listed in the Scheme, reference is made to the applicable land use definition in either the Deemed Provisions or the Model Provisions. In this instance the Deemed Provisions define the land use *Container Collection Cage* as follows:

“means a cage or other structure in which members of the public may place empty containers for the purposes of the container deposit scheme, without receiving payment of the refund amount in exchange;”

The land use is run by an appointed Western Australian Return Recycle Renew Ltd (WARRRL) operator who is afforded the contract to operate under the Container Deposit Scheme for either a locality or Local Government Municipality. The officer notes that the development provides a service to the community and is therefore consistent with the relevant objective of the lot.

Local Planning Policy 1.9 - Sea Containers

The Shire’s Local Planning Policy position on sea containers was created to enable the use of Sea Containers for a range of uses, most generally storage, while seeking to retain a suitable built form amenity in the locality of the subject site.

In this instance the subject site is zoned Reserve - Shire Purposes, however it is located within an established Rural Living Estate. As such due regard to the built form amenity of the Rural Living zone is applicable. The initial application notes that the sea container is located strategically to be naturally screened by existing vegetation but is a lime green colour. While the natural screening is a good outcome with respect to the built form amenity of the area, the colour of the sea container is not appropriate.

As such the officer is of the view that, whilst the proposed location of the sea container is appropriate, the colour should be neutral reflecting earthy tones or a darker colour more representative of the vegetation in place. The colour of the sea container is recommended to be amended via a condition of approval.

The policy also notes that: *No advertising or logos are permitted on Sea Containers unless they are visually acceptable as determined by the Chief Executive Officer.*

In this instance the sea container will include the operator's Eco Exchange logo, which is critical in order for participants to identify the exchange site. The officer therefore notes that it is appropriate in this instance as it is related to a bona fide commercial business that will be approved to be operating on site.

Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations are subsidiary legislation created under the *Planning and Development Act 2005* that include 'Deemed Provisions' which apply to every local planning scheme throughout the State.

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 matter is considered to be relevant:

(m) the compatibility of the development with its setting, including –

(i) the compatibility of the development with the desired future character of its setting; and;

Officer comment

The proposal is located within an established Rural Living Estate and will be fully visible from Woollybush Loop with some vegetative screening on the south side of the sea container.

The lot is owned by the Shire of Gingin, which as yet has no plans for the future development of this portion of the reserve. As this may be subject to change with potential for future public works/projects in the reserve, and given that the applicant is not offering any upgrades to the site, a temporary approval may be appropriate.

(n) *the amenity of the locality including the following –*

- (i) *environmental impacts of the development;*
- (ii) *the character of the locality;*
- (iii) *social impacts of the development;*

Officer comment

The proposal only comprises a single sea container to be located in a manner that naturally screens it from view from the road. With respect to the character of the locality, the proposal introduces additional vehicle movements to the site.

The applicant notes that the container will be emptied once a week. This will of course be a variable which is subject to the productivity of the development. While a development approval is unable to manage the hours of operation for participating members of the public (given it is unmanned), it can however constrain the times during which service vehicles access the site to uphold the increased amenity level anticipated in residential areas.

As such the Officer notes that, in order to maintain the residential amenity of the locality, service vehicles should be restricted to within regular business hours (8am to 5pm).

(s) *the adequacy of –*

- (i) *the proposed means of access to and egress from the site; and*
- (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*

Officer comment

The site is accessible via existing unsealed crossovers to/from Woollybush Loop. While the crossovers and vehicle manoeuvring areas are unsealed, the officer notes that any requirement for the applicant to seal the area would be onerous and, given its temporary nature, unnecessary.

The site contains sufficient area for vehicle manoeuvring and parking. It is anticipated that participating residents will visit the site infrequently to donate or exchange containers. However, in the event that Council approves the application, a condition has been imposed to ensure that the area remains in trafficable condition and is maintained and/or upgraded (if necessary) at the cost of the operator to the satisfaction of the Shire of Gingin. This condition negates any ongoing issues

Clause 72 of the Deemed Provisions - Temporary Development Approval

Clause 72 of the Deemed Provisions notes that a local government may impose a condition on a development approval limiting the period of time for which the development approval is granted.

In this instance, the proposal consists of an unmanned sea container to be used by a third-party operator which provides a service to the community, and without any upgrade works to the trafficable area in which it is located. As such the officer believes that a time limited condition is appropriate to allow Council's review of the operation, any ongoing damage to the asset (reserve and road), and any other projects that may be contemplated for the site in the future. The officer notes that requiring the applicant to upgrade the relevant portion of the reserve at present is unreasonable, and as such this time limiting measure suits both parties.

However, a condition has been imposed to ensure the road/access is maintained, repaired and/or upgraded at the operator's cost, which provides the Shire with the ability to enforce the operator to upgrade the trafficable area at its own cost without relying on an application for amended development approval.

Summary

The proposal seeks to maintain the Containers for Change service to the community in an ongoing and autonomous manner. With the above matters considered, the officer recommends that the development be supported for a limited timeframe (with a provision for extension) subject to appropriate conditions.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Gingin 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 Rule

SECONDED: Councillor Vis

That Council:

1. Grant Development Approval for the proposed Use Not Listed (Container Deposit Recycling Point) at Lot 301 (13) King Drive, Woodridge subject to the following conditions:
 - a. This approval is for a limited period of 2 years lapsing on 21 September 2023;
 - b. The development is to be in accordance with the approved plans and any annotations in red ink made by the Shire of Gingin;
 - c. The trafficable area utilized by the operator and clients shall be maintained at the cost of Eco Exchange (the operator) and where applicable repaired and/or upgraded to the satisfaction of the Shire of Gingin;
 - d. The Sea Container shall be developed at the existing natural ground level and where necessary, site works are to be undertaken to the satisfaction of the Shire of Gingin, at the operators cost;
 - e. The Sea Container must be emptied once a week or as soon as it reaches capacity, whichever occurs sooner and only between the hours of 8am-5pm;

- f. The operator shall liaise with the Shire's Operations and Assets Department to erect suitable vehicle signage for one-way vehicular movement to/from the site via Woolly Bush Loop at the operator's cost;
- g. The sea container shall be painted and maintained in an appropriate colour, to the satisfaction of the Shire of Gingin; and
- h. At such time as the development ceases, the approval holder (the operator) must remove the sea container and make good any damages to the subject site at their own cost.

Advice Notes:

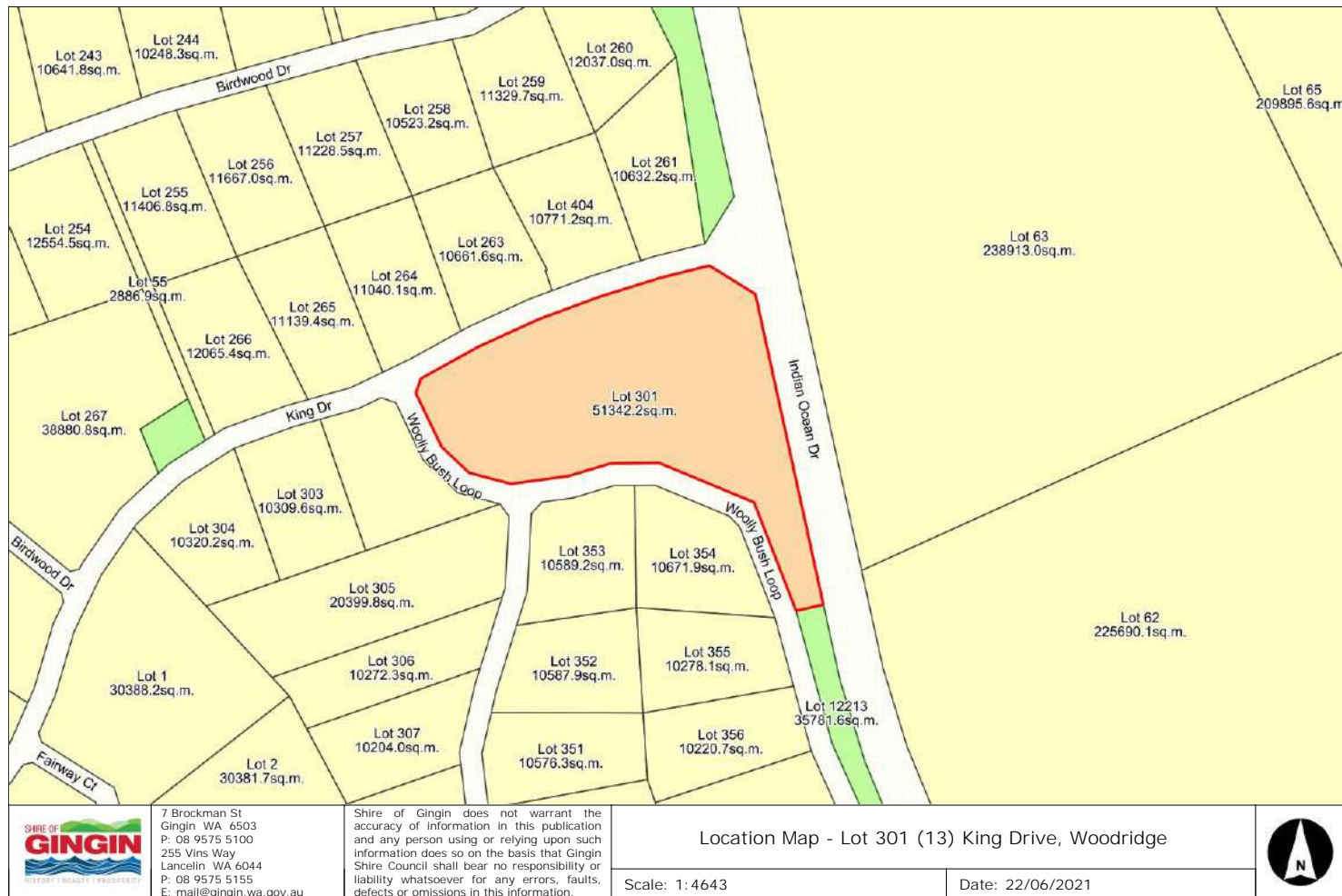
- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
 - Note 2: If the development subject to this approval is not substantially commenced within a period of two 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: It is recommended that cadastral lot boundaries be established by a suitably qualified land surveyor to ensure that all development is carried out within the subject allotment.
 - Note 5: All noise from the operation and associated equipment is required to comply with the *Environmental Protection (Noise) Regulations 1997*.
 - Note 6: With respect to Condition 6, the Shire's Operations and Assets Department can be contacted via phone on (08) 9575 5100 or via email at mail@gingin.wa.gov.au
 - Note 7: With respect to condition 7, the Applicant liaise with the Shire's Planning Department regarding the colour the sea container is to be painted
 - Note 8: Prior to the commencement of the development the operator must enter into a commercial lease with the Shire of Gingin to use the as approved portion of the Shire owned reserve.
2. Agree that it is prepared to dispose of a portion of Lot 301 King Drive, Woodridge as depicted in Appendix 13.2.1 to Eco Exchange by way of a lease or licence arrangement (as recommended by the Shire's legal advisors) for a term of 2 years consistent with the life of the Development Approval, for a consideration of \$500.00 per annum.

3. Authorise the CEO to give local public notice of the proposed disposition for a period of two weeks in accordance with s.3.58 of the *Local Government Act 1995* and report back to Council if any submissions are received.
4. Authorise the CEO, in the event that no submissions are received at the conclusion of the public submission period, to negotiate an appropriate lease or licence arrangement (as recommended by the Shire's legal advisors).
5. Authorise the Shire President and CEO to execute the resulting lease or licence arrangement, including affixing of the Common Seal of the Shire of Gingin if required.

CARRIED UNANIMOUSLY
9 / 0

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

AGAINST: *Nil*





Job Ref: 9400
17 June 2021

Chief Executive Officer
Shire of Gingin
7 Brockman Street
Gingin WA 6503

Attention: Mr Matthew Tallon – Statutory Planning Officer

Dear Mr Tallon

**DEVELOPMENT APPLICATION – USE NOT LISTED; CONTAINERS FOR CHANGE
LOT 301 (No. 13) KING DRIVE, WOODRIDGE**

Rowe Group acts on behalf of Eco Exchange Pty Ltd ('Client'). We have been instructed by our Client to prepare and lodge a Development Application ('Application') with the Shire of Gingin ('Shire') to facilitate the Development Approval of a 'Refund Point' at Lot 301 (No. 13) King Drive, Woodridge ('Site').

To support the Application, we provide the following:

- Legal description of the Site;
- Description of the existing improvements at the Site;
- Summary of the proposed use of the Site;
- Discussion of the Town Planning Considerations; and
- A copy of updated Development Plans.

SITE

The Site is located within the municipality of the Shire of Gingin, in the suburb of Woodridge.

The Site is legally described as:

- Lot 301 on Diagram 67198 Certificate of Title Volume 1684 Folio 87.

Refer to **Attachment One – Certificate of Title.**

EXISTING IMPROVEMENTS AND OPERATIONS

The Site currently contains the following:

- A Community Hall and associated community facilities;
- A toilet block;
- Tennis Courts / Basketball courts; and
- An area of carparking.



Level 3
369 Newcastle Street
Northbridge 6003
Western Australia

p: 08 9221 1991
f: 08 9221 1919
info@rowegroup.com.au
rowegroup.com.au



It is also noted, our Client currently operates permanent a 'mobile refund point' at the Site in accordance with the Trading in Public Places Permit granted by the Shire of Gingin. The proposed development seeks to 'replace' the mobile refund point to streamline the operations of the organisation by allowing a 'no contact' location for customers to deposit containers. Further detail in this regard is provided below for your consideration.

PROPOSED DEVELOPMENT

The Application seeks planning approval for the use of a 20-foot sea container as a 'Refund Point' in the form of a 'Bag Drop Facility', situated at the western portion of the Site, within the caravan turning bay off Woolly Bush Loop. The sea container will include customised modifications which will allow a chute to open, and all (empty) container filled bags to be placed in the vessel which will allow for a simple operation for removal. The container will be finished in a lime-green colour and contain the company logo for ease of identification in accordance our Client's contract requirement with WA Return Recycle Renew Ltd ('WARRRL').

Each customer will have a unique Scheme ID, allowing the Containers for Change WA Scheme to process the individual user's information. The containers will be collected from the Site and sorted at our Client's 'Container Deposit Recycling Centre' located in Lancelin, refunding the money directly back to the users (through the unique Scheme ID). The Application does not seek approval for the development or alteration of the existing improvements on site.

As the proposed development will be unattended and does not require an over-the-counter component, the proposed operation is considered to be consistent with the definition of a 'Refund Point' as outlined within the *Planning and Development (Local Planning Schemes) Regulations 2015* (the 'Regulations'). In accordance with the Regulations a 'Refund Point' is defined as follows:

Has the meaning given in the WARR Act section 47C(1).

Pursuant to the *Waste Avoidance and Resource Recovery Act 2007* ('WARR Act') a 'Refund Point' is defined as:

- (a) a facility or other place for the return of empty containers in exchange for the payment of refund amounts;
- or
- (b) a facility or other place or class of facilities or places prescribed by the regulations to be a refund point.

The proposed development incorporates the following key components:

- One (1) sea container with a length of 6m, height of 2.3m and width of 2.4m.

Refer to **Attachment Two – Site Plan and Elevations**.

As outlined above, the proposed 'Refund Point' will remain unattended and will be accessible by the general public at all times. Notwithstanding, in order to avoid any potential "overspill", our Client will actively manage and empty the sea container when required. It is anticipated the sea container will require emptying at least once a week, however the frequency will be accurately determined once the 'Refund Point' is fully operational. Eco Exchange Pty Ltd has the resources available to actively manage the proposed operation in any capacity.



TOWN PLANNING CONSIDERATIONS

Zoning

Pursuant to the Shire's Town Planning Scheme No. 9 (TPS 9), the Site is within the 'Public Use: Shire Purposes' Reserve. It is noted, TPS 9 does not outline any objectives for the 'Public Use: Shire Purposes' Reserve.

Notwithstanding, it is considered that the proposed use is consistent with the intent of the 'Public Use: Shire Purposes' Reserve given that the use is ultimately to serve the community and public at large.

Land Use Permissibility

Having discussed the Application with the Shire, it is our understanding that the proposed development will be considered as a 'Use Not Listed'.

Notwithstanding, Clause 2.5 of TPS 9 outlines the requirements regarding the use and development of Local Reserves. Clause 2.5.2 states the following:

- 2.5.2. In determining an application for development approval, the local government is to have due regard to*
- a) the matters set out in clause 67 of the deemed provisions; and*
 - b) the ultimate purpose intended for the Reserve.*

With regard to the above, we are of the view that the proposed use is consistent with Clause 2.5.2. of TPS 9 for the following reasons:

- The development will not have any negative impact on the amenity or natural environment in the locality; and
- Given the land is currently reserved for public use, a use of this nature is considered to be complementary to the Shire purposes as it seeks to benefit the wider community.

Ultimately, this proposal is a great incentive for people to recycle and dispose of their containers in a significantly positive manner. The proposed developments seeks to encourage strong environmental values within the community and minimise the number of containers being littered in the area.

Car Parking and Vehicle Access

As this Application is for a 'Use Not Listed', parking requirements are not defined within TPS 9. Notwithstanding, it is anticipated that local residents making use of the Site are expected to spend less than two (2) minutes on site in the process of dropping off their recyclable goods, noting that there is no transaction will be undertaken on site. On this basis, it is considered that the proposed use does not generate a requirement for car parking and the proposed location of the sea container allows vehicles to safely access the Site from Woolly Bush Loop, temporarily park their car while the containers are deposited, and safely egress the Site.

Further, the proposed location of the sea container also seeks to ensure there is no interference with the traffic main access and egress point to the Woodridge Community Hall and associated facilities. Based on our Client's



experience with the mobile refund point currently operating from the caravan turning bay loop at the proposed location, there does not appear any issues associated with car parking and vehicle access.

Local Planning Policy – ‘Sea Containers’

The Shire of Gingin Local Planning Policy No. 1.9– ‘Sea Containers’ (‘LPP 1.9’) outlines the requirements for all sea containers in the Shire of Gingin. In this regard, the proposed sea container is consistent with the general requirements as outlined in LPP 1.9 for the following reasons:

- The proposed sea container is not located in any setback area;
- The sea container will not be in direct view of any neighbouring properties, as there is sufficient screening in the form of vegetation along Woolly Bush Loop; and
- The sea container will be lime green colour which is consistent in with the surrounding natural environment.

For identification purposes, the company name and logo will be provided on the western and eastern elevations of the sea container. In this regard, it is considered that the size, placement and colour of the advertisement is suitable for the proposed development.

Refer to **Attachment Three – Sea Container Design.**

SUMMARY

This Application seeks the approval of a proposed Containers for Change ‘Refund Point’ at Lot 301 (No. 13 King Drive), Woodridge (‘Site’). The Application should be approved by the Shire of Gingin for the following reasons:

- The proposed development is consistent with Clause 2.5.2. ‘Use of Development of Local Reserves’ under the Shire of Gingin Town Planning Scheme No. 9 (TPS 9);
- The proposed development is consistent with the Shire of Gingin’s Local Planning Policy 1.9 ‘Sea Containers’.
- The proposed development is considered to be a ‘Use Not Listed’ under the Shire’s TPS 9;
- The proposed development does not involve any changes to the existing improvements on the Site;
- The location of the proposed development offers adequate space for short-stay parking.
- The location of the proposed development offers adequate vehicle movement and accessibility;

Should you require any further information or clarification in relation to this matter, please contact the undersigned or Mr Samuel Bowers on 9221 1991.

Yours faithfully,

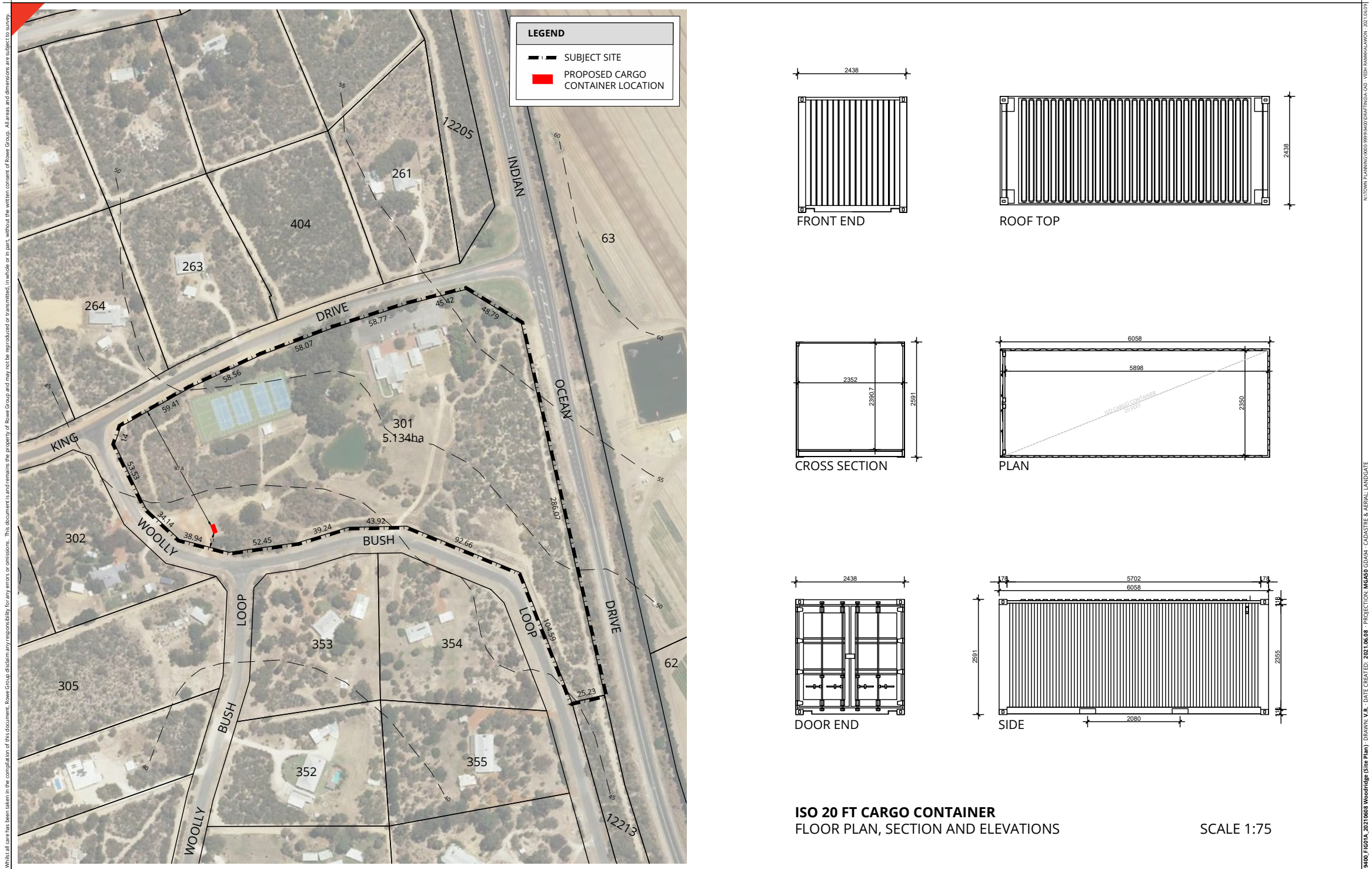
A handwritten signature in black ink, appearing to read 'Adrian Dhue', written over a horizontal line.

Adrian Dhue
Rowe Group



Attachment Two

Site Plan and Elevations



SITE PLAN
LOT 301 (NO.13) KING DRIVE
WOODRIDGE



Attachment Three

Sea Container Design



SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

**DEVELOPMENT APPLICATION: PROPOSED USE NOT LISTED (CONTAINER DEPOSIT SCHEME – REFUND POINT)
LOT 301 (13) KING DRIVE, WOODRIDGE**

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>“I do not support the container. It will be left as they always do to overspill.</i></p> <p><i>There will be all good intentions in the beginning to empty this regularly however after time it will be longer and longer between collections. Opportunity for more than just the items it was designated for. Opportunity for kids to set light to the stuff inside. This is something I've seen before.”</i></p>	<p>Noted – valid concern and potential amenity impact.</p> <p>The officer has included a condition in the recommendation to require the operator to empty the container regularly (once weekly) and as it reaches capacity should that eventuate sooner.</p> <p>The comments regarding arson are irrelevant.</p>

15.3 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED COURTYARD WALL ON LOT 10 (2617) GINGIN BROOK ROAD, NEERGABBY

File	BLD/4836
Applicant	Glenn Woodley
Location	Lot 100 (2617) Gingin Brook Road, Neergabby
Owner	Glenn Woodley
Zoning	General Rural GR20
WAPC No	NA
Author	Kylie Bacon – Manager Statutory Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	1. Location Plan & Applicant's Proposal [15.3.1 - 3 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for a courtyard wall situated on Lot 100 (2617) Gingin Brook Road, Neergabby (Old Junction Hotel - State Heritage listed).

BACKGROUND

The Old Junction Hotel is a State Heritage Listed building situated on 0.49 hectares. The proposal is to enclose a 3m wide by 5m long courtyard with a 1.8m brick wall, with a character bagged render finish to match the finish used on the heritage building. The wall will enclose an external courtyard area to provide privacy to the rear which is adjacent to a busy road.

Consultation has been undertaken with the Heritage Council of Western Australia (HCWA), and the Council's comments are outlined below.

A location plan, and a copy of the Applicant's proposal are provided as **Appendix 15.3.1**.

COMMENT

Stakeholder Consultation

HCWA has conditionally supported the works, provided that the proposed wall is self-supporting and not attached to the structure of the existing building.

PLANNING FRAMEWORK

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

The subject lot is zoned “General Rural” under LPS 9. The objectives of the General Rural zone are to:

- a) manage land use changes so that the specific local rural character of the zone is maintained or enhanced;*
- b) encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;*
- c) maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and*
- d) provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.*

The wall is considered to be ancillary to the existing Old Junction Hotel, and will not compromise the objectives of the General Rural zone or the integrity of the State Heritage listed building.

LPS 9 Setbacks

Development within the General Rural zone is to be set back 20m from lot boundaries. The existing building is set back approximately 14m from the Gingin Brook Road boundary, with the courtyard set back approximately 8m. The proposed rendered brick wall is consistent with the existing setbacks onsite.

Summary

The wall is considered not to impact the existing State Heritage listed building and is conditionally supported.

STATUTORY/LOCAL LAW IMPLICATIONS

Heritage Act 2018

Local Planning Scheme No. 9

Part 4 – Zones and the Use of Land

3.2 - Objectives of the Zones

3.2.7 - General Rural

POLICY IMPLICATIONS

Nil

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 New and existing developments meet the Shire's Strategic Objectives and Outcomes
Key Service Area	Building and Planning Permits
Priorities	3.1.2 Support strategies that facilitate greater investment in housing and housing diversity.

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson

SECONDED: Councillor Balcombe

That Council grant Development Approval for the proposed courtyard wall situated on Lot 100 (2617) Gingin Brook Road, Neergabby (Old Junction Hotel - State Heritage Listed), subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications, including the directions written in red ink by the Shire, unless otherwise conditioned in this Approval;
2. The proposed rendered brick wall is to be self-supporting and not attached to the structure of the existing building.

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.

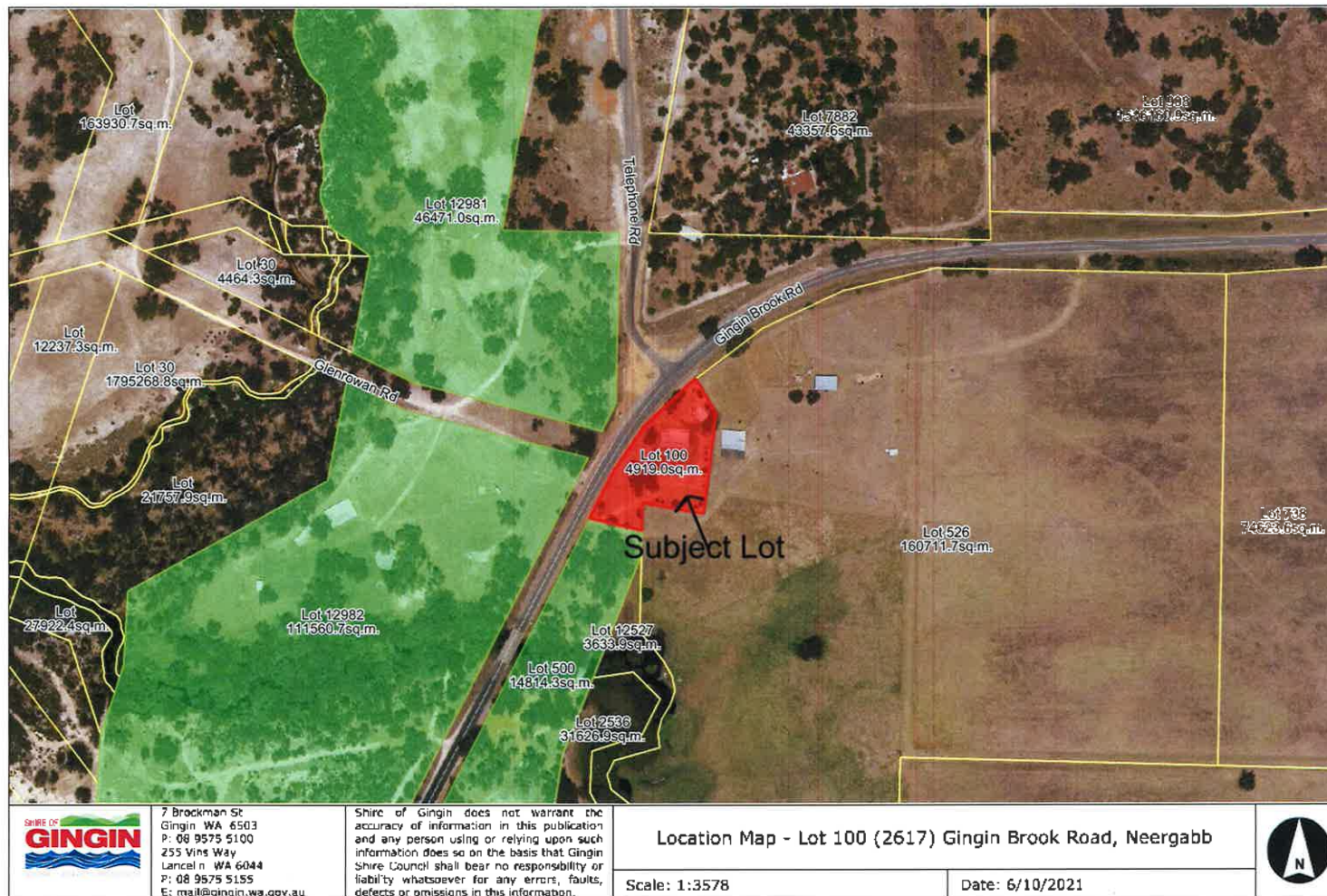
Note 3: This approval is not a building permit or an approval under any law other than the *Planning and Development Act 2005*. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consent/s and/or licences required under any other law, and to commence and carry out development in accordance with all relevant laws.

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* which are to be approved by the Shire of Gingin.

CARRIED UNANIMOUSLY
9 / 0

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

AGAINST: *Nil*



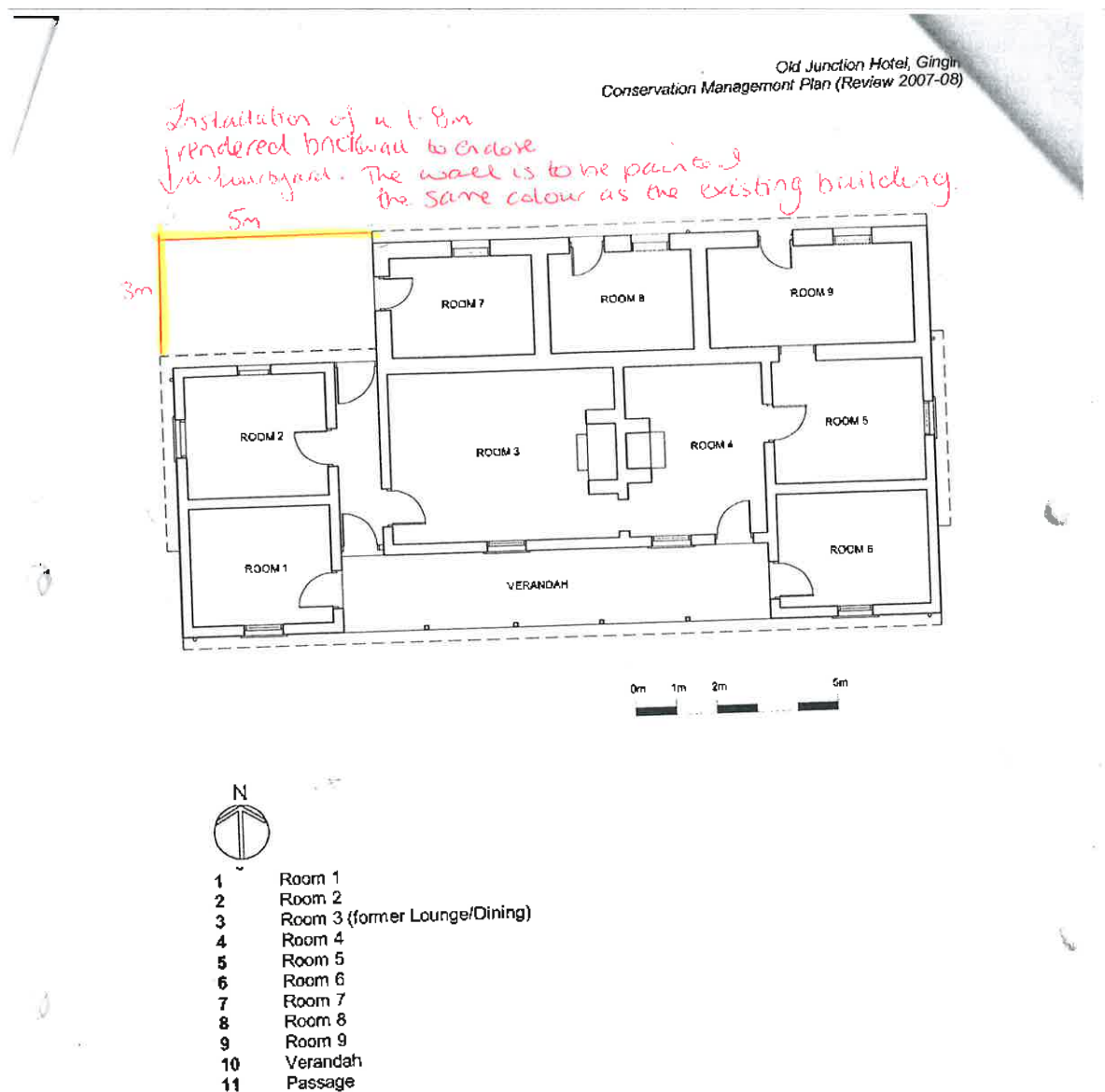
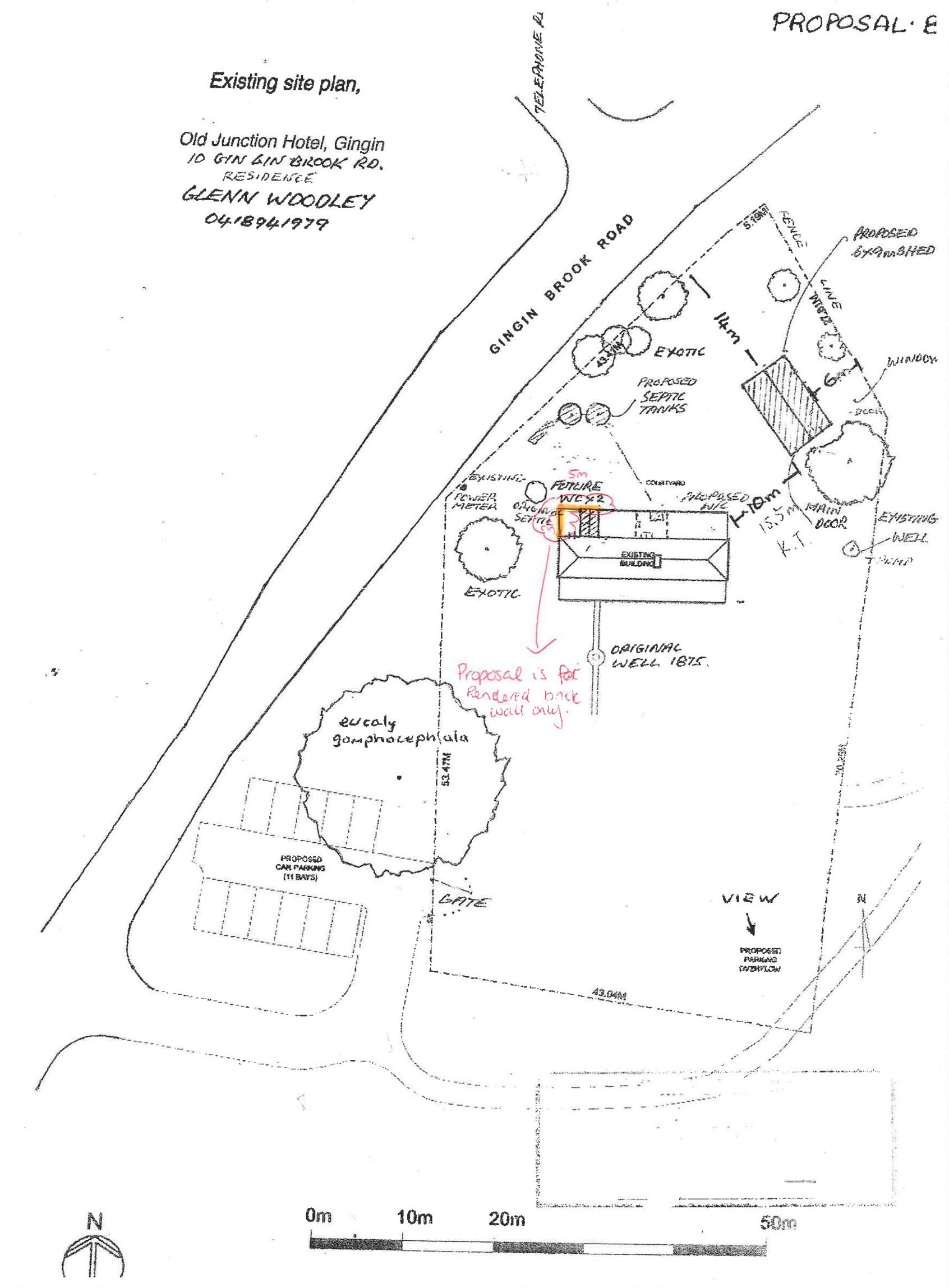


Figure 5. Existing floor plan, reproduced by Hocking Planning & Architecture, October 2007.
Original measured drawing by Ron Bodycoat, December 1999

3.3 Exterior

The building comprises of a single story masonry farmhouse/hotel, constructed with solid limestone walling at the rear and Flemish Bond brickwork to the main part of the building. The building form reflects the development in Western Australia of the Colonial farmhouse, simple and constrained in a linear expression, originally one room deep apart from corner rooms accessible off the ends of verandahs. In this case the rooms at the rear are lean-to, and constructed in stone walling at a later time to the central section. The building consists of a front verandah with two rooms off the extremities. A passageway provides access from the main entrance off the verandah to the original



15.4 SUBDIVISION REFERRAL - PROPOSED BOUNDARY REALIGNMENT OF LOTS 6 (3) AND 191 (1) MIRAGLIOTTA STREET AND LOT 5 (62) GINGIN ROAD, LANCELIN

File	LND/697
Applicant	Element
Location	Lots 6 (No. 3) and 191 (No. 1) Miragliotta Street and Lot 5 (No. 62) Gingin Road, Lancelin
Owner	Goodoil Investments Pty Ltd
Zoning	Residential 40 (R40)
WAPC No	161348
Author	James Bayliss – Coordinator Statutory Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil.
Appendices	<ol style="list-style-type: none"> 1. Location Map [15.4.1 - 1 page] 2. Aerial Map [15.4.2 - 1 page] 3. 20210916 161348 Lots 6 & 191 Miragliotta Street & Lot 5 Gingin Road, Lancelin- Plan [15.4.3 - 1 page] 4. 20210916 161348 Lots 6 & 191 Miragliotta Street & Lot 5 Gingin Road, Lancelin- Cover Letter reduc [15.4.4 - 14 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider a subdivision referral from the Western Australian Planning Commission (WAPC) to realign the boundaries of Lots 6 (3) and 191 (1) Miragliotta Street and Lot 5 (62) 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.

The subject site comprises of three lots with a total area of 8,282m², located on the corner of Gingin Road and Miragliotta Street, Lancelin. The site is currently vacant. The proposed subdivision does not seek to create additional lots, but rather to realign the existing lot boundaries to provide each property with foreshore frontage and access to Gingin Road.

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

The applicant has provided a comprehensive report detailing the proposed subdivision and an overview of the applicable planning framework. The officer does not seek to duplicate the applicant's report and generally concurs with the assessment.

A location plan and aerial photograph are provided as **Appendix 15.4.1** and **Appendix 15.4.2** respectively.

A copy of the Subdivision Plan and applicant's proposal is provided as **Appendix 15.4.3** and **15.4.4** respectively.

COMMENT

Stakeholder Consultation

Not applicable.

PLANNING FRAMEWORK

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

The subject land is zoned Residential 40 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 4.2. - Residential Design Codes' of LPS 9 states:

4.2.2. 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 with the provisions of those Codes.

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

The land is also subject to 'Additional Use No. 20' under Schedule 2 of LPS 9 which states:

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

Coastal Development

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 purpose of SPP 2.6 is to provide guidance for decision-making within the coastal zone including managing development and land use change. A key objective of SPP 2.6 is to ensure that development takes into account coastal processes and coastal hazards. This is implemented by the preparation of a CHRMAP to provide a long term view of the potential coastal processes (erosion and storm surge inundation) for affected areas and recommend measures to reduce risk.

- (i) *New development should be located on the least vulnerable portion of the development site.*

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 'LA3 - Lancelin Township North', with a key outcome concluding:

- *Residential properties have high vulnerability ratings by 2030 and very high vulnerability ratings by 2070.*
- *The beach and coastal dunes/vegetation have high vulnerability ratings by 2070 and very high vulnerability ratings by 2110;*

The long term pathway identified within the CHRMAP for 'LA 3' for undeveloped areas is to avoid the risk (i.e. refuse any further development/subdivision). For developed areas, the long term pathway is to accommodate the risk until the risk is no longer viable, then move to a managed retreat.

'H4.3 – Subdivision' applies which states:

"Undeveloped parcels of zoned or reserved land lying seaward of the 2110 hazard line should not be permitted to be further subdivided. Subdivision includes strata titling. Time limited leasehold might be acceptable in situations where an appropriate temporary development necessitates a smaller parcel of land for management purposes, however this should be carefully considered and only contemplated where there are demonstrable benefits of the proposed development for the community. A lease has a defined expiry date and does not result in permanent fragmentation of the landholding."

The CHRMAP therefore recommends that the proposed subdivision should be avoided (i.e. refused) given the proposal represents subdivision of zoned land seaward of the 2110 hazard line, albeit no further titles are being created. The subdivision would facilitate two further lots with direct foreshore frontage.

The officer notes that future built development (such as that outlined as per A20) could be constructed on the least vulnerable portion of the property (i.e. eastern portion of the subsequent lots) and on that basis the resultant coastal risk is not significantly greater than that posed by the current lot configuration.

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 considering subdivision future lots should be able to accommodate compliant development. The resulting lot sizes are preferable in size and configuration to the existing layout.

The proposed lot sizes comply with the minimum and average site area for R40 zoned land.

Summary

The officer is of the view that the lot layout as a result of the proposed subdivision is logical and results in greater capability of accommodating future development such as that outlined under A20 under LPS 9.

This notwithstanding, the CHRMAP suggests, that the subdivision should be avoided and therefore the proposal refused. Given the current position taken by Council on similar development in coastal hazard areas, which involves the placement of notifications on the title, it is open for Council to exercise its discretion and support the subdivision subject to conditions. The officer prefers this approach, particularly given the proposal relates to a boundary realignment.

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

State Planning Policy 7.3 – Residential Design Codes

State Planning Policy No. 2.6 – State Coastal Planning Policy

Shire of Gingin Coastal Hazard Risk Management and Adaption Plan 2019

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 Johnson

SECONDED: Councillor Peczka

That Council advise the Western Australian Planning Commission that the proposed subdivision of Lots 6 (No. 3) and 191 (No. 1) Miragliotta Street and Lot 5 (No. 62) Gingin Road, Lancelin is supported subject to the following conditions:

1. 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;
2. 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"
3. The existing chain-link boundary fencing along Miragliotta Street, Gingin Road and the foreshore is to be removed prior to subdivision clearance.

Advice Notes:

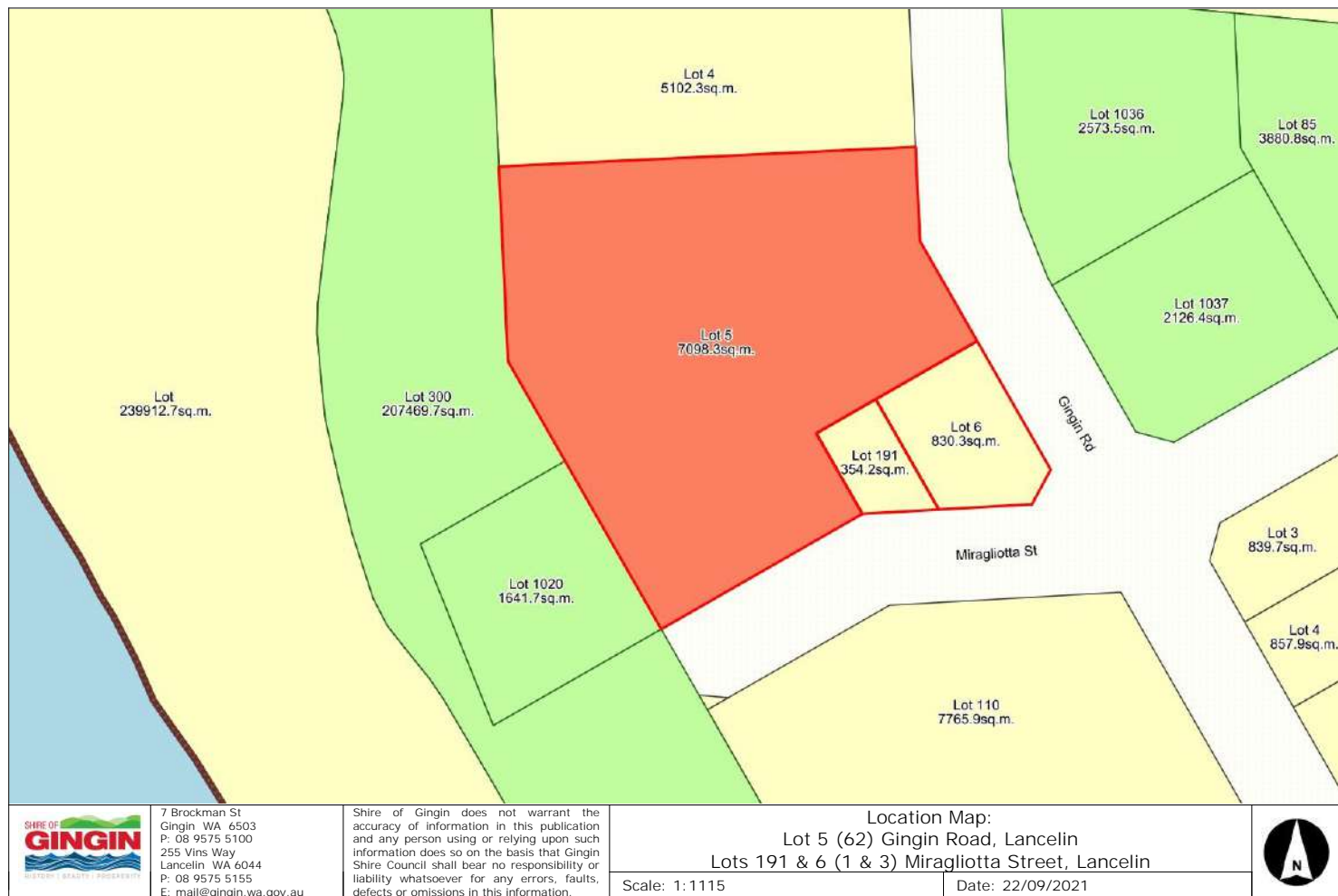
- Note 1.** In relation to the installation of vehicle crossovers, please be advised that a crossover application is required to be submitted to the local government prior to installation of the crossover.

Note 2. Should the land be affected by Coastal Hazards in the future the landowners may be responsible for relocating/removing any future development and all costs associated with such removal. 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.

CARRIED UNANIMOUSLY
9 / 0

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

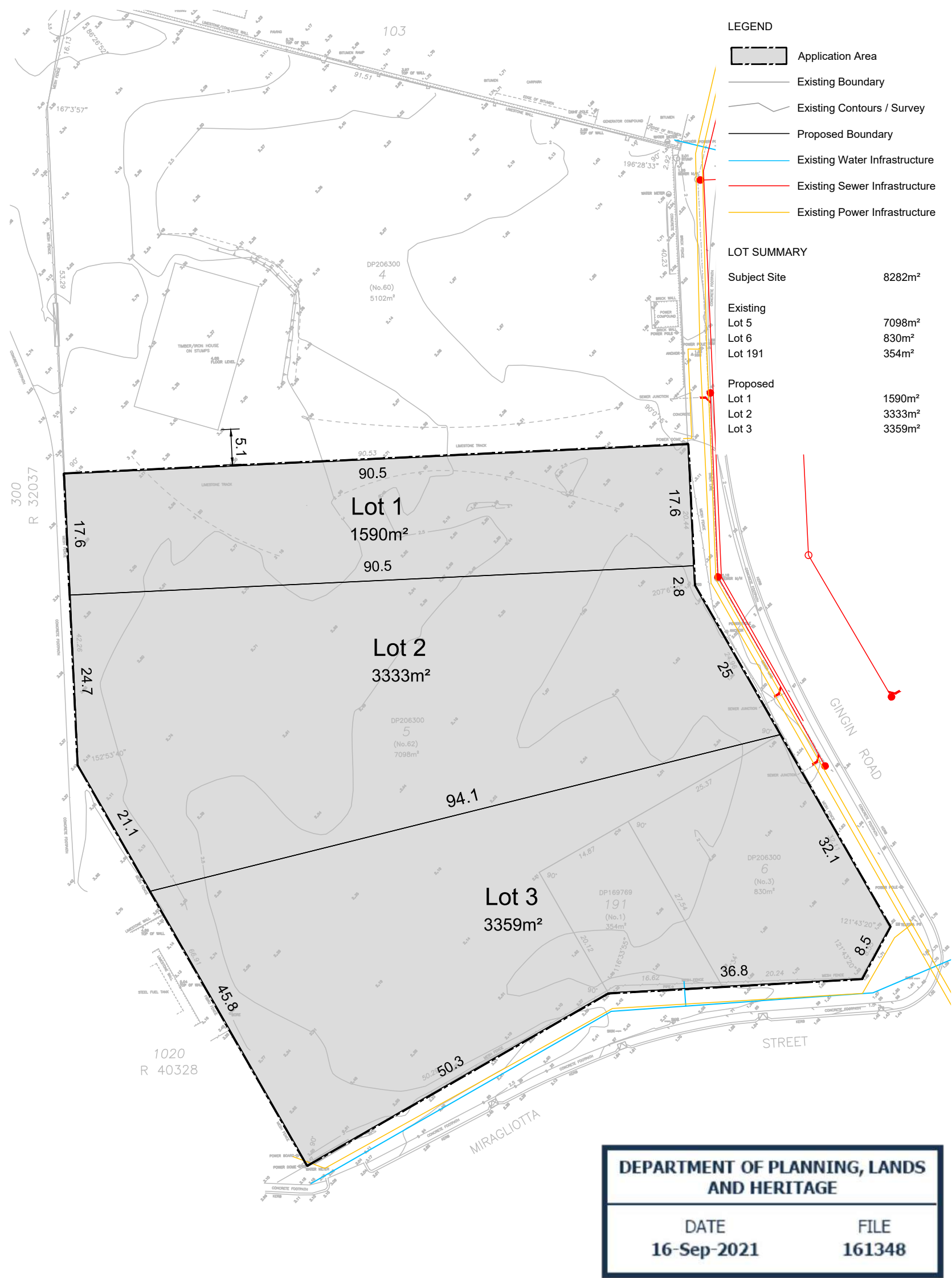
AGAINST: *Nil*



MINUTES ORDINARY COUNCIL MEETING 19 OCTOBER 2021

APPENDIX 15.4.2





Subdivision Plan
Lots 5 (62) Gingin Rd, 6 (3) and 191 (1)
Miragliotta Street, Gingin

Date: 14 Jul 2021 Scale: 1:500 @ A3 1:250 @ A1 File: 20-626 SU01A Staff: MC GW Checked: MC

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element.

Our Ref: 20-626

4 August 2021

The Secretary
Western Australian Planning Commission
140 William Street
Perth WA 6000

Dear Sir/Madam

**PROPOSED SUBDIVISION OF LOTS 6 (No.3) AND 191 (No.1) MIRAGLIOTTA STREET
AND LOT 5 (No. 62) GINGIN ROAD, LANCELIN**

element is pleased to submit this application to the Western Australian Planning Commission (WAPC) on behalf of the owner of Lots 6 (No.3) and 191 (No.11) Miragliotta Street and Lot 5 (No.62) Gingin Road, Lancelin (the subject site) to support the proposed freehold subdivision of the site. More specifically, the proposal seeks to reconfigure the existing three (3) lots to provide each lot with frontage to the coastal foreshore. No new, additional, lots are proposed to be created.

In accordance with the WAPC's requirements, please find enclosed the following items in support of the subdivision application:

- One (1) copy of the plan of subdivision and this supporting letter;
- A completed and signed Form 1A – Application for Approval of Freehold Subdivision; and
- A copy of the Certificate of Titles.

Site Context

The subject site is located within the northern part of the Lancelin townsite adjacent to the foreshore. The site is within one (1) kilometre of the Gingin Road Local Centre.

The subject site is in walking distance the beach, shops, restaurants, parks, ovals and local facilities, highlighting the amenity rich location of the site. (*Refer Figure 1 – Location Plan*)

Proposed Subdivision | Gingin Road, Lancelin

element.

Site Details

The subject site comprises three (3) lots with a total area of 8,282m², located on the corner of Gingin Road and Miragliotta Street, Lancelin. The site is currently vacant. Access to the site is via an existing crossover to Gingin Road (Refer Figure 2 – Aerial Photograph).

The site is relatively flat with a moderate slope of approximately 1-2 metres from west to east. (Refer Figure 3 – Site Plan)



Figure 1 – Location Plan

Proposed Subdivision | Gingin Road, Lancelin

element.



Figure 2 – Aerial Photograph

Proposed Subdivision | Gingin Road, Lancelin

element.

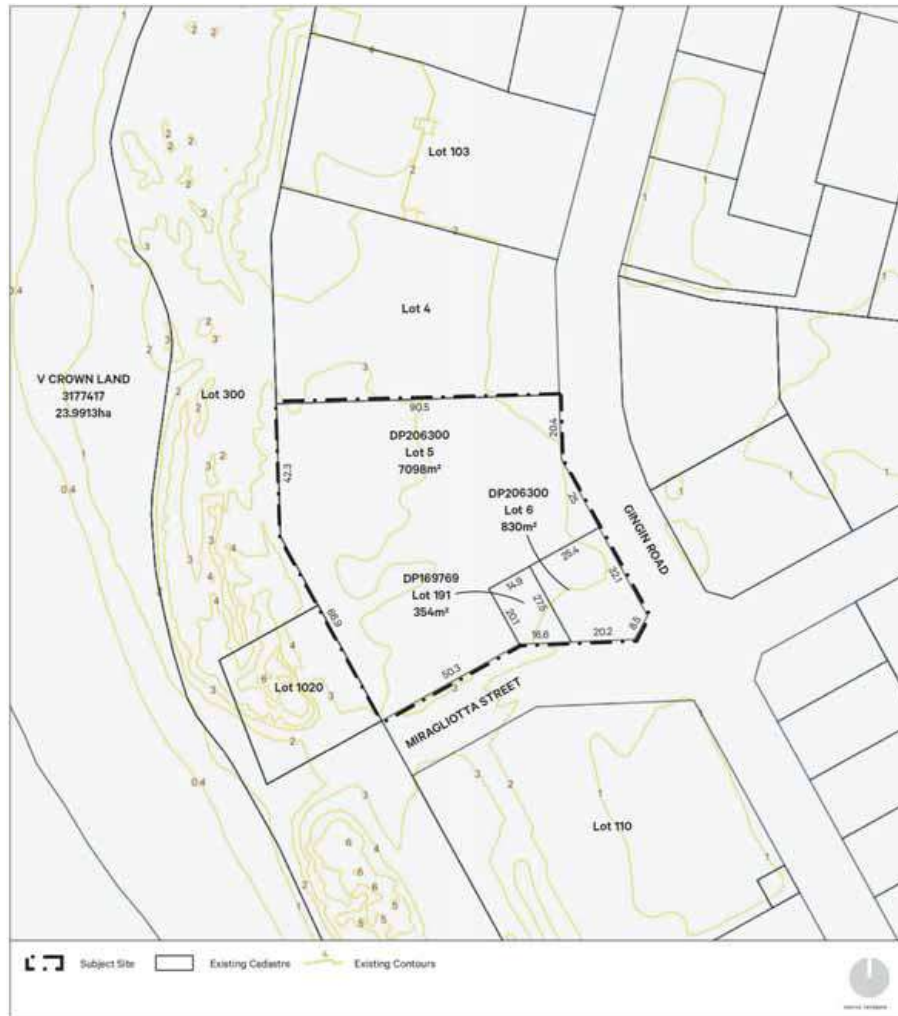


Figure 3 – Site Plan

Refer to Appendix A – Certificate of Titles

The particulars of the Certificate of Titles are summarised in the table below:

Table 1: Certificate of Title Details

Lot No.	Street Address	Volume/Folio	Plan	Area	Owner
191	1 Miragliotta St	2034/616	DP169769	354m ²	Goodoil Investments Pty Ltd.
6	3 Miragliotta St	2034/615	DP206300	830m ²	Goodoil Investments Pty Ltd.

Proposed Subdivision | Gingin Road, Lancelin

element.

5	62 Gingin Rd	2034/614	DP206300	7098m ²	Goodoil Investments Pty Ltd.
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Bushfire

A desktop search of the Department of Fire and Emergency Services' Map of Bushfire Prone Areas indicates the majority of the subject site is within a bushfire prone area due to its proximity to vegetation within the foreshore reserve abutting the site. Any future development will need to take account of such risk in any future development proposal. It is reasonably expected that bushfire hazards will be readily managed due to its town location with direct access to Gingin Road and the nature of the coastal vegetation in proximity to the site.

(Refer to Figure 4 – Bushfire Prone)

Acid Sulphate Soil Risk

A desktop search of Landgate's mapping system, Landgate Locate, indicates that no data is available regarding risk of acid sulphate soils in this location. This information will be subject to future investigation and survey.

Heritage

A desktop search of the Department of Planning Lands and Heritage's Aboriginal Heritage Inquiry System indicates that there are no places of Aboriginal heritage on the subject site.

Further searches of the Heritage Council's State Heritage Register and the Town's records indicate that this subdivision will not impact any European heritage sites.

Contaminated Sites

A desktop search of the Department of Water and Environmental Regulation's (DWER) Contaminated Sites Database indicates that the site is not identified as being contaminated.

Whilst each of the lots has a Memorial (No. 0276653) lodged against the title under the *Contaminated Sites Act 2003*, which indicates that Lots 5, 6 and 191 are classified as being "contaminated – remediation required", the sites have since been re-classified by DWER. This re-classification has classified all of the lots as being decontaminated as at 14 April 2021, with no further management required. A copy of the confirmation of the re-classification of the site from DWER is attached.

Coastal Hazard Risk Management Adaptation Plan (CHRMAP)

It is also noted that the Shire of Gingin is in the process of preparing a Coastal Hazard Risk Management Adaptation Plan (CHRMAP) which will include the Lancelin townsite. Depending on the outcomes of this study, there may be limitations imposed on future development of the subject site.

Proposed Subdivision | Gingin Road, Lancelin

element.



Figure 4 – Bushfire Prone

Proposed Subdivision | Gingin Road, Lancelin

element.

Planning Framework

Shire of Gingin Local Planning Strategy

The subject site is identified as 'Existing Urban' under the Shire of Gingin (the Shire) Local Planning Strategy and is consistent with the proposed three lot subdivision as a residential use. The Strategy also identifies the south-eastern portion of the site as a 'Tourist Node'.

Shire of Gingin Local Planning Scheme No. 9

The subject site is zoned 'Residential' under LSP9 with a residential density coding of R40. The proposed subdivision is consistent with the Residential zone under LPS9 and has been assessed against the provisions of the Residential Design Codes (R-Codes). The site also has an Additional Use (A20) which allows for Holiday Accommodation, Shop and Restaurant uses as a 'D' use and Office as incidental to other uses on the site.

Proposed Subdivision | Gingin Road, Lancelin

element.

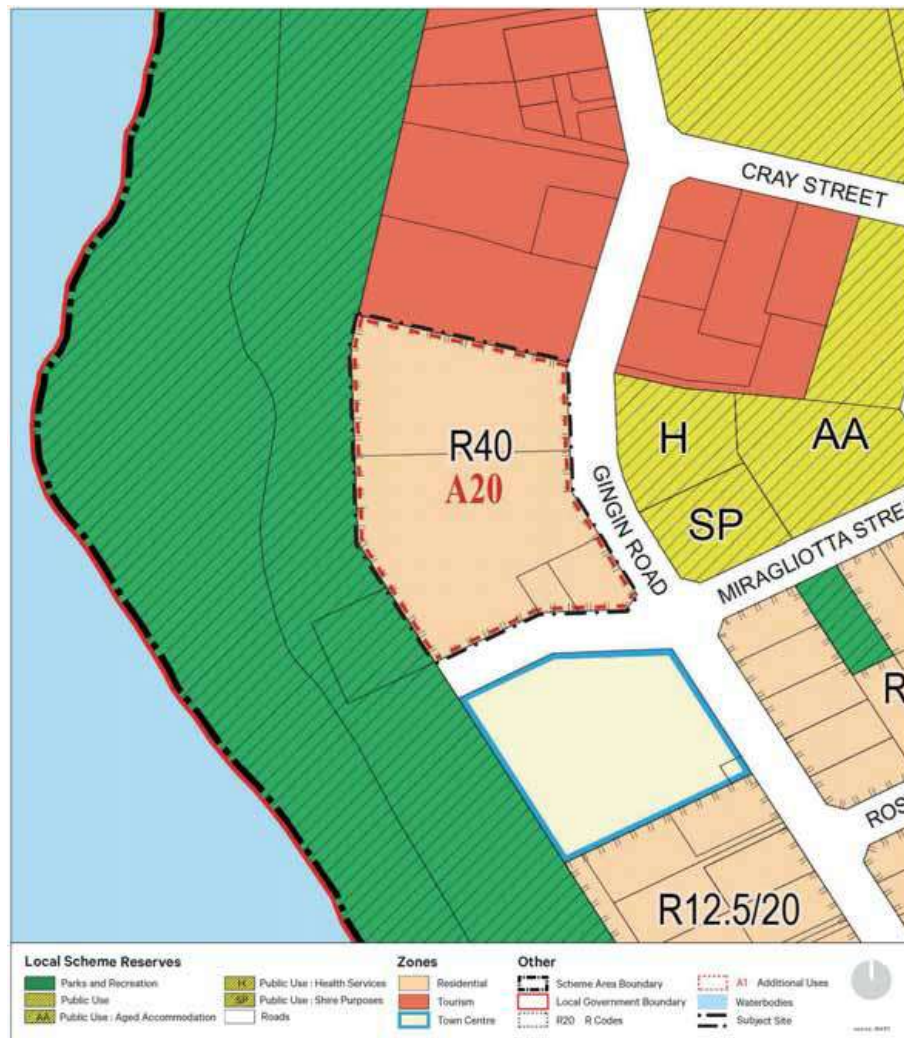


Figure 5 – Shire of Gingin Local Planning Scheme No. 9 Extract

Proposed Subdivision

This application seeks approval to reconfigure the existing three (3) lot subject site into three (3) freehold lots with access to the foreshore and existing gazetted roads (Gingin Road and Miragliotta Street). The following table outlines the composition of lots proposed through this application and can be seen on the proposed plan of subdivision at Appendix B.

Table 2: Lot details

Lot	Total Lot Area
1	1,590m ²
2	3,333m ²
3	3,359m ²

Proposed Subdivision | Gingin Road, Lancelin

element.

Lots 1 - 3 are proposed to be oriented east-west across the subject site. This particular lot configuration has been designed to facilitate future development on the site, preserve existing access arrangements where possible and allow development to maximise frontage to both eastern and western boundaries of the subject site.

Access to all lots is proposed to be from Gingin Road, with Lot 3 having additional access from Miragliotta Road.

Any future earthworks / retaining will be designed to suit the proposed lot configuration and facilitate development on site.

All proposed lots will be provided with connection to existing infrastructure and services in the immediate area.

Refer to Appendix B – Plan of Subdivision

Planning Assessment

Shire of Gingin Local Planning Scheme No. 9

The proposed subdivision is consistent with the following aims of LPS9:

- (a) Encourage population growth to take place in townsites, particularly where reticulated infrastructure is available or planned...*

The proposed re-subdivision facilitates a more suitable configuration for future residential development of the subject site.

- (p) Enhance and protect Gingin's unique physical environment as an asset for sustainable and dynamic tourism opportunities.*

The proposed subdivision will create a variety of lot sizes between 1590m² and 3359m² which are generally in-keeping with the development pattern of the surrounding area. The proposed lots will allow the development of residential dwellings with a minimum frontage of 17.6m to the adjoining reserve with views to the west and the ocean beyond. The proposed lots are also suitable to be developed as per the approved Additional Uses (Holiday Accommodation, Shop, Restaurant and Office).

The proposed subdivision will assist in meeting the following objectives of the Residential zone:

- (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.*

We note that 'Single House' is classified as 'P' (permissible) in the Residential zone meaning the use is permitted if it complies with any relevant development standards and requirements of LPS9. As this is the likely development which will be carried out on the proposed lots, this

Proposed Subdivision | Gingin Road, Lancelin

element.

permissibility indicates the lots can be developed in a manner consistent with the surrounding area.

The site is currently accessed via a crossover to Gingin Road and this proposal only seeks to amend this arrangement by adding an additional two crossovers to Gingin Road and one to Miragliotta Street. As a result, minimal physical changes or impacts to the amenity and quality of the streetscape are proposed.

State Planning Policy 3.1 – Residential Design Codes

The R-Codes permit a minimum site area of 180m² and an average site area of 220m² for subdivisions in areas with a residential density coding of R40. The proposed subdivision will create an average lot size of 2,760m² and a minimum lot size of 1,590m², exceeding these minimum requirements.

All proposed lots can be developed with liveable and practical dwellings, consistent with the intent of the design principles of the R-Codes. The proposed lots have been designed around existing site characteristics and to suit market preferences.

Development Control Policy 1.1 - Subdivision of Land – General Principles

WAPC *Development Control Policy 1.1 Subdivision of Land – General Principles* (DC1.1) sets out the general principles to be used by the WAPC in determining applications for the subdivision of land.

The objectives that are specifically relevant to this application for subdivision are listed and addressed in the following table.

Table 5: Development Control Policy 1.1 Compliance

Objective	Response
To ensure that all lots created have regard to the provision of the relevant local government town planning scheme.	As previously discussed, the proposed subdivision is consistent with LPS9.
To ensure the subdivision pattern is responsive to the characteristics of the site and the local planning context.	The proposed subdivision has been designed to respond to the layout and potential of the site by facilitating the potential for additional dwellings fronting the Indian Ocean.
To ensure that the subdivision is consistent with orderly and proper planning and the character of the area.	The proposed subdivision has been designed in accordance with LPS9 and the intent of the design principles of the R-Codes, taking into account lot areas and averages etc.
To ensure constructed vehicle access from the gazetted public road system to each new lot.	One crossover is proposed to each lot from existing gazetted roads.
To create lots that are capable of lawful development and, at the same time, ensure that existing lots or the development upon them is not rendered illegal.	The proposed lots are capable of practical developments and lawful development.

Proposed Subdivision | Gingin Road, Lancelin

element.

To secure public utility services to each new lot appropriate for intended use of the lot.	All proposed lots will be provided with connection to reticulated infrastructure services. See Appendix B – Plan of Subdivision.
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Development Control Policy 2.2 - Residential Subdivision

WAPC *Development Control Policy 2.2 — Residential Subdivision* (DC2.2) establishes the WAPC's position on residential subdivision and should be read in conjunction with the R-Codes. The proposed subdivision is largely consistent with the relevant policy measures under DC2.2 and its appropriateness is summarised as follows:

- This proposal does not seek to increase the current number of lots on the subject site, only to reconfigure existing lots to facilitate future development;
- The proposed lots are regularly shaped where possible and respond to the existing site, creating an efficient use of space. Where a regular shaped lot is not possible, the lot has been designed to be a practical shape for an appropriate development to occur;
- The new lots are sized and positioned to allow for development which is consistent with the R-Codes and LPS9;
- The proposed lots will not vary the minimum and/or average lot size requirements; and
- Each lot will have direct access to a gazetted public road and will be connected to reticulated services.

Summary and Conclusion

This report has been prepared to support the proposed subdivision of the subject site, reconfiguring the existing three residential lots. The above outlines all relevant planning issues and a summary of the key findings are presented below:

- The subject site is zoned 'Residential R40' under LPS9, indicating the proposed subdivision is appropriate for the site;
- The residential lots proposed to be created through the subdivision application all meet the minimum and average size requirements of the R-Codes;
- The proposed subdivision is consistent with the Shire's LPS9 and all relevant policies outlined above;
- There are no physical, contamination, environmental or heritage constraints that would restrict development of the site, bushfire will be investigated and managed through future development applications;
- All lots will be connected to the required reticulated service infrastructure; and
- There will be no demand for additional services as a result of the development given that no new additional lots are proposed.

The proposed subdivision is consistent with the WAPC's policies and practice, the Town's LPS3 and the design principles of the R-Codes. It is therefore respectfully requested that the WAPC approve the proposed subdivision at its earliest convenience.

Proposed Subdivision | Gingin Road, Lancelin

element.

Should you have any queries in relation to the above, please do not hesitate to contact the undersigned on (08) 9289 8300.

Yours sincerely
element



Murray Casselton
Director

Proposed Subdivision | Gingin Road, Lancelin

element.

Appendix A – Certificate of Titles

Proposed Subdivision | Gingin Road, Lancelin

element.

Appendix B – Plan of Subdivision

**15.5 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED OVERSIZE OUTBUILDING
AT LOT 355 (7) SHANKS'S PONY LANE, GINGIN**

File	BLD/7330
Applicant	Ellenbrook Sheds Pty Ltd – Shed Rite
Location	Lot 355 (7) Shanks's Pony Lane, Gingin
Owner	D & E Styles
Zoning	Residential R2.5
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 [15.5.1 - 2 pages] 2. Applicant's proposal [15.5.2 - 2 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an Application for Development Approval for a proposed outbuilding on Lot 355 (7) Shanks's Pony Lane, Gingin.

BACKGROUND

The Shire is in receipt of an Application for Development Approval for a proposed outbuilding on the subject lot which is 4003m² in area and contains an existing single house.

The proposal seeks to construct an outbuilding which is 18.75 metres in length and 7.6 metres in width (142m²) and is located to the rear of the subject lot. The outbuilding is proposed to be set back 2m from the rear (western) lot boundary and 12.6m from the side (north and south) boundaries.

The proposal seeks variations to clause 5.4.3 – Outbuildings under State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes) with respect to the wall height, ridge height and overall area. The proposal also seeks a 2m² variation to Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1) with respect to the overall area.

This report is being presented to Council as the officer does not have delegated authority to approve an outbuilding that varies the provisions of LPP 2.1.

A location plan and aerial imagery are provided as **Appendix 15.5.1**.

The applicant's proposal is provided as **Appendix 15.5.2**.

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 the advertising period, one submission was received from the adjoining rear landowner with a general comment regarding the dividing fence. The adjoining owner requested that the applicant not interfere with the newly erected fencing. This is a general requirement and the officer has informed the applicant of the comments and included an Advice Note in the recommendation.

PLANNING FRAMEWORK

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

The subject land is zoned Residential R2 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 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 major variations to the deemed-to-comply provisions of the R-Codes, namely an area of 142m² in lieu of 60m² and 3m wall height in lieu of 2.4m. However, the proposal is consistent with the provisions of LPP 2.1 except for the minor 2m² variation to the outbuilding area. The proposed heights are not considered to be detrimental to the residential character of the area, and the variation proposed to LPP 2.1 is minor in nature and presents a built form that is consistent within its setting.

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 metres, with an overall height of 3.6 metres and an overall outbuilding area of 142m². The relevant design principle for Outbuildings is as follows:

"Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties."

Officer comment

The outbuilding is positioned at the rear of the lot, albeit fronting a secondary street frontage and abutting the rear adjoining owner's side lot boundary. The proposal complies with the rear setback requirement (1.5m required) and the secondary street setback requirement (7.5m required). The design and built form is consistent with the provisions of Local Planning Policy 2.1 (LPP 2.1) and, as noted, meets the setback provisions for outbuildings as prescribed via Table 2a of the R-Codes.

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
Gingin > 4000m ²	Area Wall Height Overall Height	140m ² 3.6m 4.2m	142m ² – non-compliant 3m - compliant 3.67m – 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 variation to the overall area is minor and, when combined with a conservative wall and ridge height, is deemed to be an acceptable design outcome.

Summary

The officer is of the view that the variation to the floor area is minor and therefore recommends that the proposal be supported subject to conditions.

STATUTORY/LOCAL LAW IMPLICATIONS

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

Local Planning Scheme No. 9

POLICY IMPLICATIONS

Local Planning Policy 2.1 - Residential Outbuildings

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 Peczka

SECONDED: Councillor Kestel

That Council grant Development Approval for an outbuilding on Lot 355 (7) Shanks's Pony Lane, Gingin, subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications, including any directions written in red ink by the Shire, unless otherwise conditioned in this Approval;
2. This approval is for an outbuilding only as indicated on the approved plans;
3. 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; and
5. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire of Gingin.

Advice Notes:

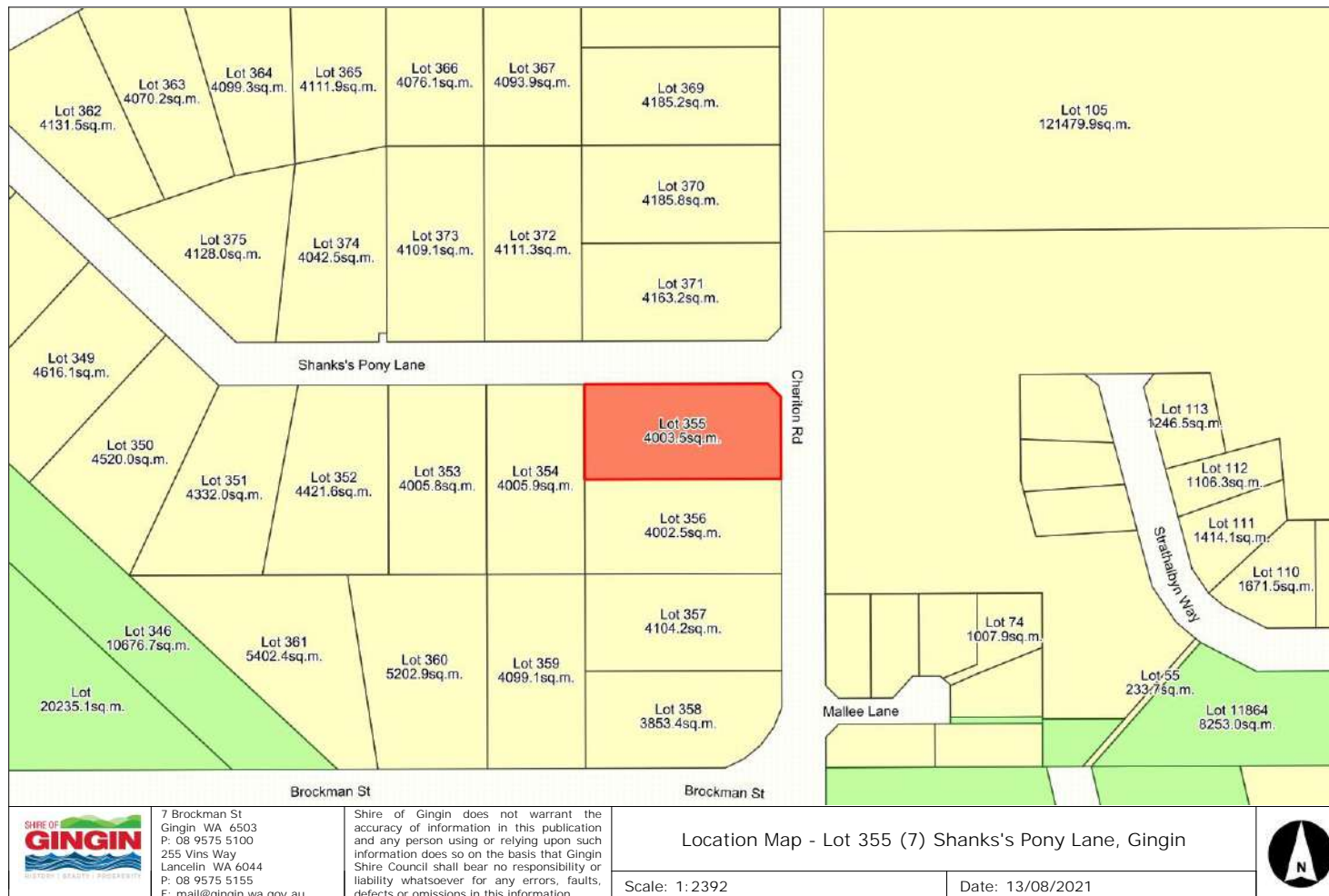
Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.

- 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 *Public 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.
- Note 5: This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining landowner. Please refer to the *Dividing Fences Act 1961*.

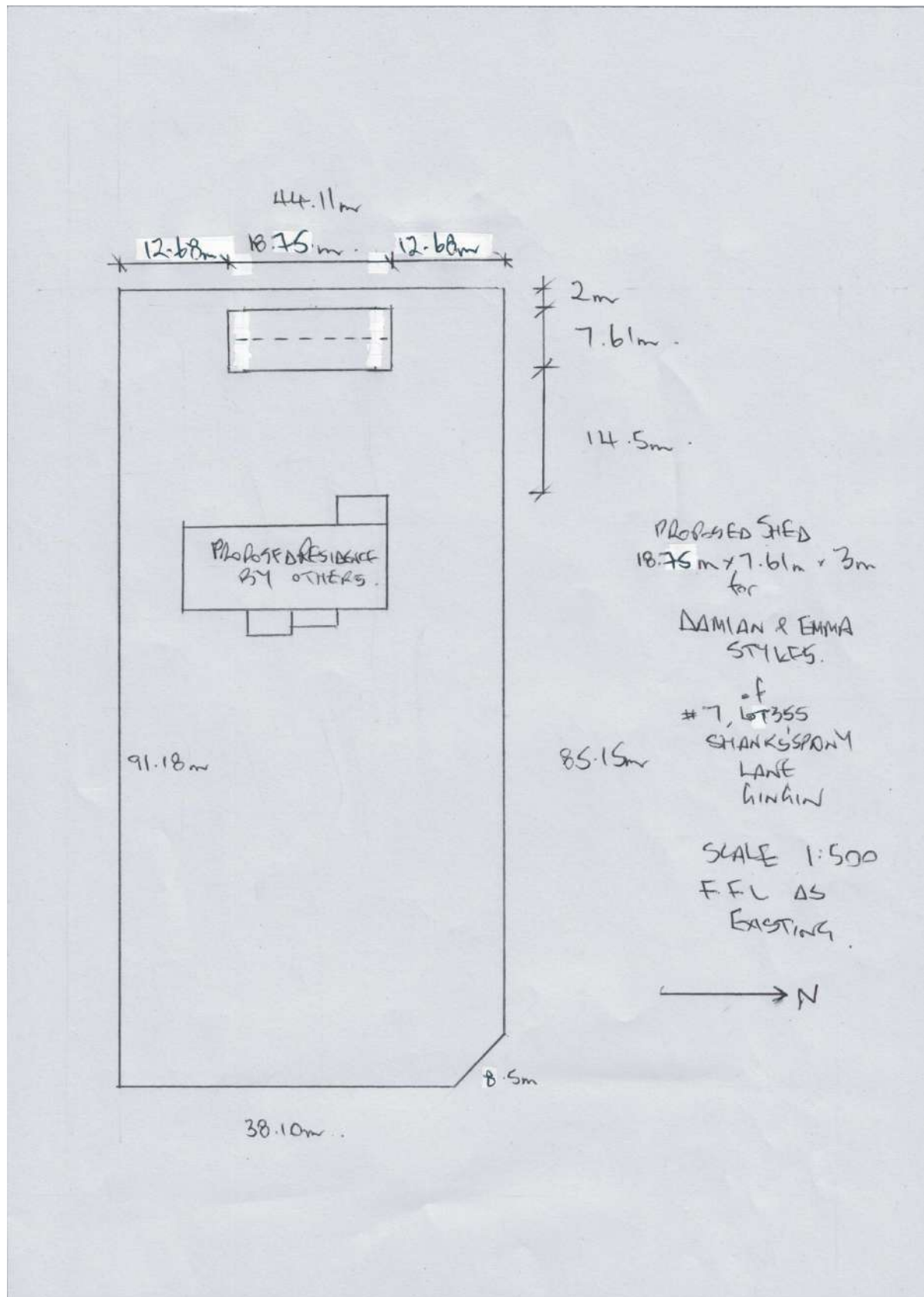
CARRIED UNANIMOUSLY
9 / 0

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

AGAINST: *Nil*

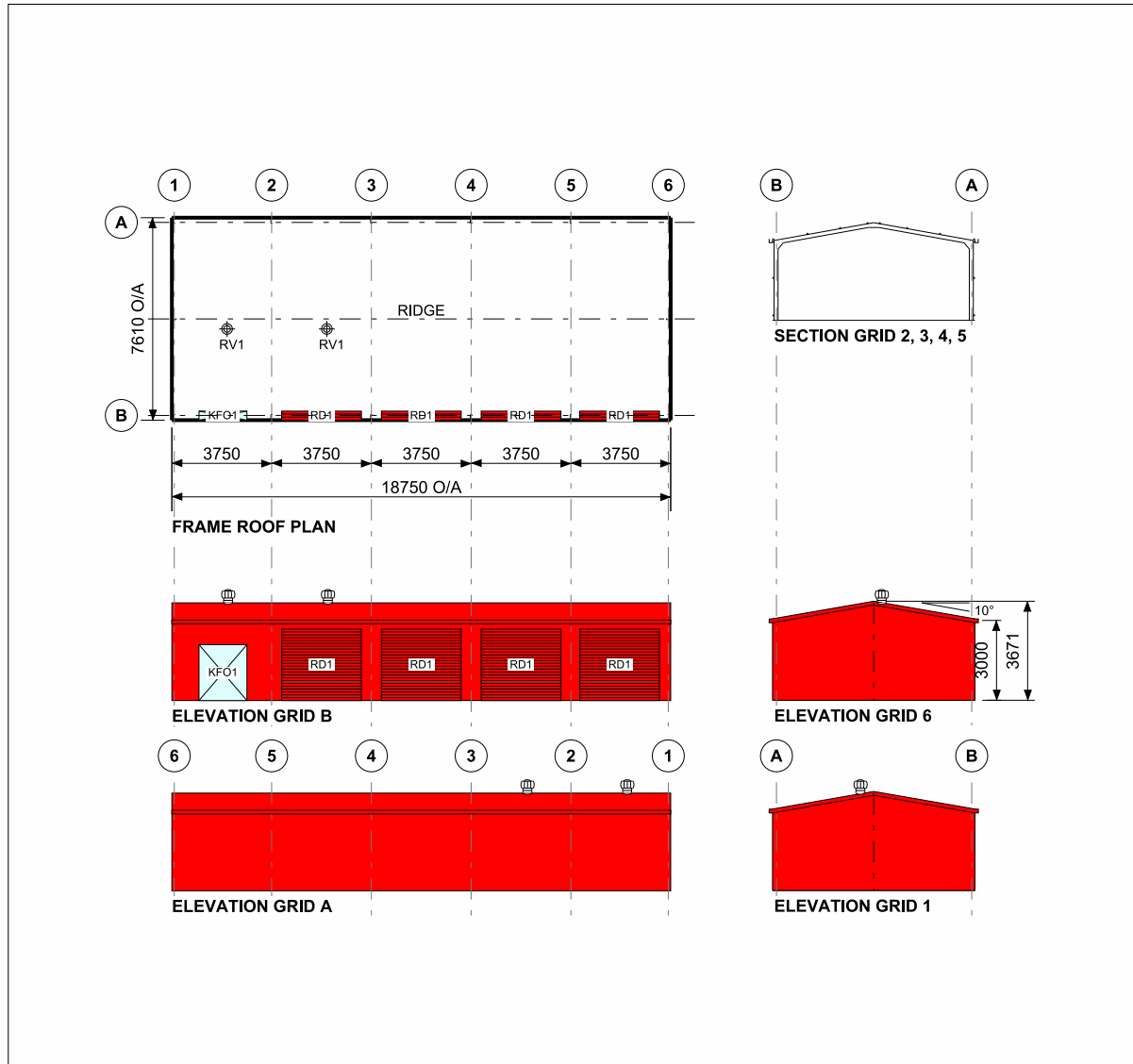






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APPENDIX 15.5.2



<

15.6 SOUTH WEST NATIVE TITLE SETTLEMENT - LAND BASE CONSULTATION

File	CPT/2
Author	Kylie Bacon – Coordinator Strategic Planning and Projects
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	17 November 2020, Item 11.3.9
Appendices	1. Location Plans [15.6.1 - 4 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider a proposal for the transfer of lots identified in Table 1 (below) and on the Location Plans in **Appendix 15.6.1** 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 South West Native Title Settlement (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) are 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.

The subject lots (eight in total as identified in **Appendix 15.6.1**) are zoned under the Shire of Gingin's Local Planning Scheme No. 9 (LPS 9). Their zoning is outlined in Table 1 below. All eight lots are owned by the Crown.

DPLH have outlined the following questions below for Council's consideration and comment. The advice provided in accordance with LPS 9 and relevant planning policies and guidelines where applicable.

It should be noted that land rates may apply to some of the subject lots. 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 the 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, Shire of Gingin's Local Planning Scheme No. 9 zoning and any environmental considerations.

Table 1

Lot Details	Area (Hectares)	LPS 9 Zoning	Environmental Considerations
Lot 198 (5) McCormick Street, Seabird (A5297)	0.56	Public Use	Bushfire Prone Area *Potential Inundation
Lot 78 McCormick Street, Seabird (A4128)	2.45	Parks & Recreation and Town Centre	Bushfire Prone Area South-Western corner of lot slightly outside the coastal hazard area *Potential Inundation
Lot 0 McCormick Street, Seabird (A6264) / PIN 573971	48.02	General Rural and Parks & Recreation	Bushfire Prone Area 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. *Potential Inundation
Lot 1041 Kendall Road, Lancelin (A6268)	36.33	Parks & Recreation	Bushfire Prone Area Inundation Special Control Area No. 2 – Public Drinking Water Source Areas and Wellhead Protection Zone. Special Control Area No. 3 – Basic Raw Materials Areas abutting to east of lot.

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Lot 32 Walker Avenue, Lancelin (A4352)	56.81	Parks & Recreation	<p>Bushfire Prone Area</p> <p>Inundation</p> <p>Special Control Area No. 2 – Public Drinking Water Source Areas abutting to north-east.</p> <p>Special Control Area No. 3 – Basic Raw Materials Areas</p>
Lot 13735 Ledge Point Road, Ledge Point (A4441) Reserve 36447 for Government Requirements	1026.12	Parks & Recreation	<p>Bushfire Prone Area</p> <p>*Potential Inundation</p> <p>Coastal Hazard lines do not extend that far south in Ledge Point to identify the extent of coastal erosion. However, as it's adjacent to the coast it is highly probable that it is in 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.</p> <p>The provisions of SPP 2.6 would apply.</p>
Lot 350 Boonanarring Nature Reserve Reserve 22605 for the purposes of Water	190.95 & 204.38	Parks & Recreation	Bushfire Prone Area
PIN 11874326 Lancelin	1.7	Parks & Recreation Ocean	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.

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?**

From a planning perspective there is no identified Shire interest in the land parcels.

3. **Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.**

No.

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

Development would need to demonstrate compliance with (but not limited to) the connection to electricity, potable water supply and an approved wastewater treatment facility/apparatus.

It should be noted that if road reserves servicing the lots are not in a trafficable standard and development of the lot requires access from those roads, then it would be a requirement for the road to be upgraded to the satisfaction of the Shire at the cost of the applicant/landowner.

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

The Shire has no future proposals identified for these sites other than its current zoning under LPS 9.

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.

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 these lots.

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).

Designated Bushfire Prone Area

The subject lots are within a Designated Bushfire Prone Area as identified by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to developments within designated bushfire prone areas, in accordance with Schedule 2 Part 10A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, State Planning Policy 3.7 (SPP 3.7) and the Guidelines and the Building Code of Australia.

Coastal Erosion and Inundation

In 2019, Cardno prepared a Coastal Hazard Risk Management and Adaption Plan (CHRMAP) for Lancelin, Ledge Point and Seabird that examined erosion risks and adaptation options. In 2020, Baird prepared an Inundation study for Lancelin, Ledge Point, Seabird and Guilderton.

The Shire is currently undertaking a Coastal Hazard Risk Management and Adaption Plan (CHRMAP)/Inundation project including a risk assessment and adaptation options for Guilderton and an assessment of what else has changed across the four coastal towns. This will give the Shire a comprehensive and integrated understanding of how our coastline will be impacted in the future and how we can plan for and manage these changes in the four coastal townsites.

Lot 0 McCormick Street, Seabird (A6264) PIN 573971, PIN 11874326 Lancelin and Lot 13735 Ledge Point Road, Ledge Point are subject to coastal erosion where development will need to comply with State Planning Policy 2.6 – Coastal Planning (SPP 2.6) and the Shire's CHRMAP and any future amended CHRMAPs.

With respect to inundation, the Baird Gingin Coastal Inundation Study concluded that:

'For Ledge Point, Seabird and Guilderton the developed areas are not at risk of inundation, with the natural topography set well above the extreme design water levels, including future sea level rise scenarios.'

However:

'Foreshore areas at all study locations are susceptible to the impacts of wave run-up in design storm cases, which may result in overtopping of dunes and foreshore structures.'

It should be noted that more information will be available and will need to be taken into consideration once the CHRMAP/Inundation project has been formally completed.

Inundation risk is highest for Lancelin. Lot 1041 Kendall Road, Lancelin, Lot 32 Walker Avenue, Lancelin, and PIN 11874326, Lancelin are subject to inundation.

Special Control Area No. 2 – Public Drinking Water Source Areas (SCA 2)

The purpose of SCA 2 is to identify proclaimed Public Drinking Water Source Areas (PDWSAs) and to ensure that land use and development within those areas is compatible with the protection and long-term management of water resources for a public water supply.

SCA 2 encroaches onto Lot 1041 Kendall Road including a Wellhead Protection Zone and adjoining Lot 32 Walker Avenue, Lancelin to the north-east.

Special Control Area No. 3 – Basic Raw Materials Areas (SCA 3)

The purpose of SCA 3 is to identify and protect important basic raw material resources and provide for their extraction and use in accordance with State Planning Policy 2.4 - Basic Raw Materials.

SCA 3 encroaches into Lot 32 Walker Avenue, Lancelin and adjoins Lot 1041 Kendall Road, Lancelin to the east.

Clearance of Native Vegetation

Native vegetation clearing permits may need to be obtained unless an exemption applies. The Department of Water and Environmental Regulation (DWER) is the administering body.

STATUTORY/LOCAL LAW IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015,
Local Planning Scheme No. 9
Shire of Gingin Coastal Hazard Risk Management and Adaption Plan (CHRMAP).

POLICY IMPLICATIONS

State Planning Policy 3.7
State Planning Policy 2.6

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 Rule

SECONDED: Councillor Vis

Councillor Peczka foreshadowed an Alternative Motion in the event that the motion under debate is lost.

That Council support the transfer of the following lots (as depicted in Appendix 13.6.1) to the Noongar People under the South West Native Title Settlement:

1. Lot 198 (5) McCormick Street, Seabird (A5297);
2. Lot 78 McCormick Street, Seabird (A4128);
3. Lot 0 McCormick Street, Seabird (A6264)/PIN 573971;
4. Lot 1041 Kendall Road, Lancelin (A6268);
5. Lot 32 Walker Avenue, Lancelin (A4352);
6. Lot 13735 Ledge Point Road, Ledge Point (A4441) Reserve 36447 for Government Requirements;
7. Lot 350 Boonanarring Nature Reserve Reserve 22605 for the purposes of Water; and
8. PIN 11874326 Lancelin.

**CARRIED
7 / 2**

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

The map displays the following lot details:

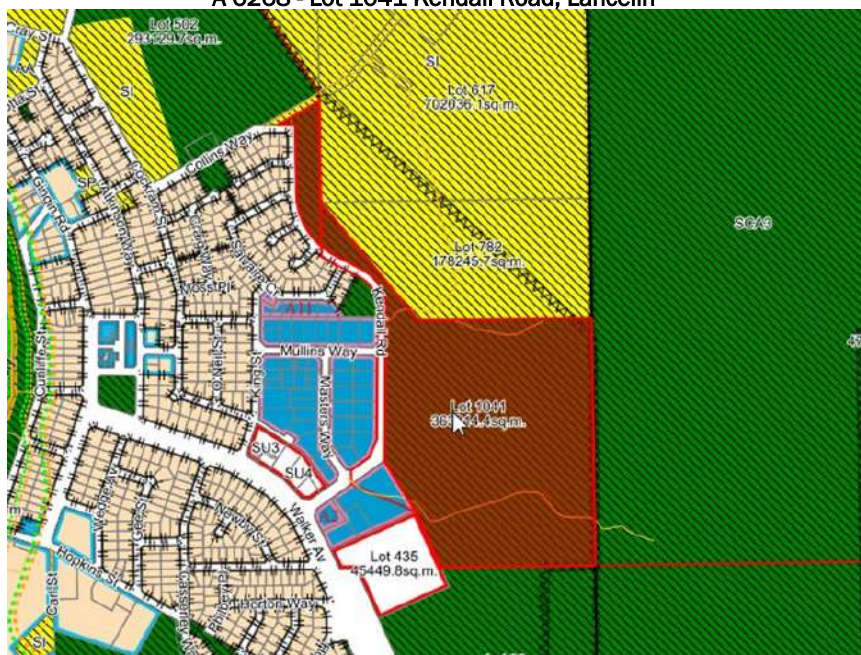
- Lot 1: 55,928.5 sq.m
- Lot 76: 14,365.0 sq.m
- Lot 78: 24,528.4 sq.m
- Lot 79: 3,496.0 sq.m
- Lot 80: 5,968.4 sq.m

Streets shown include McCormick St, Jones Prom, Edwards St, and Tully View. A red line indicates a proposed boundary or easement. A mouse cursor is pointing at Lot 78.

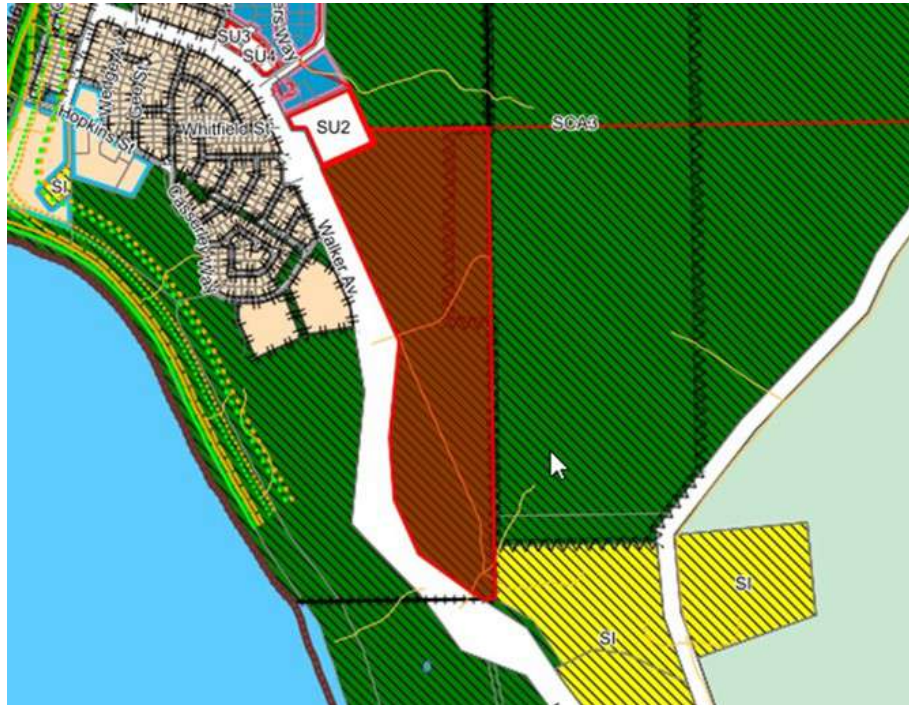
A6264 / PIN 573971 - Lot 0 McCormick Street, Seabird



A 6268 - Lot 1041 Kendall Road, Lancelin



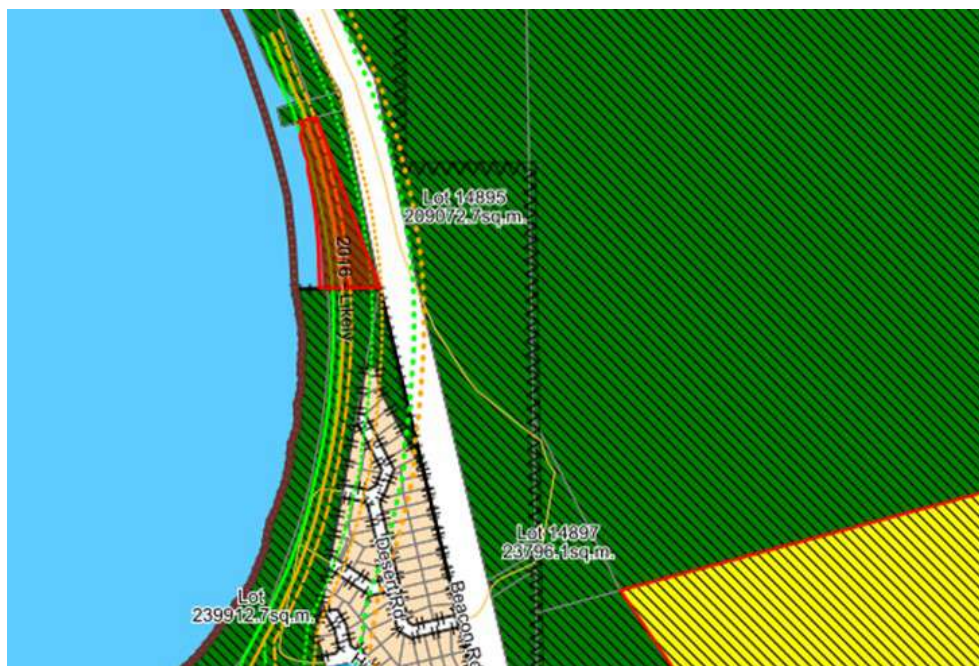
A4352 - Lot 32 Walker Ave, Lancelin



Lot 350 Boonanarring Nature Reserve (Reserve 22602)



PIN 11874326 Lancelin



16 REPORTS - OPERATIONS AND ASSETS

16.1 RESTRICTED ACCESS VEHICLE APPLICATION - (NETWORK 4, ACCREDITED MASS MANAGEMENT SCHEME LEVEL 3) USE ON MOGUMBER ROAD WEST FROM BRAND HIGHWAY TO BINDOON-MOORA ROAD

File	RDS/10
Author	Danica Todd - Operations and Assets Support Officer
Reporting Officer	Mikel Haramboure - Executive Manager Operations and Assets
Refer	Nil
Appendices	1. 20210929140004 [16.1.1 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider an application from Rileyz Transport regarding the use of Restricted Access Vehicles (RAV) - Network 3 with an Accredited Mass Management Scheme (AMMS) of Level 3 on Mogumber Road West.

BACKGROUND

A RAV Application has been received from Rileyz Transport seeking approval to use Network 3, AMMS Level 3 vehicles on Mogumber Road West from Brand Highway to Bindoon/Moora Road.

A Network 3, AMMS Level 3 RAV is a heavy vehicle combination consisting of a prime mover and a semi-trailer towing a dog trailer. This combination is permissible up to a length of 27.5m and a gross weight of not more than 94 tonnes (differing from a maximum gross weight of 87.5 tonnes for a RAV Network 4 without AMMS).

Council Policy 7.6 Road Transport Heavy Vehicle Combinations, particularly 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.

A location plan showing the proposed route is attached as **Appendix 16.1.1.**

Mogumber Road West is currently approved for RAV Network 4, AMMS 4 with conditions from Brand Highway to Bindoon–Moora Road.

This is the second AMMS Level application to the Shire for the entire length of Mogumber Road West, essentially making it a ‘through route’ with the additional mass per axle. The applicant will need to apply to the Shire of Victoria Plains for AMMS Level 3 approval to be able to complete the trip from Brand Highway to Bindoon–Moora Road.

COMMENT

Mogumber Road West is currently a sealed road with the following standards applying to the length of road for which the Shire of Gingin is responsible (24.95km):

- 7.4m wide sealed surface in very good condition;
- Last reseal in 1998 (sealed surface 19 years old);
- Pavement width (shoulder to shoulder) between 12m from Brand Highway for 530m and the remaining length (24.42km) at 10m;
- Road was upgraded to its current standard (sealed to 7.4m wide) in 1998(pavement is 19 years old; technically, remaining useful life of 21 years); and
- The pavement is predominately in good condition with some minor pavement failures approximately 900m east of Brand Highway.

The current traffic volume on Mogumber Road West (58 day count between January 2021 and March 2021) is 196 vehicles per day of which 85 (43%) were specifically pocket road trains; RAV Network 3 and 4.

The AMMS application will allow the applicant to deliver more product per trip. Should the application be approved, the use of larger vehicles will lead to greater efficiencies for cartage contractors and reduced cartage costs for producers, therefore increasing their profitability.

There are no issues with either road regarding stacking distances (distance from railway crossings to intersections not being sufficient to stop a RAV combination), horizontal curves, vertical curves or sight distances within the Shire of Gingin.

The main issue for the Shire to consider is the extra wear on and deterioration of the road pavement due to the additional 6.5 tonnes per combination (over a normal RAV Network 3 combination). The additional weight per axle will decrease the pavement life per vehicle, albeit by a very minimal amount.

The Shire may impose conditions on the AMMS application should it be approved, and HVS recommends that a ‘CA07’ condition (requiring that a letter from the local government must be carried on 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, 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.

The Shire of Gingin does not receive any additional grant funding to deal with AMMS approvals or any resulting increased pavement wear on local government assets.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Minor.

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 Areas	Community Infrastructure
Priorities	N/A

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Sorensen

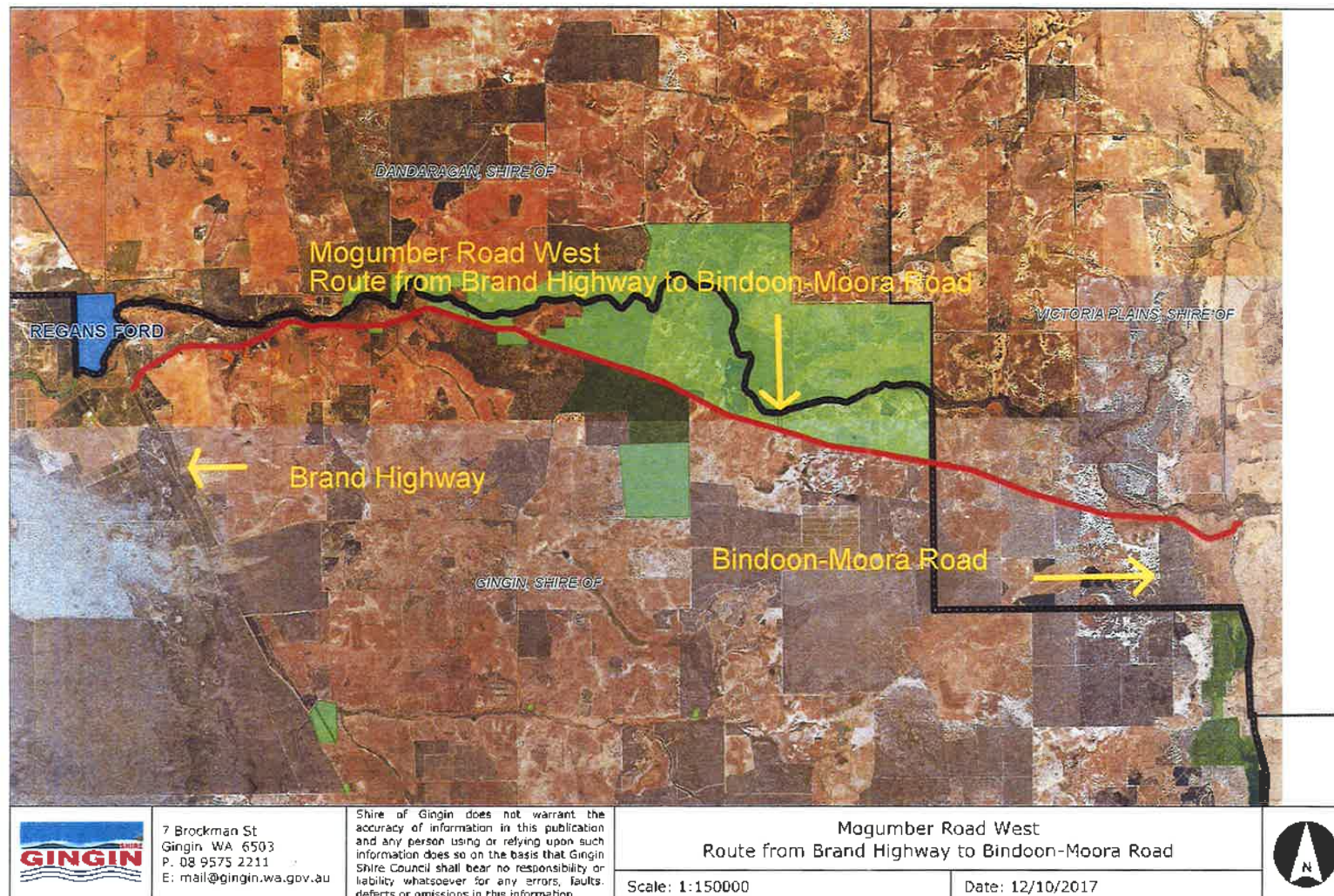
That Council approve the Restricted Access Vehicle Accredited Mass Management Scheme (Level 3) Application from Rileyz Transport for Mogumber Road West from Brand Highway to Bindoon-Moora Road with the following conditions:

1. A current written approval from the Shire of Gingin permitting use of the road must be carried and produced on demand;
2. All permit vehicles operating within the Shire of Gingin shall not exceed 80kph on sealed roads;
3. All permit vehicles shall not exceed 60km/h on unsealed sections of road;
4. Unsealed roads may not be used by RAVs when visibly wet; and
5. RAV Approvals by the Shire shall expire annually at 30 June.

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*



17 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18 COUNCILLORS' OFFICIAL REPORTS

Nil

19 NEW BUSINESS OF AN URGENT NATURE

Nil

20 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule **SECONDED:** Councillor Johnson

That Council move into a Confidential Session to discuss Item 20.1 and 20.2

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*

The meeting was closed to the public at 4:57pm and all staff and members of the public present in the gallery left Council Chambers.

20.1 2020/21 ANNUAL PERFORMANCE REVIEW – CHIEF EXECUTIVE OFFICER

File	PER/313
Reporting Officer	Cr Wayne Fewster – Shire President
Refer	15 December 2020, Item 15.1
Appendices	Nil

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:

- a. a matter affecting an employee or employees;

DISCLOSURES OF INTEREST

Aaron Cook (CEO) disclosed a Financial Interest in item 20.1 as it relates to his employment as Chief Executive Officer of the Shire of Gingin.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson

SECONDED: Councillor Vis

That Council:

1. Consider the completed 2021 Performance Review for the Chief Executive Officer and accept the findings of the Review.
2. Agree to the following Key Performance Indicators for the Chief Executive Officer over the ensuing 12 months:
 - a. Continue to monitor the medical services throughout the Shire and look to assist in the development of additional service provision where possible;
 - b. Continue to monitor the coastal erosion issues along the Shire of Gingin coastline and, in particular, see the completion of the incorporation of the Shire of Gingin Inundation Study into the CHRMAP and Local Planning Scheme including engaging the Coastal Erosion Management Committee on a regular basis;
 - c. Continue to investigate options for other sources of income;
 - d. Progress works in relation to the Guilderton Foreshore ablution facilities;
 - e. Monitor the contract for the Guilderton Caravan Park and Guilderton Store;

- f. Develop a Management Plan for the Lancelin Off-Road Vehicle Area (LORVA), progress the issue of a Management Order to the Shire of Gingin over the area and seek funding opportunities for planned infrastructure;
 - g. Continue to oversee and progress the Shire of Gingin Waste Management Plan development;
 - h. Continue to oversee the restructure report and implementation of recommendations for the Outside Works Crew and monitor staffing across the organization; and
 - i. Present to Council for consideration, prior to the next Budget Review and deliberation, a comprehensive report looking at all aspects of staffing, across all Departments, including urgency, current/possible deficiencies and impact on staff and output, reasoning, level of experience required, costings for inclusion in the Workforce Plan and forward costings.
3. Agree that the CEO will seek quotes for the engagement of an independent consultant to undertake the 2021/22 CEO Performance Review, with quotes to be submitted to the Audit and Governance Committee for consideration.
4. Agree that the CEO be awarded a 1.75% per annum salary increase, to be backdated to the adoption date of the 2021/22 budget.

CARRIED UNANIMOUSLY
9 / 0

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

AGAINST: *Nil*

Aaron Cook returned to the Council Chambers at 5:15pm and was advised of Council's decision.

Lee-Anne Burt and Ebony Mackey returned to the Council Chambers at 5:20pm.

20.2 DESIGNATED SENIOR EMPLOYEE – EXECUTIVE MANAGER OPERATIONS AND ASSETS

File	PER/367
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	20 April 2021, Item 15.1
Appendices	Nil

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:

- a. a matter affecting an employee or employees;

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

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

That Council accept the CEO's action to terminate the employment of Mikel Haramboure as Executive Manager Operations and Assets, providing 4 weeks notice with his last day of work being 15 October 2021.

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Cr Peczka **SECONDED:** Cr Vis

That the meeting be re-opened to the public.

**CARRIED UNANIMOUSLY
9 / 0**

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

AGAINST: *Nil*

The meeting re-opened to the public at 5:33pm. No members of the public returned to the Gallery.

21 CLOSURE

There being no further business, the Shire President declared the meeting closed at 5:33pm.

The next Ordinary Council Meeting will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on 16 November 2021, commencing at 3:00pm.